PARLIAMENTARY DEBATES

(HANSARD)

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HOUSE OF COMMONS

OFFICIAL REPORT

FIRST SESSION OF THE FIFTY-FIRST PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-SECOND YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1992-93

COMPRISING PERIOD
19 April—30 April 1993

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THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE FIRST SESSION OF THE FIFTY-FIRST PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 27 APRIL 1992]

FORTY-SECOND YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 223**

SEVENTEENTH VOLUME OF SESSION 1992-93

House of Commons

Monday 19 April 1993

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

TRANSPORT

London Buses

1. **Mr. Corbyn:** To ask the Secretary of State for Transport what representations he has received concerning the future of London Buses.

The Minister for Transport in London (Mr. Steve Norris): We have received a number of representations on our plans for the privatisation and deregulation of buses in London.

Mr. Corbyn: Is the Minister aware that the vast majority of people in London are violently opposed to the deregulation and privatisation of their bus services? Is the hon. Gentleman aware also that outside London in English metropolitan areas there has been a reduction of 24·8 per cent. in passenger journeys since deregulation took place? London bus drivers and conductors are being forced into accepting lower wages and longer working hours while operating disgracefully old buses. The average age of a London bus is over 13 years.

Does not the Minister think that it is time to listen to what the people of London say, to end nonsensical privatisation and deregulation and adhere to what is, basically, a very good bus service in London which can provide a decent and safe service for the people, rather than stepping into the unknown and the nonsensical concept of deregulation?

Mr. Norris: It is always nice to start the week with the sort of rant that reminds me why Conservative Members occupy the Government Benches while Labour Members are on the Opposition Benches. There are three essential conclusions to be drawn from the deregulation experience: first, operating costs have been reduced by a third; secondly, route mileage has increased by 20 per cent; and, thirdly, public subsidy has been reduced by half.

Mr. John Marshall: Does my hon. Friend agree that the privatisation and deregulation of London Buses will lead to innovation and the introduction of new services for the benefit of London's travelling public? Will he comment on the dishonest campaign that deregulation will mean the end of the bus pass?

Mr. Norris: I am grateful to my hon. Friend for giving me the opportunity to say just that. The concessionary fares that are offered to pensioners in London are financed by the boroughs. The provision for them to provide similar facilities is, and always has been, a cornerstone of our deregulation legislation. My hon. Friend put his finger on the matter. Developments in bus technology—midibuses and minibuses, for example—have all arisen as a consequence of deregulation and not the planning-led and sterile system that the Labour party appears to favour.

Mr. Tony Banks: Surely the Minister knows that outside London fewer people are using deregulated bus services rather than more. The Minister is out to lunch if he believes that the majority of Londoners are looking forward to deregulation in the capital. Can he defend a situation in which bus workers are being told that if they want to retain their jobs they will have to accept wage cuts of £20 or £30 a week, or more? Does he think that that is fair? It is not something which we would vote in favour of for ourselves and it is not something which we should inflict on London bus workers.

Mr. Norris: May I make it plain to the hon. Gentleman —I think that he knows—that people in London simply

wish to see a better bus service. They are concerned that we should respond to their concerns as passengers. My right hon. and hon. Friends and I believe that deregulation will enable us to do that more effectively.

The hon. Gentleman referred to the renegotiated terms that London Buses Ltd. has discussed with some of its employees. That has put bus workers in the undertakings concerned on all fours with all of those who are employed in bus companies in the private sector. When the renegotiation has taken place, it has been accompanied by large payments which, generally, have been well in excess of £1,000, to buy out the previous uncompetitive working practices.

Mr. Forman: As some of my constituents, including those who work for London Buses, have expressed quite strong reservations about the liberalisation policy which I think my hon. Friend knows about, will he kindly set out for their benefit and for that of the House how it is that the experience of rural bus services, or services in rural towns, is relevant to the peculiar circumstances of Greater London?

Mr. Norris: I know, Madam Speaker, that you would not wish me to answer my hon. Friend exhaustively, so perhaps I can write to him in more detail. However, my hon. Friend will appreciate that the reduction in the use of buses has generally been associated above all with the growth in the use of the private car. People want to use their private cars and, when they can, they will generally do so. That is generally more possible outside London than inside. I repeat to my hon. Friend and for the benefit of the House that the key benefits of deregulation are substantial reductions in operating costs and increases in the number of bus miles operated.

Airbags

2. **Dr. Lynne Jones:** To ask the Secretary of State for Transport if he will introduce legislation to require all new cars to be fitted with airbags.

The Minister for Roads and Traffic (Mr. Kenneth Carlisle): Legislation on the compulsory fitting of airbags would have to be initiated by the European Commission. There is no restriction on their use in cars in the United Kingdom, but seat belts, which are effective and cheaper to fit than air bags, will remain the main personal restraint feature.

Dr. Jones: In view of the Minister's concern about road and passenger safety and of the likely delay in any legislation being implemented, is not it clear that more people will be looking to public transport? Will he therefore do battle with the Treasury over its nonsensical rules, which are preventing the Midland Metro scheme from going ahead? It is self-financing and will reduce the costs of accidents by £6 million in addition to creating 1,100 jobs.

Mr. Carlisle: That was a question which certainly had a lot to do with airbags—or windbags, if I may say so. Clearly, it is up to the individual how he or she wishes to travel, but, when people travel, by far the best thing that they can do to secure their safety is to wear a safety belt.

Dame Elaine Kellett-Bowman: May I say that my question is to do with airbags. Research currently being undertaken shows that the majority of accidents come from side impact. Will he promote research into protection from side impact, which is now more important than front or rear impact?

Mr. Carlisle: My hon. Friend makes a very good point. It is the design of the car which can now do most to prevent injury. The Transport Research Laboratory is researching the design of a car that would deal with side impact. We certainly intend to continue with that, but, as part of the single market, we have to persuade everyone else in Europe to go along with such measures. We are determined that more people will wear safety belts and we are making progress in that respect. I also welcome the fact that more United Kingdom models are now fitted with airbags, which offers genuine customer choice.

London-Carlisle Rail Service

3. **Mr. Campbell-Savours:** To ask the Secretary of State for Transport when he next intends to travel in an official capacity on the London-Carlisle InterCity train service.

The Secretary of State for Transport (Mr. John MacGregor): I did so last month. I would have travelled on the line again last Friday, but the strike meant that I was one of the passengers lost to British Rail that day, with corresponding substantial loss of revenue. I hope that the hon. Gentleman will condemn that counter-productive strike in the same way as I did.

Mr. Campbell-Savours: Does the Secretary of State realise that we have waited a number of years for investment in that line and that its managers say that, unless investment is forthcoming, the line will simply collapse? I understand that the Minister intends to make an announcement in reply to my question, but may I pre-empt him by saying that, if investment is based on competition in which we are in a run-off with Kent for £150 million, that is not good enough? We demand investment now. The taxpayer has over the years paid a great deal of money to government on the basis that investment would be made in the line. Why cannot he give us an honourable statement today instead of what some might regard as a dishonourable cop-out?

Mr. MacGregor: I was asked when I intended to travel on the line and I was answering the hon. Gentleman's question. As to his supplementary questions, my hon. Friend the Minister for Public Transport hopes to make an announcement soon about rolling stock in relation to leasing. As to infrastructure, BR intends to start work renewing the west coast main line, but the precise timing will be decided later in the spring, when British Rail finalises its spending plans. When the hon. Gentleman talks about the taxpayers' contribution to British Rail, he should know that we spent record sums on capital investment in BR last year. It is expected that the figure will reach more than £1 billion this year—which is still substantial by any standards. The hon. Gentleman should recognise the relevance of my comment that British Rail is losing £10 million a day in the RMT strikes. If the hon. Gentleman favours investment, will he call on the RMT to stop the strikes, which are reducing investment rather than increasing it?

Mr. Brandreth: Is my right hon. Friend aware that that line services the great and beautiful city of Chester? Is he

further aware that last Friday I, too, was unable to take my customary train to Chester and consequently took an aeroplane? I discovered that the journey to Chester via Manchester was half an hour faster. Does my right hon. Friend agree that Friday's futile strike not only did a grave disservice to our national railway system but gave a useful shot in the arm to British Airways?

Mr. MacGregor: When I was to share a platform with my hon. Friend on Friday afternoon, we both had to travel by air rather than take a train. I agree that the risk of such strikes is that passengers will be permanently lost to British Rail when they discover, as my hon. Friend did, that there is a quicker way to travel to Chester. The risk to freight is even more serious. I have endeavoured in a number of ways to get more freight off the road and on to the railways and I have presented to the House schemes for achieving that. Last Friday's strike and other strikes will cause that freight to be switched from rail to road, which would counterbalance anything that I am trying to do. That is why the strike is counter-productive.

Mr. Prescott: Does the Secretary of State accept that instead of hurling abuse at people in industrial disputes, it would be much better if he used his office to bring the parties together to achieve an agreement, rather than have disagreement? Does the right hon. Gentleman accept that his statement on British Rail's financial objectives one day before the first day's dispute, when British Rail was meeting the trade unions, which would have resulted in cutting investment by half and BR's revenue subsidy by 23 per cent., and in making another 5 per cent. of cuts, could only have added to the thousands of redundancies? Was not that statement designed to torpedo the talks?

Mr. MacGregor: That is absolute nonsense. The objective set for British Rail next year and the announcement that we made in the autumn statement will mean a somewhat smaller public service obligation grant than the year before. However, it is a good deal higher than two years ago and very much higher than for a long time. It is down only on the year before. What is more, it is being achieved by more efficient British Rail cost operations, which included the voluntary redundancies that it has achieved this year on generous terms.

Mr. Prescott: Yes.

Mr. MacGregor: I am glad that the hon. Gentleman acknowledges that they were voluntary. I hope that he agrees that, in the interests of the taxpayer, it is right that British Rail should seek to reduce its costs and thus to have a lower PSO—but it is still a good deal higher than earlier.

Mr. Prescott: What about investment?

Mr. MacGregor: Last year was an absolute record and this year it will be £1 billion—higher than in any period since the early 1960s and still very substantial. As to the strike, I have made it clear throughout that I support the British Railways Board. If the hon. Gentleman is in favour of investment in British Rail, does he not realise that it would be better for him to persuade the RMT to call off its strikes rather than support it in the way that he did? The hon. Gentleman is risking investment going down next year.

Mr. Adley: Leaving aside the rhetoric on both sides of the House about the strike, does my right hon. Friend agree that lack of investment on the west coast main line is having a deleterious effect on services? Is there any realistic likelihood, under his plans for the railways, of private sector investment in that line's infrastructure?

Is my right hon. Friend further aware that I have written to him three times to ask when I may present to him personally the literally hundreds of letters that I have received about his plans for the railways? Will my right hon. Friend ask his private office to deal with that little point as well?

Mr. MacGregor: I have replied to my hon. Friend. He writes me a very large number of letters and I endeavour to get a reply to him as quickly as possible. My hon. Friend asked me about infrastructure investment on the west coast main line. My hon. Friend the Minister for Public Transport will say something about that shortly.

Mr. Harvey: Will the Secretary of State comment on the impression given by the Minister for Public Transport to the Standing Committee considering the Railways Bill that the leased stock—the new rolling stock that is coming into the railway industry—will be given to the new franchisees? Does he agree that the existing rail users on the remainder of the service will not regard that as a golden handshake for them?

Mr. MacGregor: I understand that my hon. Friend did not say that to the Standing Committee.

Mr. Hawkins: Does my right hon. Friend agree that it has always been clear, as he confirmed yet again this afternoon, that British Rail has definite plans to upgrade and modernise the west coast main line as soon as possible? Does he further agree that the remarks of the hon. Member for Kingston upon Hull, East (Mr. Prescott) when he is in the north-west, spreading gloom and despondency and scare stories about maintenance and safety on the west coast main line, can only drive passengers away, further damage the west coast main line and frustrate all the hopes that my constituents have of their direct through service from Blackpool to London being reintroduced? It is the hon. Member for Kingston upon Hull, East, therefore, who is doing the damage to the west coast main line.

Mr. MacGregor: The intention and hope obviously is that, before long, we shall be able to start infrastructure investment on the west coast main line. Until now, it has been for British Rail to establish its investment priorities. In recent years, there have been massive sums of capital investment in other lines—£550 million on the east coast main line and £800 million on Network SouthEast. The west coast main line is now a clear candidate for investment priority. I have already said that British Rail hopes to renew the infrastructure on the west coast main line shortly. I entirely agree with what my hon. Friend said about the hon. Member for Kingston upon Hull, East. The support that he has given to the RMT strike damages the interests and prospects of both passengers and investment. It is also unnecessary to spread scare stories.

West Coast Main Line

4. **Mr. Hoyle:** To ask the Secretary of State for Transport what offer he has received to modernise the west coast main line from the consortium of GEC Alsthom, Balfour Beattie and Trafalgar House.

The Minister for Public Transport (Mr. Roger Freeman): A consortium has expressed an interest in privately financing the infrastructure renewal of the west coast main line and we are studying the proposal. In addition, new rolling stock for this line is one of two options under consideration by British Rail for the £150 million rolling stock leasing facility announced in the autumn statement. The other option is upgraded dual-voltage Networkers for use on Network SouthEast's outer suburban services. I have today asked British Rail to invite tenders for both options. The eventual choice between then will depend on the bids received.

Mr. Hoyle: Is the Minister aware that breakdowns are occurring all the time? Only this morning when I travelled down to London the train was delayed because of engine failure. On the last four occasions that I have travelled there have been engine failures and long delays. Can the Minister say when decisions will be taken? Does not he realise that about £900 million needs to be invested in the west coast main line? Far from my hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott) talking about the safety risks, it was the route director for the west coast main line, Mr. Warburton, who made that statement. When will there be action? We are fed up with waiting.

Mr. Freeman: The hon. Gentleman is right to say that the cost of the infrastructure and rolling stock work is estimated to be about £900 million. We have today announced that British Rail is going out to tender for new inter-city west coast main line rolling stock and that it will compare those tenders with the bids received for the new class 465 Networkers. It is sensible to see what is the best value for both British Rail and the taxpayer. My right hon. Friend said that work will start very soon on resignalling the line and improving the infrastructure. British Rail has only just completed over £500 million of work on the east coast main line. It is important for British Rail now to turn its attention to the west coast main line, which should become the premier railway line in the country.

Mr. Jopling: Is my hon. Friend aware that the announcement this afternoon that tenders will be invited for improving the rolling stock on the lamentable west coast main line service is good news? Will he give the House an assurance that if both bids reflect good value for money, it is not impossible that both will be accepted?

Mr. Freeman: I can give my right hon. Friend the assurance that, as the leasing market develops, as surely it will—we hope within the next few weeks to be able to announce our conclusions on the consultation document on leasing—it is not out of the question that both options can be pursued.

Mrs. Dunwoody: Why does the Minister pretend that he has not taken evidence about the length of time it takes to place an order, to build the rolling stock and to get it into service? He knows very well that there is no market for second-hand, broken-down carriages which already produce an inadequate service. If he is not prepared to give us a genuine undertaking this afternoon that both lines are a priority, we shall know that his talk of wanting to support the passenger is so much hot air.

Mr. Freeman: I hope very much that because of the specific class of rolling stock that British Rail has selected —class 465 Networkers, which are dual voltage trains that can be used on Network SouthEast—and because of British Rail's decision to go out to tender for class 91 locomotives and mark IV coaches for the west coast main line, not much redesign work will be involved. I hope that the tenders will be returned quickly, that decisions can be made and that the trains will be manufactured quickly.

Mr. Gale: My hon. Friend will appreciate that his announcement this afternoon has profound implications for the future of the north Kent line. Given that, will he recognise that the trains for that line will mean jobs in construction for the United Kingdom and jobs that will enable north-east Kent to compete with Nord-Pas de Calais for jobs that would otherwise go to France? Will he impress on British Rail the importance of those trains to north Kent when the final decision is taken?

Mr. Freeman: I pay tribute to my hon. Friend's hard work in representing the best interests of his constituents on the Kent coast line. I can confirm that British Rail is well aware of the importance of improving the rolling stock in Kent, especially because, next year, new trains will provide channel tunnel services. It is important, certainly in outer Kent, that we have modern, efficient rolling stock which can compete, which offer good value for money and which will compare well with the new rolling stock to be introduced to the channel tunnel.

Mr. Bayley: Does the Minister recognise that the further delay in reaching an order, which his announcement today implies, puts at risk 1,600 jobs at the ABB works in my constituency and puts at risk jobs at GEC? Can he give us a firm date for when the order will be placed? Can he give the House an undertaking that he will approach the Treasury to get authorisation now for £300 million of leasing finance so that both orders can go ahead? Will he also give an undertaking that the whole build of whatever orders are placed will take place in this country because otherwise the British railway manufacturing industry will go the way of the British motor cycle industry, adding billions of pounds to our balance of payments deficit?

Mr. Freeman: No further delay will be caused by my announcement today. If the order had been for one line, there would still have had to be a tender procedure. There is no additional delay. I am well aware of representations from many hon. Members, including my hon. Friend the Member for Derby, North (Mr. Knight), who last week made very strong representations on behalf of ABB. If ABB wins an order, it will be good for York, for Derby and for Crewe. I am also well aware of the fact that GEC Alsthom is another major manufacturing company for rolling stock. We shall see what response we get from the bids. As I said in response to my right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling), it is not beyond the bounds of possibility that the leasing market will so develop that we are able to proceed with re-equipping both lines.

Sir Roger Moate: Does my hon. Friend understand that, despite our welcome for the leasing finance, there is some disappointment at the fact that we have waited six months for a decision, but are now told that, between the two competing lines, there is only a 50-50 chance of one order being placed? That is not satisfactory. Why has it taken six months to reach that conclusion? If one line is

not to be the loser, can my hon. Friend explain far more clearly to the House how it might be that if leasing finance develops within the coming weeks, both those orders, which are equally important, might be placed?

Mr. Freeman: I am grateful to my hon. Friend for drawing the attention of the House to the importance of the leasing market. I have given an assurance that we will make a statement as quickly as possible on the response to the consultation document on the procurement of rolling stock and leasing, and on how that market will develop. New opportunities will be opened up by these important developments and we will return to the House as quickly as we can to say how we see the way forward.

Mr. Wilson: As the Secretary of State seems to have some difficulty understanding his own handiwork, will the Minister confirm that in the current year investment in the existing railway will be at its lowest since nationalisation in 1948, and that a public service obligation grant cut of 23 per cent. is envisaged? That is bad news for the west coast line and for the system as a whole.

Will the Minister confirm that this pathetic damp squib of a statement is the direct consequence of playing two schemes off against each other when there is absolutely no need to do so? Instead of an announcement as to which of the schemes will go ahead, we have today had only a recycling of a previous announcement that two schemes are in the running. Does that situation have anything to do with the forthcoming county council elections?

Having finally accepted the leasing concept that the Opposition advanced 18 months ago, why have the Government still not given us a decision on a single line that will benefit from it? What possible reason is there for restricting leasing to one project instead of using the concept to develop and modernise our railways and to give some relief to the private railway industries which are starved of investment and are warning the Government that, due to the blight created by the threat of privatisation, 30,000 jobs are at risk in those industries in places such as York, Derby and Birmingham?

Mr. Freeman: In referring to investment, the hon. Gentleman always makes a simple error. Both he and the hon. Member for Kingston upon Hull, East (Mr. Prescott) always exclude channel tunnel rail investment. That will be part of the existing railway this year because the channel tunnel will open this year—[HON. MEMBERS: "This year?"] Yes, this financial year. That is why, £1·4 billion worth of investment should be included. The channel tunnel is as much a part of the railway system as the London-Tilbury-Southend line.

Cyclists (Safety Equipment)

6. **Mr. Booth:** To ask the Secretary of State for Transport what proposals his Department has to make the wearing of safety equipment by cyclists compulsory.

Mr. Kenneth Carlisle: Cyclists are encouraged to wear cycle helmets and conspicuous clothing, and that message was reinforced in our recent "cycle safe" campaign.

Mr. Booth: I shall resist the temptation to ask again about airbags, but in the light of numerous allegations that, following cycling accidents, cranial and other head injuries are the principal anxieties of the medical community, will my hon. Friend give the House an assurance that he will continue his fine record in safety matters and that proper medical research will be undertaken into all such injuries so that we may reach an adequate decision?

Mr. Carlisle: I can advise my hon. Friend that the Transport Research Laboratory is carrying out research. It is important, however, that before making anything compulsory we ask ourselves where regulation stops and good sense begins. I believe that as a country we are in danger of over-regulating, with all the problems of bureaucracy and enforcement that that entails. I am convinced that in this instance persuasion is the right way forward. I believe that our recent cycle safe campaign was effective and got the message across.

Ms Walley: But what is the Minister doing to promote cycling and safer cycling? Is it not the case that his Department does not recognise the role of cycling in reducing congestions, and is it not time that he gave far more support to those throughout the country who wish to cycle?

Mr. Carlisle: I welcome the fact that people should bicycle safely if that is their choice. However, the hon. Lady has not listened to what I told her some months ago. I suggested then that she should go away and read our traffic advisory leaflets and local transport notes which offer advice in that area, the most recent of which was entitled "Making Way for Cyclists". That showed local authorities how to engineer routes to encourage cycling and make it safer.

Airport Security

7. **Mr. Kynoch:** To ask the Secretary of State for Transport what further proposals he has for improving security at United Kingdom airports.

Mr. Norris: The Government have proposals for 100 per cent. hold baggage screening, for requiring airlines to account for and authorise for carriage all the baggage that they carry, and for improving the security of air cargo, mail and courier traffic.

Mr. Kynoch: As a frequent user of airliners, I am concerned that the Lockerbie disaster and the lessons learnt from it should be kept very much to the fore. I therefore welcome my hon. Friend's answer. Will he confirm that Britain is leading the way in Europe with those measures? Will he also reassure me that, as 80 per cent. of British air travel is international, he will give the highest priority to ensuring that the target of 100 per cent. is attained as soon as possible?

Mr. Norris: I am grateful to my hon. Friend for raising this subject and he is right to believe that the House takes the issue very seriously. I can confirm that my Department will continue to attach a high degree of importance to the whole issue of airport, airline and aviation safety generally. It may interest my hon. Friend to learn that our resources in that area have been increased tenfold since 1987.

Mr. Prescott: Can the Minister tell the House whether tests of aviation security at our airports carried out by his Department have shown standards to be unacceptably low four years after the Lockerbie tragedy?

Mr. Norris: I can confirm what my hon. Friend the Member for Kincardine and Deeside (Mr. Kynoch) said in his original supplementary—that standards in the United Kingdom are far in advance of those in virtually every other country in the world. From his knowledge of these matters, the hon. Member for Kingston upon Hull, East (Mr. Prescott) will know that in terms of implementation of 100 per cent. screening by 1996, we are already making very substantial progress towards that and are way in advance of most other countries in Europe. On that basis, I am indeed satisfied with the measures that the Department and the airlines and carriers are taking.

Rail Privatisation

8. **Mr. Beith:** To ask the Secretary of State for Transport what commitments he intends shall be imposed on companies undertaking rail service franchises to maintain existing intermediate stops.

Mr. MacGregor: The commitments will be laid out in the franchise contract. The franchisee will not be able to cease serving a station contrary to the terms of that contract.

Mr. Beith: What if someone like Mr. Richard Branson has been running the east coast main line service for about a year and then comes back to the Department of Transport and says, "I'd like to try running the trains express from Edinburgh to London and miss out all the stops at Berwick, Dunbar and Alnmouth"? Will he be given permission to do that? If that venture led to the collapse of the service because of a losss of revenue due to a mistake in commercial judgment, what would happen to the communities who would lose their rail service in the meantime?

Mr. MacGregor: I do not wish to comment on who might get the franchise, but the right hon. Gentleman will know that franchisees wishing to alter service patterns below the minimum specified—the kind of situation that the right hon. Gentleman has in mind—must give notice of that proposal to the franchising director who, after due consideration, will accept or reject the proposal. If there is a continuing demand for the service from which a franchisee might wish to withdraw, I believe that the franchising director would look very carefully at any such proposition. If there were any suggestion of the closure of a station or a service, all the normal statutory procedures which have applied in recent years would apply in the future.

Mr. Matthew Banks: Does my right hon. Friend agree that one of the advantages of bringing in new franchisees is that it would allow the private sector to bring forward new ideas and new products?

Mr. MacGregor: Yes, I very much agree. The whole purpose of our proposals is to improve the services for passengers, not to see them withdrawn.

Airlines (Competition)

9. **Mr. Jenkin:** To ask the Secretary of State for Transport what is his policy with regard to competition among United Kingdom airlines.

Mr. MacGregor: The Government's policy is to encourage free, fair and open competition among airlines to the benefit of both consumers and airlines.

Mr. Jenkin: Will my right hon. Friend accept my congratulations on the leading role that the Government have played in liberalising the airline industry throughout Europe? Is that not already shown in the recent reductions in prices on European routes? May we now look forward to greater freedom for airlines throughout Europe?

Mr. MacGregor: I am grateful to my hon. Friend, who is absolutely right. I do not think that the significance of the third aviation package in the European Community has yet been fully appreciated in opening up competition and liberalising the skies across Europe. Indeed, its effects are already being felt earlier than many people predicted. I am glad to say that, as the British Government were in the forefront of arguing for the changes and getting them, British airlines are in the forefront of taking advantage of them.

Since the new package came in on 1 January, British Midland has launched its Diamond Euroclass cabin in a new package offering savings of up to 40 per cent. compared with other airlines on seven routes in the Community and just outside it. Since then, other airlines, including British Airways, Aer Lingus, KLM and Air France, have followed suit and brought down their fares. That is a clear example of our new competition package operating to the benefit of consumers.

PUBLIC ACCOUNTS COMMISSION

National Audit Office

31. **Mr. Dowd:** To ask the Chairman of the Public Accounts Commission what proportion of the National Audit Office's resources in 1993-94 will be devoted to the certification of public accounts.

Sir Peter Hordern (Chairman of the Public Accounts Commission): The National Audit Office is allocating 44 per cent. of its budget for audit work to certification activities in 1993-94.

Mr. Dowd: I thank the Chairman of the Public Accounts Commission for that response. Can he give the House his estimate of the increase in costs that will be required by the National Audit Office to undertake a more detailed analysis of the accounts that come before it, such as the components under the main headings of the accounts of Government Departments? Given that it is likely to be a large and disproportionate increase in costs, what guidelines is the Commission prepared to offer through the National Audit Office to Departments to ensure that what is defined in main headings is what is included in those parts of the accounts so that items such as Ministers' legal expenses cannot be buried under headings such as "stationery"?

Sir Peter Hordern: The National Audit Office expects to increase the number of certifications that it does during the next few years from 498 to 560, at a significant reduction in real costs. I do not expect anything to happen during the next few years that will involve extra costs for the National Audit Office. The Public Accounts Commission is satisfied with its further programme.

Mr. Janner: Is the right hon. Gentleman aware that the Select Committee on Employment has asked the National Audit Office whether it can work out the true cost of unemployment, especially what it costs when a person is made unemployed, not merely as a result of tax not paid but in terms of the benefits that the person and his family will receive? Will the right hon. Gentleman be good enough to lean on the National Audit Office to provide that information, because I am sure that no one else in the United Kingdom is willing to do so?

Sir Peter Hordern: I will certainly pass the hon. and learned Gentleman's comments on to the Comptroller and Auditor General. Strictly speaking, it is more a matter for the Public Accounts Committee than for the Commission, but I will certainly pass on the hon. and learned Gentleman's views.

Mr. Campbell-Savours: Will the right hon. Gentleman answer specifically the question that he was asked about ministerial expenses and how they are defined in departmental accounts? Is he concerned about what has happened recently? Does he think that he should perhaps convene a meeting with the Chairman of the Public Accounts Committee and the Comptroller and Auditor General to see whether a way forward can be found whereby such expenses, when incurred, are clearly set out in Government accounts in a way that the public can understand?

Sir Peter Hordern: These are important and interesting matters and can be dealt with fully by the Chairman of the Public Accounts Committee, to which the hon. Gentleman has every access.

TRANSPORT

Rail Privatisation

10. **Mr. Simon Coombs:** To ask the Secretary of State for Transport if he will make a statement on the progress of his plans to franchise the Great Western line.

Mr. MacGregor: Great Western Intercity is one of the seven service groups that I have asked British Rail to prepare for early franchising. I have asked BR to create a separate Great Western operating company so that potential franchisees can see how the services perform before making their bids.

Mr. Coombs: My right hon. Friend will be well aware that the InterCity 125 diesel locomotives have been in operation for 20 or more years and are coming naturally towards the end of their useful working life. Will he bear that fact in mind in assessing the length of the franchise that might be awarded in the Great Western region to ensure that there is a sufficient payback period for an operator to make the new capital investment which will be needed?

Mr. MacGregor: Yes, I am aware that in due course the diesel locomotives will have to be replaced. I make two points to my hon. Friend. First, the length of the franchise, which will be for the franchising director to establish, will reflect the commitment and investment that the potential franchisees are prepared to put in. In other words, if they are prepared to make a substantial investment in rolling stock, the franchisees will expect a longer franchise than would otherwise be the case. Secondly, my hon. Friend the Minister for Public Transport will come forward shortly with the responses to the consultation document on leasing of rolling stock. That is also relevant.

HOUSE OF COMMONS

Creche Facilities

32. **Mr. Flynn:** To ask the right hon. Member for Berwick-upon-Tweed, as representing the House of Commons Commission, pursuant to his oral answer to the hon. Member for Sheffield, Hillsborough (Mrs. Jackson) of 22 February, *Official Report*, column 678, what progress has been made in making creche facilities available for the children of hon. Members and of House of Commons staff.

34. **Mr. Win Griffiths:** To ask the right hon. Member for Berwick-upon-Tweed, as representing the House of Commons Commission, if he will make a statement on progress on the provision of creche facilities in the House.

Mr. A. J. Beith *(on behalf of the House of Commons Commission)*: Since I last answered questions on the subject on 22 February, the Administration Committee has considered the possibility that the House might take up a small number of places in a projected joint venture nursery near Vincent square. The Committee turned down the proposal as inappropriate and has consulted the Commission on the need for a comprehensive survey of all possible users. That will now be taken ahead, with the Commission's full support.

Mr. Flynn: How can the Commission maintain that there is not room within these buildings for a creche when we have room for a shooting gallery and several rooms are used for wining and dining which is not parliamentary but entirely commercial and party political in character? Do we have to wait until the present crop of children who might now be in nursery school are attending university before a creche is provided? Does the right hon. Gentleman not realise that there are special problems for the 2,000 staff in the building and especially for Members of Parliament as the peculiar demands of our jobs mean that many of our families are brought up for most of the year in a single-parent context?

Mr. Beith: The Commission is well aware of the problems and the proposals for dealing with them. That is why it intends to undertake the survey. The hon. Gentleman must address his views about the use of rooms in the building to the Accommodation and Works Committee. However, I am bound to say that the public authorities would probably not look kindly on the use of a basement now used as a shooting gallery for a children's creche.

Mr. Win Griffiths: Why is it taking so long for the creche facilities to be provided when so many Members have urged for several years that action be taken? It seems to us that once again obstacles and delay are being put in the way of the provision of facilities. Will the right hon. Gentleman tell us a date by which he hopes to see the facilities provided?

Mr. Beith: I should like to see the facilities provided as soon as possible, but the hon. Gentleman should discuss

with his hon. Friends who are members of the appropriate Committee the difficulties that they foresee in providing accommodation from the present parliamentary estate. They made the decision to which I referred, and they must be well aware of the difficulties.

Mr. Burns: May I ask my right hon. Friend fully to appreciate that although it may not be popular with some of our colleagues, the House of Commons must be brought into the 20th century? In the past two decades or so, many men and women who are younger and have young children have become Members of Parliament. It seems inappropriate that while the Government and other organisations encourage and foster the provision of creche facilities, this establishment seems remarkably reluctant to provide the facilities that it encourages the private sector and other sections of the community to provide.

Mr. Beith: The Commission has no reluctance on the matter so long as demand can be shown and satisfactory accommodation can be provided.

Mrs. Helen Jackson: Does the right hon. Gentleman recall that the questions that I asked him in February and on the first sitting day in 1993 did not refer to surveys? The House is not asking for surveys—it is asking for action, and action this year. A creche facility is not specialised —it requires toilets and water, but it should not be impossible to find space within the various buildings of the Palace of Westminster which contain such facilities. May we have some action, please?

Mr. Beith: The joint venture, which the Administration Committee regarded as inappropriate, would have provided only six places, and would have done so at a relatively high cost. It was partly because of the inadequate number of places that the Commission felt it necessary to support a proper survey, to see how many people would use this facility.

Accommodation

33. **Mr. Fabricant:** To ask the right hon. Member for Berwick-upon-Tweed, as representing the House of Commons Commission, what provision has been made in 1993-94 for the building of further accommodation.

Mr. Beith: A total of £10·5 million has been made available in 1993-94 to cover the remaining works at No. 7 Millbank and to continue the design work on phase 2 of the new parliamentary building.

Mr. Fabricant: Will the right hon. Gentleman bear in mind that, as well as the need for offices, we need rooms for meetings and other larger ones? Is it not extraordinary that hon. Members on both sides of the House have to traipse like stones to the bowels of the Treasury to donate blood?

Mr. Beith: I am sure that the hon. Gentleman's journey across the road is well worth while and in the public interest. It illustrates the problems that we have in providing for a wide range of facilities in this building, as well as ensuring that hon. Members and their staff are adequately accommodated. That is why the Commission authorised the accommodation at 7 Millbank and why we are proceeding with work on the new parliamentary building.

Sir Nicholas Fairbairn: What has been the cost of the upkeep of this Palace, building and refurbishing offices, pampering the secretaries and providing ridiculous services, more of which—such as creches—have been suggested this afternoon? Why not have nannies and nurses as well? Will the right hon. Gentleman state the cost over the past 10 years of the appalling extravagances in which we expect the public not to indulge but which we have given to ourselves?

Madam Speaker: Order. That is a most interesting question, but one which requires notice.

Printing Costs

35. **Mr. Steen:** To ask the right hon. Member for Berwick-upon-Tweed, as representing the House of Commons Commission, what proportion of the expenditure of the Commission goes on printing for the House.

Mr. Beith: The estimates for 1993-94 include provision of £18·6 million for expenditure on printing and publications, most of which is incurred in the supply of parliamentary papers.

This represents some 18·5 per cent. of the total estimates for House of Commons administration and works services for the year.

Mr. Steen: Clearly, printing costs have gone through the roof. While we expect that other bodies should manage their affairs efficiently and run them more cheaply each year, why is it that each year we run our own more expensively? Why do we allow this bureaucracy to go on and on increasing? As it costs £200 or more for each oral question to be answered, including this one, why should there not be a limit to the amount that hon. Members can spend each year on questions? While the right hon. Gentleman is looking at questions, will he also look at the bureaucracy of the House and the Serjeant at Arms Department?

Mr. Beith: Any limit on the ability of hon. Members to ask questions would be very controversial and a matter for the Procedure Committee and not for the Commission, which provides the services necessary for the House to do its job. The House printing requirements are unusual in that there is a large amount of overnight printing of *Hansard* and other parliamentary papers. Discussions are taking place now as to how to carry out that work most efficiently. I hope that the hon. Gentleman will find that that will lead to a considerable containment of the costs.

Mrs. Dunwoody: Would the right hon. Gentleman like to suggest, both to the Government and to his fellow Members, that one easy way of cutting down on the amount of paper that we produce would be to return to the habit of Ministers taking responsibility for their own questions and their appearance in the *Official Report* instead of occasionally allowing vast, pointless and frequently opaque replies to be printed in *Hansard?*

Mr. Beith: I hope that the hon. Lady's question will be noted on the Front Bench, as Ministers alone can act on it.

TRANSPORT

Midland Line (Electrification)

11. **Mr. Skinner:** To ask the Secretary of State for Transport whether he has had any recent discussions with representatives of local authorities and others regarding the midland line electrification.

Mr. Freeman: Yes. I attended a meeting of the Association of County Councils in Nottingham on 26 March, when the possible electrification of the midland main line was discussed.

Mr. Skinner: What is the Minister going to do about it? Now that he has met the local authorities will he put them in the lucky bag with the west coasst line and the Kent line? The Government are trying to kid local authorities into believing that they are getting something before the county elections, but when those elections are over the net result will be that the midland line electrification will fall. Is the Minister aware that the Government have spent too much time attacking the railway unions, which are fighting for the livelihoods and jobs of their members, when the Government should be concentrating on improving the rolling stock and electrification up and down Britain?

Mr. Freeman: Every day of the rail strike, which the hon. Gentleman supports, means £10 million less investment in British Rail.

HOUSE OF COMMONS

Oral Questions

36. **Mrs. Gorman:** To ask the Lord President of the Council if he will make a statement about the operation of the system of handing in oral questions at the Table Office.

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): Since the beginning of the 1990-91 Session, hon. Members may table, in person, a maximum of two questions to each Minister: one in their own name, and one for another hon. Member. Questions are handed in at the Table Office between 10 am and 5 pm a fortnight before the date on which they are to be answered.

Mrs. Gorman: I thank my right hon. Friend for that reply. I am aware, as he is, that the previous system was often abused by Members turning out multiple versions of their questions and handing them in through a variety of sources. Is my right hon. Friend aware, however, that Back Benchers are often away from the House in their constituencies, or on Select Committee on other business, perhaps at short notice, and find it extremely difficult to be in the House two weeks in advance to hand in their question? As an alternative to the present system, may I suggest that so long as Members write out their question by hand and sign it as the original copy, they should be allowed to post it if they have a legitimate reason for being unable to be in the House to hand it in as it is not always possible to find a colleague to do so in one's place?

Mr. Newton: As you, Madam Speaker, will be aware, alongside other changes made for the 1990-91 Session mentioned by my hon. Friend, the time available for handing in oral questions was, if I remember correctly, extended from 4 pm to 5 pm. I am prepared to consider any representations, and my hon. Friend might like to make suggestions to the Procedure Committee. If it could be convincingly shown that sufficient difficulties were being caused to justify changes, that might be considered. We must bear in mind the need to ensure that those responsible for preparing the Order Paper and determining the order of questions also have adequate time to do their work.

Standing Committee on Regional Affairs

37. **Mr. Pickthall:** To ask the Lord President of the Council what representations he has received on the subject of the Standing Committee on Regional Affairs.

38. **Mr. Mudie:** To ask the Lord President of the Council what representations he has received proposing matters to be referred to the Standing Committee on Regional Affairs as provided by Standing Order No. 100.

Mr. Newton: I have received one letter about the Standing Committee on Regional Affairs and the matter has been raised occasionally at business questions.

Mr. Pickthall: As the Scots and the Welsh rightly have Select Committees and Grand Committees to discuss their affairs, is not unacceptable that the one Committee in which English regional affairs could and should be discussed has not met since 1978? Now that every English region is suffering from industrial decline and infrastructural and unemployment problems, does the right hon. Gentleman agree that every Member of the House who represents an English constituency would welcome the opportunity of speaking and participating in that Committee?

Mr. Newton: As the hon. Gentleman himself acknowledged, once the Committee had been set up—the Standing Order providing for that having been put in place in the mid-1970s—it rapidly fell into virtually total disuse and has met only twice since the 1975-76 Session, which suggests that no one has seen any great merit in its proceedings. As I have said on a number of occasions, I for one am not persuaded that it would be right to undertake meetings in the way the hon. Gentleman would wish. I have been trying to ensure proper opportunities for debate on the Floor of the House on matters such as tourism and on other subjects raised under this head.

Mr. Harris: Does my right hon. Friend appreciate that a number of Conservative Members would very much welcome an opportunity to pursue our regional interests in just such a Committee, especially Members who represent the south-west in view of the iniquitous water charges imposed by South West Water, to mention just one subject that we should like to examine in detail in such a Committee?

Mr. Newton: I note my hon. Friend's support for one particular aspect of this request and I hope that it was clear that my phrasing did not absolutely rule out consideration of this matter. However, I am certainly not at present persuaded of the case for it.

Mrs. Beckett: Will the Lord President reconsider that answer? He referred to the relatively small number of occasions on which the Committee was convened in the 1970s, but if he studies the record he will find that it was

extremely well attended. Twenty, thirty and even sixty Members were in attendance to discuss issues of exactly the kind that the hon. Member for St. Ives (Mr. Harris) has mentioned. I think that there would be a strong welcome on both sides of the House for such a move.

Mr. Newton: I admit that I have not researched the attendance at those meetings, but as membership of the Committee consists of all hon. Members with English constituencies, plus five others nominated by the Committee of Selection, the attendance figures that the right hon. Lady has given were rather low.

Bosnia

3.31 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Douglas Hurd): With permission, I should like to make a statement on Bosnia.

There is today a fragile ceasefire in Srebrenica. One hundred and thirty-three military and civilian wounded were evacuated yesterday by helicopter to Tuzla. It is hoped to bring out a further 200 today. British Sea King helicopters are taking part in this airlift.

Canadian troops have been deployed into Srebrenica to monitor the ceasefire arrangements. Their involvement is based on Security Council resolution 819 adopted last Friday, which demanded that Srebrenica and its environs should be treated as a safe area.

There has been heavy fighting between Muslim and Croat forces in central Bosnia. Some of our troops, the Cheshires, are stationed in the area. They are doing what they can to mediate. This fighting has brought a halt—I hope a temporary halt—to the flow of relief convoys.

Our troops on the ground, and the RAF in supplying Sarajevo, have done superb work. Our troops have so far escorted 450 convoys carrying 34,000 tonnes of aid. Many of the convoys in central Bosnia are maintained and driven by over 100 ODA employees. In over 400 flights the RAF has carried 6,000 tonnes. The Government have contributed £92 million to the international relief agencies, bilaterally and through the EC.

It was predicted last autumn that almost half a million Bosnians would die of starvation during the winter. Most of them are still alive, thanks in large part to the relief effort. We need to continue that effort as long as possible, because people can starve in spring and summer as well as winter. But we all accept that keeping people alive does not by itself solve the problem. In the end, a lasting solution to the Bosnian conflict can be achieved only by a political settlement. That is why we have given our full support to the efforts of Lord Owen and Mr. Vance. Their proposals have been agreed by the Muslims and Croats. The Serbs have prevaricated, made unacceptable territorial demands and meanwhile continued their aggression with the hideous suffering which we have all seen. The Government in Belgrade have not used what we believe to be their considerable influence to put a stop to this behaviour.

We must therefore intensify pressure on the Serbs. RAF Tornadoes have now been called upon to join in enforcement of the no-fly zone. On Saturday, we voted for the immediate adoption of Security Council resolution 820, imposing further and intense sanctions unless the Serbs stop their attacks and agree to a political settlement by next Monday, 26 April.

These new sanctions are based on a package prepared by the European Community at our instigation over two months ago. Their passage in the Security Council was not easy. The Russians, who of course hold a veto, wanted to allow the Serbs more time, but in view of the continuing Serb aggression around Srebrenica, we considered that action had to be taken immediately as a clear signal of resolve. We are looking to turn sanctions into a blockade. These new sanctions are wide in scope and effectively close down Serbia's border. We must use the days and weeks leading up to their introduction to ensure the tightest possible enforcement in four ways—by sea, by river, on land and against financial services.

In the Adriatic, there are already NATO and WEU monitoring forces, including HMS Cardiff, which have prevented all but three vessels from entering Montenegrin ports since November last year. The new Security Council resolution provides further powers, notably the prohibition of all commercial and maritime traffic from entering Yugoslav territorial waters except when specifically authorised. On the Danube, there are plans for deploying a WEU monitoring flotilla. Together with the sanctions assistance missions already in place, these should go a long way to curb sanctions breaking. There is a need for better co-operation between the riparian states and the international community to ensure that there are no loopholes. We shall pursue that vigorously.

As for passage of freight over land, the new resolution calls for the closure of all freight crossing points, with limited exceptions. There are problems with the passage of goods across some of the borders with Serbia and Montenegro. Much needs to be done so that traffic is physically prevented from moving except at the designated points. We shall need more sanctions assistance monitors to help the customs authorities of the neighbouring states monitor their borders and police the crossing points round the clock. Finally, on the financial sanctions, it is not so much a matter of scope as of strict enforcement and that is an obligation on all Governments. We must ensure that there are no weak points.

We know that Serbia is already hard hit by sanctions and vulnerable to tighter sanctions, provided—and it is a big proviso—that they are properly enforced. This is a strenuous task and many international organisations are involved. I have proposed the appointment of a co-ordinator, who would have to be high powered, to build up this work and, when necessary, knock heads together. So much for the sanctions resolution passed at the weekend and which now has to be enforced.

Against the background that I have sketched, which is familiar to all hon. Members, we cannot refuse to look at all ideas, including those which have been considered before but not adopted. The debate on other options is at a similar stage in London as in the capitals of our major partners. I think that the House would agree that it is essential that policy should be agreed by the international community. I shall mention two such options, those which are most often discussed in the media and probably in the House.

There have been calls for removal of the mandatory United Nations arms embargo against the Bosnian Government. The House will be aware of the Government's reservations about that. The move would require Russian consent in a new Security Council resolution. I do not believe that relaxation would in practice be limited to one party. This would be in effect letting the parties fight it out—Serb against Muslim, Muslim against Croat, as today in central Bosnia, and Croat against Serb. The Government recognise that it would give the Muslims the opportunity to gain better access to the arms that they need. There is the danger that it might prolong and extend the conflict and would undoubtedly put into serious question our ability to sustain our humanitarian effort.

There are also advocates of air strikes against selected Serb targets as a way of putting further pressure on the Serbs to sign the Vance-Owen plan and, indeed, to reduce the risk of attacks on further Muslim enclaves. Discussion of that is at much the same stage in different capitals.

[Mr. Douglas Hurd]

We have considered the options again this morning. We must take account of the view of our military advisers that such strikes would probably have only limited military value unless supported by troops on the ground, given the nature of the terrain and the nature of the conflict. We must take into account the high risk of civilian casualties. I think that that risk would be very high. As with other options, we cannot rule out anything as the situation develops.

We shall stay in close touch with our allies and partners, but we should not go down this or any other route without a reasonable judgment that it would do more good than harm. We should not lightly jeopardise the continued humanitarian role played by the United Nations and by our own forces. We need to consider not just what sounds satisfying today—or even tomorrow—but where we might stand, say, four or five weeks, or four or five months, after the first air strike or the first delivery of arms.

The anger and frustration aroused by the savageries in eastern Bosnia are entirely justified. Our objectives are—indeed, must be—to make the Bosnian Serbs and the Serb Government abandon the pursuit of their aims by the use of force; to prevent the fighting from spreading to Croatia, Kosovo, Macedonia or elsewhere; to provide the wherewithal, through the Vance-Owen process, for a just political solution; and to relieve the needs of the hungry and the sick.

As the Prime Minister said last night, the Serbs and the Bosnian Serbs should realise that there will be no acceptance for, and therefore no stability in, gains achieved as they have sought to achieve them. Their only hope for a stable, let alone a prosperous, future lies in changing course and bringing these horrors to an end.

Dr. John Cunningham (Copeland): I welcome the Foreign Secretary's decision to respond to our request for a statement about the situation in Bosnia. Will he assure the House that he will keep us informed about what is a very delicate position, as well as a dangerous and fragile one? If events take a significantly different course, we shall expect further statements from him this week.

I support what the Foreign Secretary said about the work that our troops are doing at present, in incredibly difficult circumstances. Should we not remind ourselves and the country—including the commentators who continue to say that nothing is being done—that enormous achievements have resulted from the deployment of our troops in support of the humanitarian efforts of the United Nations? It ill becomes those of us who sit comfortably at home to undermine or belittle those efforts. I urge everyone, regardless of their views—I know that there are wide differences of view—to give our troops the wholehearted support that they deserve and have earned.

Like the Foreign Secretary, I welcome the fragile ceasefire that has been arranged around Srebrenica; but experience tells us that, like many ceasefires before it, it is unlikely to endure. There is therefore no point in sitting back and waiting for further developments: further pressure must be brought to bear now on Serbia and its clients, the Bosnian Serbs.

I welcome the change of mind displayed by Her Majesty's Government, for which we asked a week ago. We asked the Government to seek an immediate recall of the United Nations Security Council to discuss the circumstances in Bosnia, and to set aside President Yeltsin's objections to such a meeting. We all recognise the difficulties and the political circumstances in Russia, but they were no reason for standing aside or delaying a meeting of the Security Council to consider the deteriorating circumstances in Bosnia and the potential slaughter of 50,000 people in Srebrenica. So that change of heart was welcome.

I cannot welcome, however, the decision once again to delay further sanctions against Serbia. The existing mandatory sanctions were implemented by the United Nations Security Council in May 1992. The reality is that many hon. Members on both sides of the House have been calling for the rigorous implementation of those sanctions since then, for an economic blockade of Serbia, which there has been no attempt to put in place. That was recognised by the Under-Secretary of State for Trade and Industry a few weeks ago when he spoke in Committee about licensing, and specifically the licensing of trade to Croatia, and said:

> "There is no precise estimate of evasion, but more than 466 licences have been issued and only 60 have been returned. The Committee will appreciate that there is an enormous hole somewhere into which all those goods are going."—[*Official Report*, European Standing Committee B, 17 March 1993, c. 4.]

That is an admission by a Minister that existing sanctions are not being implemented effectively. We know from comments outside, including those made by Lord Owen, that large sums are being laundered in the same way that criminals, including drug operators, launder their moneys. That is being done with the assistance of the banking system in Europe, and that should be stopped, too.

We can welcome the belated determination to apply additional sanctions, but I believe that it is idle to suppose that they can be applied quickly enough or effectively enough to bring the Bosnian Serbs to the negotiating table again.

I agree with what the Foreign Secretary said in support of the mandatory arms embargo. The Labour party is committed in its constitution to the United Nations. My colleagues and I support the decisions of the Security Council, and especially the arms embargo. It seems ridiculous that the people who are arguing for an end to the embargo are, in the next sentence, advocating military intervention on the ground in Bosnia.

We could not abrogate the arms embargo in respect of the Muslims alone. The supporters of the Serbs and those of the Croatians would pour additional weapons into the appalling conflict. We should emphatically endorse the embargo against all the protagonists. We would not support any unilateral abrogation of it, whether by the United States of America or by any other country.

Nor do we accept that there is any sensible or legitimate argument for intervention by ground forces. We believe, however—I impress upon the Prime Minister, the Foreign Secretary and the Government generally the view expressed by my right hon. and learned Friend the Leader of the Opposition this weekend—that it is time that the Security Council issued an ultimatum to the Serbs. It is now overdue for the United Nations to insist that, first, there should be safe passage for refugees, for women and children, for the wounded and for soldiers who have surrendered in places such as Srebrenica. There should be a permanent ceasefire and the Serbs should agree to sign the Owen-Vance peace plan. Unless they are prepared to

do that, the Security Council should consider authorising a punitive air strike against the Serbs' supply lines in Bosnia.

I do not say that lightly because I recognise that there is no such thing as a clinical military action and that the risk of civilian casualities would be significant. I also agree that, before such action could be contemplated, we would have to consider the whole future of the humanitarian aid effort and the participation of our troops in it because we would not endorse any action that placed them in jeopardy on the ground in Bosnia. It may be—we should not shrink from this reality—that such an action and the continuation of the humanitarian aid effort are mutually exclusive and that we could have one or the other, but not both. That is a matter for very difficult and serious political judgment.

I understand as well as anyone the anger and the anguish which is being expressed in the House and throughout the country, but no one, especially not hon. Members, should pretend that there are any simple or quick military solutions which could be imposed on the circumstances that prevail in Bosnia or the former Yugoslavia as a whole.

We support a great deal of the right hon. Gentleman's statement, although we do not think that it goes far enough. I urge on him serious consideration of further discussions in the Security Council along the lines that I have suggested.

Mr. Hurd: I am grateful to the right hon. Gentleman for most of what he said. I of course undertake that we shall continue to keep the House informed. I welcome what he said, which was in harmony with what I said, about the role of our forces.

On the Security Council, there is no change of mind on our part in the timing of the debate or the timing of implementation. The right hon. Gentleman knows perfectly well that nothing can be agreed in these matters without Russian acquiescence. In the past fortnight I have had several meetings with the Russian Foreign Minister, as have others. It was only at the weekend that, after many difficulties, the Russians were brought to accept an immediate vote and implementation next week. It is not to be taken for granted, and it is not to be taken for granted in the future. It is a matter not of delay or prevarication on our part but of obtaining the absolutely necessary acquiescence of Russia for the measures that have been taken. Thank heavens that, in the end, the Russians felt able to acquiesce.

The right hon. Gentleman is not entirely accurate about sanctions, although I agree that implementation, especially on the financial side, leaves much to be desired. I mentioned the flotilla in the Adriatic. There is no doubt that it has managed to check what was at one time a substantial inflow of sanctions-barred traffic into the Montenegrin ports. Equally, the right hon. Gentleman knows about the sanctions-assistance missions already in place in the Danube states, but the general thrust of his comments is perfectly right: it is partly a matter of making better use of existing sanctions, and it is now a matter of finding effective machinery for enforcing the new ones voted 48 hours ago.

I agree with and am grateful for the way in which the right hon. Gentleman spoke of the arms embargo. He put it well. However, I have a little difficulty with his point about air strikes. I understand the reasoning behind what the Leader of the Opposition and the right hon. Gentleman said. They are saying that the Security Council should give an ultimatum to the Serbs to deal with a number of matters, some of which are being dealt with, such as arrangements for Srebrenica, and that, if the Serbs did not comply after a time, there would be a single punitive air strike. He went on to show that he understands that that would put at risk the humanitarian effort which we are undertaking and which is saving a great many lives.

The right hon. Gentleman did not say on which side he would come down if it turned out that one was at the expense of the other. I cannot see a great deal of point in a single punitive air strike if that put at risk the whole United Nations' humanitarian effort.

The right hon. Gentleman's proposals simply illustrate the difficulties. I repeat that we are not excluding action of that kind because we work with our allies and our partners, but before we decide together on action we want to be sure that it would in practice—because we cannot bluff in these matters—leave the situation better than it is today.

Sir Michael Marshall (Arundel): Does my right hon. Friend accept that one of the main calls coming from the Inter-Parliamentary Union conference that ended in New Delhi on Saturday was for the urgent assembling of an international parliamentary mission to visit the former Yugoslavia? Does he agree that, given that Yugoslavia is a member of the Inter-Parliamentary Union but not of the United Nations, such an exercise is worthy of consideration? Will he keep his mind open on that possibility?

Mr. Hurd: I will examine my hon. Friend's suggestion. It is a matter not so much of organising parliamentary missions but of parliamentarians of all kinds and of all countries making clear to those who are or who have been parliamentarians in the republics of Yugoslavia the sense of anger and frustration that is evident in this country and in all others.

Sir Russell Johnston (Inverness, Nairn and Lochaber): Does the Foreign Secretary accept that it would be possible, practicable and in accordance with existing Security Council resolutiion 757 for the United Nations to deploy troops between the advancing Serbs and the Muslim enclaves to prevent further shelling and advance? There is much evidence to suggest that that approach would be acceptable to Serb and Muslim alike. Does the right hon. Gentleman have any further information about the meeting yesterday between General Phillipe Morillon and Dr. Karadzic concerning the possibility of the United Nations taking control of the administration of Srebrenica?

Mr. Hurd: There are talks also today about the administration of Srebrenica and the various points at issue in the ceasefire which has been negotiated—and which is holding so far. That is a continuing discussion. The hon. Gentleman's first point was raised in correspondence between the right hon. Member for Yeovil (Mr. Ashdown) and my right hon. Friend the Prime Minister. We do not believe that the existing Security Council mandate covers the kind of exercise that the hon. Gentleman suggests. It is difficult to envisage such an

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exercise, which would be extremely dangerous. I am not sure how long those troops would be held in position. I do not myself believe that is a workable plan.

Mr. Patrick Cormack (Staffordshire, South): Does my right hon. Friend accept that since the war two principles have successfully guided NATO foreign policy—the doctrine of the deterrent, and recognition that sanctions generally are not very effective in bringing about a result quickly? Will my right hon. Friend accept that some of us find it difficult to understand why those two principles have not been more in evidence in the last 18 months? Will he now make it quite plain that Serbia knows that they are in evidence now?

Mr. Hurd: My hon. Friend's points are well taken. Of course we know the track record for sanctions. It shows that a country can be substantially weakened but that sanctions do not automatically bring about a change of policy. I think that is a fair statement. If one considers Serbia's location on the map and its needs, one finds that Serbia is vulnerable to sanctions—but sanctions must be enforced before that can be true. I return to the point made by the right hon. Member for Copeland (Dr. Cunningham). Enforcement has started and has already caused substantial difficulty and ruinous inflation to Serbia. That must now be carried forward.

Mr. Andrew Faulds (Warley, East): Do none of the second-rate Ministers in this third-rate Administration realise that their spunklessness in backing the Vance-Owen plan, which is hopeless and now dead, and in pursuing the ineffectiveness of sanctions, which the Foreign Secretary is still bumbling on about, has led to the death of thousands upon thousands of Bosnian Muslims who have not had the weapons to defend themselves? Will the Prime Minister now work with his US and EC colleagues to introduce terms which actually stop Serb aggression, by bombing their communications, their lines of supply, their airfields and the arms factories that are supplying them, before thousands more die in this exercise of ethnic cleansing in greater Serbia and before the war spreads to Kosovo and Macedonia?

Mr. Hurd: The hon. Gentleman does not take into account the points that I made about the effectiveness of bombing. It is all very well for him, in that stentorian tone, to make those eloquent phrases. We have to be sure, the House has to be sure, before we go down that path, that the result will be the saving of lives and an improvement in the position. Those who advocate that kind of wholesale approach produce no evidence to that effect. Our advice is the other way. We have to take it into account.

I am not saying—the hon. Gentleman will give me credit for this—that we can sit back and suppose that existing policies are sufficient. They obviously have not been sufficient to change the policies of the Bosnian Serbs and the Serbs, but in looking for ways of strengthening them, which is what we have to do, we have to take into account the probabilities and look ahead, as I have said, not just to the satisfactions of tomorrow but to where we would be in five or six months' time, or in two or three years' time, if we went down the path that the hon. Gentleman advocates.

Sir Cranley Onslow (Woking): Does my right hon. Friend agree that one of the great achievements of the presence of United Nations troops is not just the bringing in of food and medicine or the evacuation of the sick and wounded but the prevention of even worse massacres than have already taken place, whether they be in Srebrenica, Sarajevo or elsewhere, and that it is very important to remember that fact?

My right hon. Friend speaks, choosing his words with care, of savages in eastern Bosnia. Can he assure the House that the United Nations is taking every possible step to collect evidence against those savages so that they can eventually be brought to book for the crimes that they are committing?

Mr. Hurd: I entirely agree with my hon. Friend's first point—and, indeed, with his second; yes, indeed, the Security Council has given its view on that. Evidence is being collected. I hope that it will not be too long before the necessary international criminal jurisdiction comes into being.

Mr. James Molyneaux (Lagan Valley): Would not those who are pressing Her Majesty's Government to take spectacular action of the kind recommended by the news industry be wise to heed the words of Lord Healey, who had battlefield experience, and who fully understands the meaning of the maxim that no military plan survives contact with the enemy?

Mr. Hurd: I did not hear Lord Healey. There will be continuing discussion of all these options. No one can be so satisfied with the present situation or the present policies that they can say, definitely and for ever, that those kinds of option will always be rejected. I want to make that clear to the House. But the right hon. Gentleman is right. Before one goes down this route, one has to be sure, out of experience and as a result of professional advice, that the result will be a helpful one.

Mr. Michael Ancram (Devizes): Does my right hon. Friend agree that the situation in Bosnia is anything but simple and that, although Serbs are committing appalling atrocities against Muslims, at the same time Muslims and Croats are committing appalling atrocities against each other, sometimes under the nose of the British forces? Does my right hon. Friend therefore agree that our response should ultimately be based on a balance of moral imperatives and that, while positive military intervention might, in the short term, prevent some of the atrocities taking place, in the longer term it could threaten a wider and even bloodier civil war throughout the region and that it should be considered only as a last resort?

Mr. Hurd: My hon. Friend has the balance quite right. We must take account of events where the cameras are not. The heaviest fighting in the past day or so has been between Muslims and Croats. This is very relevant to the suggestion that the arms embargo should be partly lifted; we must take that into account. We must take into account the very fragile situation in Croatia where a truce is just holding and where the UN forces are in substantial operational difficulty. Those are the kinds of thing that do not come into the headlines or into the news bulletins day after day and night after night, but they are part of the total picture. If we took action to deal with the situation

where the television is which then upset or destroyed the chances of peace in the other areas, we should be severely to blame.

Mr. Tony Benn (Chesterfield): Is the Foreign Secretary aware that the media coverage of the atrocities has aroused much of the pressure for further action which has been expressed today? Of course all wars, especially civil wars, include atrocities on a massive scale, not all of which are equally covered. Is he also aware that the world community, the United Nations and the western nations must decide quite clearly at the beginning whether they can hope to lift the arms embargo, to supply arms or to become combatants themselves by air strikes or ground strikes and to maintain their role as peace-makers and agents of humanitarian relief? If the principles advocated today in the House by some hon. Members were applied to the Palestinian question, for example, the logic of what was proposed would become clearer.

Will the Foreign Secretary give the House an assurance that before long we shall have a debate in which the complexities, dangers, difficulties and agonies of the situation can be fully explored in a way that is not possible by questions?

Mr. Hurd: I personally would be in favour of that. It is not long since we had a debate on Yugoslavia, but, as the right hon. Gentleman exactly says, the issues are extremely complicated. I thought that his analysis at the beginning was right. The UN now has a humanitarian role. Massacres are being prevented and people who would otherwise die are being kept alive because of what the UN is now doing. That is not the total answer, but before that is put at risk in the search for the total answer, the balance must be struck. Each proposal for helping towards peace with justice must be tested against the risk that it would impose on the UN and the humanitarian agencies, and on what they are already doing. As the right hon. Gentleman says, striking that balance is an essential part of getting the decisions right.

Mr. Michael Colvin (Romsey and Waterside): Will my right hon. Friend acknowledge that there are two wars in Bosnia? There is a three-sided civil war, and there is the invasion of the sovereign state of Bosnia by Serbia. Will he acknowledge that Serbia has enough weapons and munitions to fight a full-scale war for at least two years and that the only action that will stop the wheels of war turning is a full-scale and properly enforced blockade of Serbia?

Some of us find it a little difficult to stomach the fact that, while President Yeltsin puts out one hand to receive £28 billion-worth of aid from the west, with the other hand he is still giving assistance to Serbia. If sanctions and the blockade are to work, the umbilical cord between Moscow and Belgrade must be cut.

Mr. Hurd: The Russian Government are severely criticised at home for the co-operation that they have undertaken with western Governments with regard to the former Yugoslavia, and that criticism comes at an especially sensitive time. Nevertheless, with some difficulty and after many meetings, as I have said and as my hon. Friend knows, the Russians acquiesced to the very severe sanctions resolution, amounting to a blockade. The consequences must follow, as my hon. Friend has rightly pointed out. We must build on that Russian acquiescence and ensure that Russian oil, Russian services, Russian goods and, above all, Russian arms do not reach the Serbs and the Bosnian Serbs in contravention of those resolutions.

Ms Angela Eagle (Wallasey): Will the Foreign Secretary explain why sanctions were not thought to be appropriate or workable for South Africa, yet they are workable in a much more immediate and urgent case in Serbia? Will he explain by what mechanisms his announcement today will bring the Serbs in Bosnia to the negotiating table, given that, in effect, they are taking all that they want by their actions on the ground? Is it not the case that they will come to the negotiating table only once they have all that they want—the greater Serbia? Finally, will the right hon. Gentleman give his opinion on an idea that worked to protect the Kurds in Iraq: how about safe havens for the Bosnian Muslims?

Mr. Hurd: Each case is different. [HON. MEMBERS: "Oh!"] That is obviously true. In South Africa, the question was how we moved the South Africans away from apartheid. The Government's predecessors did not feel that economic sanctions were the best way of doing that. I think that events probably showed that we were right. South Africa has moved away from apartheid; but I do not want to reopen that argument now. Serbia is a different case. What we are trying to achieve is different and the country is different. I believe that, if there is effective enforcement—and it is certainly an "if"—sanctions can help to achieve a change of policy.

The hon. Lady asked about safe havens. The establishment of safe havens would involve fighting one's way in to create the safety. That did not arise in north Iraq because, at that time, for a short time, there was a vacuum. We managed to move in and save a great many lives. The situation is not the same in Serbia. There is civil war between the three communities, and very few parts of the country are not involved in that war. There is also the help from Serbia. I do not believe that the concept of safe havens would be workable.

On the hon. Lady's main point, it is perfectly true that the Serbs and the Bosnian Serbs have grabbed slices of territory—more ground than was allocated to them, for example, under the Vance-Owen plan—but the position is not secure or stable or accepted. There comes a time when people are no longer concerned with physical possession alone; they want a life for themselves and their children. They want stability and acceptance. That option is not open to the Serbs. There comes a time, as I said, when people begin to think about their own future and that of their children. The present methods will not ensure that for the Serbs.

Mr. Nicholas Budgen (Wolverhampton, South-West): Will my right hon. Friend explain what is the British national interest in Bosnia? Will he please explain what distinguishes the horrible war in Bosnia from the many other equally horrible wars occurring throughout the world? Is it not only the British national interest that can justify our intervention in any such wars?

Mr. Hurd: Yes, certainly, it is the British national interest that justifies or does not justify our becoming involved in what amounts to a considerable number of tragedies and disasters. We have come to the view that it is a British national interest that we should do what we can

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to help bring peace to Bosnia and the former Yugoslavia, partly because the conflict is in Europe, whereas the other conflicts are not, and partly because we have been able to see a way in which we can do that. The presence of the Cheshires, and the saving of lives by the RAF, our civilian drivers and our humanitarian escorts have been good. That is something that we have accomplished, which we could not accomplish in Nagorno-Karabakh, for example. What we have done is entirely justified according to my hon. Friend's criterion, which is the British national interest.

Mr. Dennis Skinner (Bolsover): Is the Foreign Secretary aware that one of the reasons why much of the population is clamouring for the British Government to do something is that, only a couple of years ago, they managed to do it in the Gulf? People think that that can be repeated over and over again, notwithstanding the fact that there are 25 conflicts taking place around the world.

The other problem is that the conflict is taking place in the European arena. The Common Market, led by Germany, decided to go along with the partition of the former Yugoslavia. It agreed to recognise Croatia and subsequently Bosnia. The British Government—and the Foreign Secretary himself—were against that initially, but they were carried along by the Germans. They did a deal with Kohl on the opt-out at Maastricht; it was a quid pro quo. The Government have now made a rod for their own back and they do not know what to do about it. Let me tell people like those on the Liberal Democrat Benches, who want to fight the war with the blood of other people's kids: do it yourselves. If they do not have the guts to put on their own flak jackets, they should not ask me to call on other kids to spill their blood to resolve what is a civil conflict in Yugoslavia as a result of the efforts of the Common Market.

Mr. Hurd: The hon. Gentleman seeks to bring the treaty of Maastricht into just about every intervention on every subject. There was no trade-off of that kind. I do not believe that even the hon. Gentleman believes that it would have been right to have held back from recognising the reality of Slovenia and Croatia much longer than we did. We can argue about the timing, as I have said before. We were criticised by many people, such as my right hon. and noble Friend Baroness Thatcher, for not recognising much sooner when the Germans wanted to. We struck a balance about timing, and I do not think that we could or should have postponed it much longer.

Sir Giles Shaw (Pudsey): Will my right hon. Friend accept that many of us in the House are grateful for the fact that he is keeping his head when many around him may be losing theirs—including those with coronets on? Will he also give us some comfort in relation to whether the United Nations is fully equipped to deal with the scale of the humanitarian problem that is now evolving? Are there now sufficient funds and sufficient humanitarian aid available to deal with the scale of what is now unfolding in Bosnia? If there are not, what sanctions will be placed on those members who have not paid?

Mr. Hurd: There are certainly shortages of food, rather than of money, in the supplies needed to keep the humanitarian effort going. The money has been voted, but getting the food into the right place at the right time has sometimes proved to be more difficult. My hon. Friend the Member for Pudsey (Sir G. Shaw) is entirely right about that. As far as Europe is concerned, the European Community is the biggest donor. We are on at the Commission all the time to ensure that the stores and supplies are where they are actually needed.

Mr. Jim Marshall (Leicester, South): Does the Foreign Secretary accept that the apparently even-handed approach to the arms embargo is, in effect, playing to the territorial ambitions of the Serbs and, to a lesser degree, the Croats? In the absence of resolve by the west to intervene, or as the west has been unable or unwilling to intervene, will the Bosnian Government be able to defend their own citizens and territory only through the availability of arms? The Serbs and the Croats will still get the arms, but the Bosnian Government do not have the arms. In the interests of the sovereignty of Bosnia and of preserving the lives of the citizens of Bosnia, it is essential that the total arms embargo on the former Yugoslavia should be lifted.

Mr. Hurd: The total arms embargo or just for the Bosnian Muslims? That is the point. Muslims and Croats were fighting each other in Vitez today. Under the hon. Gentleman's policy, both would be resupplied with arms. Is that really sensible, particularly if the result is that we have to withdraw our troops and stop the humanitarian effort? The logic of what the hon. Gentleman says obviously has a very wide appeal, particularly in the United States. We may have to consider this, and I am not ruling it out for ever in certain forms. However, before we decide, and before there is any acquiesence in that, we would have to sort out the balance and that is precisely the balance that the right hon. Member for Chesterfield (Mr. Benn) was arguing a few minutes ago.

Mr. John Wilkinson (Ruislip-Northwood): May I tell my right hon. Friend how right he is not to seek dramatic instant solutions to this most intractable and tragic conflict? Will he bear in mind that the Serbs and other protagonists to the warfare not only practised partisan warfare in world war two, but have also trained for it in the Yugoslav national army for decades thereafter? Could he at least ensure that the humanitarian effort which Her Majesty's Government are rightly applying is well administered, that they make clear to the French Administration the need for a good replacement for General Morillon, who has commanded universal respect, and that, if no good French general is forthcoming, we will be prepared and willing to offer a general officer commanding from the British Army?

Mr. Hurd: The news yesterday was that General Morillon is continuing for the time being. Of course, he is properly supported by our own officers. I agree with my hon. Friend's point about the humanitarian effort. In view of all that has been happening, it would be absurd to deny or pretend to palliate the conduct of Serbs and Bosnian Serbs because of the history of world war two. In most people's minds, what the Serbs have done in recent months has obliterated a good deal of the heroism with which they were associated at that time.

Mr. Harry Barnes (Derbyshire, North-East): What discussions have the Government, the European Community and the United Nations had with the Serbs,

Croats and Muslims who have been opposed all along to military activity by people involving their own side, especially the Serbs? Is it the case that discussions take place only with the warlords and the paramilitaries? Should such discussions also involve others? We should examine some of their ideas about the way forward.

Mr. Hurd: I agree with the hon. Gentleman. When I went to Belgrade last summer I had exactly such discussions with the opposition—I am sure that many hon. and right hon. Members would do the same. It is entirely right to keep in touch with the widest possible range of opinion in all the republics.

Mr. Anthony Coombs (Wyre Forest): While supporting the Government's reluctance to commit ground troops and inflame the situation by arming the Bosnian Muslims, can my right hon. Friend confirm that sanctions have already led to a 40 per cent. reduction in the gross national product in Serbia—that was the figure given by the Secretary of State for Defence last week—with precious little effect on the ability of the Serbs to prosecute the war? How does the world community envisage making these sanctions effective? What sort of leverage can be put against the Russians to ensure that they do not turn a blind eye to sanctions breaking?

Mr. Hurd: The Russians have shown themselves to be open to persuasion on these matters in the past few weeks, and that needs to continue. Existing sanctions have done substantial harm to the Serb economy without changing the basic policy. We hope—the recent resolution is designed to achieve this—to convert that pressure and the harm which has already been done to the economy into a virtual blockade that will bring about the change.

Mr. Peter Hain (Neath): No one would deny that any solution is risk-free or without danger. Why is the Foreign Secretary not pressing the United Nations to use its air resources in the area to target Serbian supply lines, artillery, mortar and tank positions? The policy pursued by his Government and the whole of the west has failed abysmally. The genocide, rape and ethnic cleansing continue and, increasingly, the Government are speaking with the voice of Joseph Chamberlain on this crisis.

Mr. Hurd: I think that the hon. Gentleman has got his Chamberlains mixed up.

Mr. Hain: Neville Chamberlain.

Mr. Hurd: I am obliged.

I am not sure whether the hon. Gentleman was in the Chamber when I made my statement. Before one goes down the path of the sort of military activity—the air strikes which he mentioned—that goes well beyond what was advocated by the Labour Front Bench, one must have a reasonable judgment that the result will be a good one. At present, that judgment is not there. The immediate effect is to kill more people, including civilians. That is what the hon. Gentleman had in mind when he said that it was not "risk-free". One must be clear that the circumstances and proposals are such that that immediate effect is likely to be counterbalanced by an eventual good.

Mr. Bill Walker (Tayside, North): Can my right hon. Friend confirm that the Royal Air Force crews which will be engaged in policing the no-fly zone area will have the same protection as that which they enjoyed when patrolling over Iraq? In other words, any surface-to-air missiles or radar that lock on will be hit and attacked. If that is so, is it recognised that that in itself could lead to an escalation of the military conflict?

Will my right hon. Friend also bear in mind when discussing the matter with his colleagues that Muslim communities throughout the world are looking at what is happening in the former Yugoslavia and may well be given a holy jihad to fight at some future date based on whatever is the outcome of this ghastly mess?

Mr. Hurd: I need to check on my hon. Friend's first point. I understand its importance and I would not want to mislead him with an immediate answer which might not be accurate if I were to volunteer it.

On his second point—which I think also moved the hon. Member for Warley, East (Mr. Faulds)—it is of course true that the frustration and anger that we feel at what is happening in Bosnia is, if anything, more intense in the Muslim world. I can understand that. However, the way in which Muslims have expressed that frustration and anger has been constructive. There has been little of the destructive vehemence which my hon. Friend fears.

Mrs. Margaret Ewing (Moray): Does the Foreign Secretary recall that in a speech on Saturday he said:

"In the context of Europe, our differences are our lifeblood"?

That is a statement which lies uneasily with those of us who are witnessing what many people call ethnic cleansing but which many of us would call genocide in certain areas of the former Yugoslavia.

Does the right hon. Gentleman also recall that in that speech he laid great emphasis on the importance of sovereign states in the context of international law? That is a matter which weighed heavily on Members of Parliament during the Iraq and Kuwait conflict. It is therefore inappropriate for Members to refer to the current events in the former Yugoslavia as a civil war because we are seeing imperial aggression between sovereign states.

Against the background of what happened in Kuwait and Iraq, where there was a clear commitment to defend a sovereign state, why are we not prepared to make the same commitment in the former Yugoslavia? Why are we not prepared to issue a clear ultimatum to the Serbs that, unless they abide by the clear principles which underpin international law, we shall take action and, in particular, launch air strikes against their supply stations?

Mr. Hurd: The aggression of Iraq against Kuwait was a simple act of aggression by one sovereign state against another. In Bosnia, we have a war in which the overwhelming majority of those fighting are Bosnians—Bosnian Serbs, Bosnian Croats and Bosnian Muslims. It was initiated and is sustained with help from Belgrade. That is why the trade sanctions and the sanctions announced last Saturday night are directed solely against Serbia and related Montenegro. But the position is different from that which produced Desert Storm.

Mr. John Butterfill (Bournemouth, West): Will my right hon. Friend take an early opportunity to impress on President Tudjman of Croatia that, while we sympathise greatly with what the Croatian people had to put up with at the hands of the Serbs, the Vance-Owen plan envisages a federal Bosnia with individual cantons and not the annexation of the Croatian cantons by Croatia?

Mr. Hurd: My hon. Friend is right. In principle, the Government of Croatia accept that.

Mr. George Galloway (Glasgow, Hillhead): Notwithstanding the gibes about the news industry that have been made by hon. Members on both sides of the House, the Foreign Secretary should be warned that the impression that there is a consensus of complacency while genocide goes on is strong among the people of Britain. The political leadership on both sides of the House of Commons should take that on board.

May I ask the Foreign Secretary the question which my Muslim constituents are asking me and Muslims around the world are asking all the Governments of the west: how can it be that economic sanctions could be drawn so tightly around Iraq that hundreds of thousands of weak, vulnerable, young and old people have died for the want of food and medicine and the wherewithal to keep them alive, yet in almost two years it has not been possible to bring sanctions to bear against Serbia which would halt the aggression? Why was it possible for the Governments of the west to expend treasures in billions and billions of dollars and to move the armies, navies and air forces of the world to pulverise Iraq into obeying international law, and yet nightly we watch on our television screens the Serbian-supplied Bosnian Serb forces committing acts of genocide against Muslims in Bosnia? What is the answer to this glaring, brazen contradiction?

Mr. Hurd: I hope that the hon. Gentleman is not telling his constituents that sanctions against Iraq prevent food and medicine from reaching that country. He knows that that is not so and that food and medicine are precisely excluded from the sanctions. There is a very substantial United Nations humanitarian effort in all parts of Iraq.

I tried to answer the point about the difference between what happened with Kuwait and Iraq and what is happening in Yugoslavia when I answered the question of the hon. Member for Moray (Mrs. Ewing). They are entirely different situations.

The hon. Gentleman is right about the anger and frustration—I do not contradict his first sentence at all. That is the mood at the moment. If we were to be entirely complacent in response to that, he would be right in his criticism. If we were to take measures simply to deal with that sense of anger and frustration—which, in our better judgment, in five or six months' time would have made the situation worse, or no better—we would quite rightly be facing a different kind of anger and frustration. We would have neglected our job of bringing the best judgment that we can to bear on getting these matters right.

Mr. Tim Renton (Mid-Sussex): Further to the point made by my hon. Friend the Member for Pudsey (Sir G. Shaw), in this interim period, while my right hon. Friend looks wisely and cautiously at whether other options should be exercised, will he look at the ability of the international organisations to deal with the vast increase in the number of refugees? Will he, for instance, look at what is happening to aid which is going to refugee camps for Bosnians in Croatia? I understand that the Croatians have already closed some of the Bosnian refugee camps in their country and that they are dispersing the Bosnian refugees, the Muslims, either to notional camps or sending them closer to the fighting lines. That needs looking at at this stage.

Mr. Hurd: I think my right hon. Friend must be right. I am not familiar with the details, but if he would like to amplify what he has said I will make sure that it receives urgent consideration.

Several hon. Members *rose*——

Madam Speaker: We must now move on.

Mrs. Teresa Gorman (Billericay): On a point of order, Madam Speaker.

Madam Speaker: I have a Standing Order No. 20 application to hear first from the hon. Member for Bradford, West (Mr. Madden).

4.32 pm

Mr. Max Madden (Bradford, West): I wish to apply, under Standing Order No. 20, to move the Adjournment of the House for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the policy of Her Majesty's Government in relation to the future of Bosnia."

I think that the tragic events unfolding in Bosnia in recent days, reinforced by the exchanges that we have just heard on the statement, self-evidently meet the criteria of Standing Order No. 20. I will therefore put this application simply. When, in God's name, are the elected representatives of the people of Britain to be given a full and proper opportunity to discuss in the House of Commons the evil genocide, murder and systematic rapes which are part of the unmitigated aggression of Serbia? When will the House be given an opportunity to speak for the people of Britain on the biggest crisis facing Europe since the end of the second world war?

Madam Speaker: I have listened carefully to what the hon. Gentleman has said. As he knows, I have to announce my decision without giving my reasons for it. I do not consider that the matter that he has raised is appropriate for discussion under Standing Order No. 20. Therefore, I cannot submit his application to the House.

Points of Order

4.35 pm

Mrs. Teresa Gorman (Billericay): On a point of order, Madam Speaker. I seek your guidance about an article that appeared in *The Guardian* today in which the hon. Member for Neath (Mr. Hain)—who has left his place, despite the fact that I notified him that I would mention the matter to you—deliberately sought to link me to the assassination in South Africa of Mr. Chris Hani, an incident that I utterly deplore. The hon. Gentleman has not a shred of evidence, but alleged in *The Guardian* that he was already making complaints about the matter in the House through the proper authorities. Will she advise me as to how the matter can be dealt with under our Standing Orders and what she is prepared to do about the conduct of the hon. Member for Neath, who has previously made allegations—*[Interruption.]*

Madam Speaker: Order. The hon. Lady is referring to a "she". Who is "she"?

Mrs. Gorman: No, I am not. I am referring to the hon. Member for Neath. I said that he was not in his place, but he has since returned. Without having a shred of evidence for doing so, the hon. Member alleged in *The Guardian* today that I am linked with the assassination of Mr. Chris Hani in South Africa. It is also reported in *The Guardian* that the hon. Gentleman is raising the matter in the House with the relevant authorities. Will she—meaning yourself, Madam Speaker—advise me on how the matter can be dealt with and how the hon. Member for Neath can be reprimanded for his discreditable conduct?

Madam Speaker: Does the hon. Member for Neath (Mr. Hain) wish to make a point of order in response?

Mr. Peter Hain (Neath): Further to that point of order, Madam Speaker. I have made no allegations against the hon. Lady, who is being extremely misleading in making that suggestion. I said that there is evidence, reported in both *The Independent* and *The Guardian*, of links between the Conservatives and the Western Goals Institute and the Conservative party in South Africa—one of whose ex-Members of Parliament and leaders has been charged in connection with the Hani assassination. The Prime Minister needs to get to the bottom of the matter, and the hon. Member for Billericay (Mrs. Gorman) is seeking to obfuscate the matter.

Madam Speaker: Thankfully, I have no responsibililty for what one Member of Parliament says about another. The hon. Members must sort it out among themselves.

Mr. Robert N. Wareing (Liverpool, West Derby): On a point of order, Madam Speaker. I appreciate the decision that you have just taken on the Standing Order No. 20 application of my hon. Friend the Member for Bradford, West (Mr. Madden), but you would probably agree that, in view of on-going events, there is need for an urgent debate on Yugoslavia. Through your good offices, Madam Speaker, would you ask the Government—I see that Ministers from the Foreign Office are present—to ensure that there is in the House a full debate, not merely questions, on the subject at an early opportunity?

Madam Speaker: The hon. Gentleman is trying to use the Chair of the House to put questions that are not relevant now. As he knows, the business of the House has nothing whatever to do with the Speaker. I have let the statement run for quite a long time today, and I have deliberately sought to call every hon. Member who was disappointed last week during the statement. I keep accurate records and, with one exception, I have been able to call every hon. Member who was disappointed last week. I hope that the House will help me to keep up what I consider to be a reasonably high standard.

Orders of the Day

European Communities (Amendment) Bill

Considered in Committee [Progress, 15 April]

[MR. MICHAEL MORRIS *in the Chair*]

4.39 pm

The Chairman of Ways and Means (Mr. Michael Morris): In view of the character of the Bill before the Committee and the views expressed by hon. Members, both in the Chamber and privately, in connection with amendment No. 27, I think it right to make a further statement about the context in which my decision not to allow a separate Division on amendment No. 27 was taken.

In arriving at such a decision on an amendment, any occupant of the Chair must have regard to a number of factors, including the Committee's debates, the clarity or effect of an amendment, and its impact on the Bill which, if brought into effect, must be both workable and understandable. In the very nature of this case, there can be no exact precedent.

Amendment No. 27 deals with certain aspects of the United Kingdom's position with regard to the agreement annexed to the protocol on social policy. So do new clauses 74 and 75. After lengthy representations from the hon. Members concerned, I have decided that I should not alter my decision on amendment No. 27, but that further debate on the social protocol, which the Committee is to have, should be led by new clause 74, with which new clause 75 will be grouped.

I remind the Committee that I am prepared, at the appropriate time, to permit separate Divisions on amendments Nos. 225, 268, 426 and 420.

Dr. John Cunningham (Copeland): On a point of order, Mr. Morris. I am grateful for the further consideration that you have given to this very important issue, and for your courtesy in making considerable time available for us to meet you to discuss the whole nexus of issues.

I cannot, however, let this occasion go by without saying that the Opposition have not changed their views about the significance of amendment No. 27, and nothing in what you have said today convinces me that we should change it. As I have made clear many times, amendment No. 27 is in order; it has been debated; and there remains no valid reason for not allowing the Committee to vote on it.

I do not wish to sound churlish when I say that we should express some gratitude to you, Mr. Morris, for accepting a vote on new clause 74, in respect of which my argument is the same as it was for new clause 75. I do not regard new clause 74 as an alternative to amendment No. 27, nor do I believe that it can be reasonably or realistically posed in those terms.

Last week, I asked for time for further consideration, and you were good enough to agree to that. I do not propose to pursue this matter indefinitely, but I want to make two further points about this decision. The first is to do with the Government's statement last week about accepting new clause 75.

The Minister of State, Foreign and Commonwealth Office wrote on 5 April to the Local Government International Bureau expressing a view about the Government's attitude to the amendment carried by the Committee in respect of the Committee of the Regions. In his letter to Mr. Dickson-Smith, the Minister of State said:

> "No final decisions have yet been taken either on the allocation of seats between the different parts of the United Kingdom or on what sort of representation should be nominated to the Committee."

But the House of Commons has taken a decision on that matter; by a significant majority, it voted in favour of a particular method of allocating the seats.

In this letter, we have something similar to what I accused the Government of last Thursday—a clear, and in this case quite unequivocal, sign from the Government that they may not accept the will of the House in this matter. The Minister of State denied my charge in respect of the Government briefing on new clause 75. He cannot deny what he has personally written to the people making representations to him from the Local Government International Bureau.

Secondly, I refer you, Mr. Morris, to column 685 in the *Official Report* of 22 February 1993, when you said:

> "We are some way off a vote on amendment No. 27".—[*Official Report*, 22 February 1993; Vol. 219, c. 685.]

The implication of your statement then is clear: that the Committee would have a vote on amendment No. 27. I remain completely unconvinced by the arguments against such a vote taking place, and I repeat what I said last week —that we shall take our unanswerable case to the Speaker, for this matter to be determined on Report.

Several hon. Members *rose*——

The Chairman: Order. I should like to respond to the right hon. Gentleman. First, I request that he study with care the words that I have spoken this afternoon, which I accept he has not heard before. He will want to reflect on them.

Secondly, the right hon. Gentleman will know that the selection of amendments and the votes flowing from them are always provisional—that is what it says at the top of the Notice Paper.

Thirdly, new clause 74 will lead the debate, so it is the whole basis of that debate, and I therefore think it has a higher standing than the right hon. Gentleman has provisionally said it would have.

With regard to the Committee of the Regions, the right hon. Gentleman is right to remind the Committee that all Members of the House are bound by any Act of Parliament and the matters that flow from it.

Sir Teddy Taylor (Southend, East): Further to that point of order, Mr. Morris. I thank you for what you have said today. Will you clarify for my constituents whether having a debate on new clause 74 will mean that the protocol which fixes this new tax will probably be considered after ratification of the treaty, not before it, as would happen with amendment No. 27?

The Chairman: The hon. Gentleman has been in the House long enough to know that he should read the amendment and put his own interpretation on it.

Mr. Tony Benn (Chesterfield): Further to that point of order, Mr. Morris. You quite properly said on Thursday, and you have repeated today, that the House has entrusted you, as Chairman of Ways and Means, with a

responsibility for determining whether amendments will be called or voted upon, and that you are not obliged to give your reasons. But you will also be aware that the Government have laid great emphasis throughout the debate on the fact that this Bill is to be considered by the procedures of parliamentary democracy.

Of course, it is open to the House to appeal against a ruling in the usual manner—by putting down a motion regretting the decision reached by the Chairman of Ways and Means. That is in no way personal; it is comparable to an appeal to the High Court when a lower court reaches a view that is not accepted by the litigants.

Because this is a matter of enormous procedural importance, quite apart from the merits of the Bill, if this judgment remains, "Erskine May" in all future editions will entrust to future Chairmen of Committees the right to disallow votes on amendments which they do not believe merit a vote. In this case, the social protocol was considered of such importance that the Government highlighted their requirement for an opt-out at the Maastricht treaty negotiations, so from their point of view it could hardly be a more important issue—whereas you have said that, in your judgment, it is not an important issue. That also raises certain consequences.

As you know, Mr. Morris, I have told your office—the Public Bill Office—that I am minded to table such a motion. If a motion of this kind is tabled, may I take it that you would not feel able to take the Chair of the Committee until the matter was resolved? It has long been the practice of the House that, when a motion commenting on the Chair is on the Order Paper, the Chairman concerned does not sit until the court of appeal—in this case the House as a whole—has met.

I should be grateful if you would advise me on that, because this is a matter of fundamental importance, and I have a feeling that, when we read the statement that you have made this afternoon about the basis on which amendments are selected—that they must be clear and that you must know their effect on the Bill—it may turn out to be equally important. It has never been my understanding that the Chairman had any responsibility for considering either the intelligibility of an amendment or, for that matter, its effect if introduced to legislation.

For all these reasons, I hope, Mr. Morris, that you will appreciate that this relates not to yourself but to the procedures of the House concerning this Bill and all future legislation.

The Chairman: I note what the right hon. Gentleman says.

Mr. Tim Renton (Mid-Sussex): On a point of order, Mr. Morris. I have not spoken for as long on this important Bill as many hon. Members who are in the Committee. That is why I find it somewhat surprising that even such an expert on parliamentary affairs as the right hon. Member for Chesterfield (Mr. Benn) has such great difficulty with the fact that, having ruled out of order amendment No. 27, you have decided that there should be not only a vote on new clause 74 but a debate. I listened carefully to your words.

Sir Teddy Taylor: After ratification—that is the difference.

Mr. Renton: I suggest that my hon. Friend does not interrupt. His interruptions have become a little— *[Interruption.]*

The Chairman: Order. Points of order are matters for the Chair and not matters for debate in Committee one way or the other.

Mr. Renton: I have read new clause 74, which is what you suggested my hon. Friend the Member for Southend, East (Sir T. Taylor) should do, Mr. Morris. It is absolutely clear that there will be a debate on the principle whether to adopt the protocol on social policy. The new clause is not narrowly worded; it is very broad. It clearly states:

"This Act shall come into force only when the House of Commons has come to a Resolution on a motion tabled by a Minister of the Crown".

I look forward to that debate, which will be interesting and wide-ranging.

Several hon. Members *rose*——

The Chairman: Order. I am grateful to the right hon. Gentleman, but we cannot have a debate now on new clause 74 and its interpretation. That is why I suggested to the right hon. Member for Copeland (Dr. Cunningham) that he should read and interpret the new clause in the way that he felt was right.

Mr. Nigel Spearing (Newham, South): Further to the point of order by my right hon. Friend the Member for Chesterfield (Mr. Benn), Mr. Morris. I underline what my right hon. Friend said about dealing with procedure rather than personality. You may recall that one of your esteemed predecessors, Sir Robert Grant-Ferris, was in your position in 1972 and made a selection of amendments on which there were points of order for 15 hours. He had to sustain a debate of the type that my right hon. Friend mentioned, but the affection and esteem in which he was held in Parliament was unaffected, although the procedure was important.

We are grateful for your announcement, Mr. Morris. On Thursday you said that, after the debate on which we were about to embark on amendment No. 52, there would be votes on amendment No. 225, if it was pressed, and on amendment No. 268 before the debate on clause 1 stand part. Earlier today, you mentioned amendment No. 426. Will that be debated before clause 1 stand part?

You mentioned matters that have to be borne in mind on selection. As hon. Members know, under Standing Order No. 20, the Speaker must take certain factors into account, but gives no reasons. The factors that you mentioned bear positively, if I may put it like that, on your ruling. Can you direct the Committee to other factors contained in another source, either by reference to a book or immediately?

You said that the matter was unprecedented, and we all agree with that. What is also unprecedented is that an amendment was selected and debated and the closure was moved. You would not have accepted the closure if the debate had not been thorough. Because of the timing, you have said that the Committee shall not come to a decision. Therefore, the historic basis of selection, motion, debate and question has been broken, because there has been no decision. If the ruling is not changed by some means, that is also unprecedented, and gives rise to great anxiety among certain hon. Members.

Several hon. Members *rose*——

The Chairman: Order. I shall clarify the matter. Amendment No. 426, if it is moved, will warrant a separate Division before the debate on clause 1 stand part. I hope that the Committee is clear on that. I am grateful that the hon. Gentleman listened with care to the words in my second paragraph, because my statement was important and merits study. The statement guides me and the Committee, because it makes it plain that, every day we meet, the provisional selection of amendments is a matter for the Chairman. That provides for the Chairman to change his selection between one sitting day and the next. Events may cause such a change to take place.

Sir Peter Emery (Honiton): On a point of order, Mr. Morris. I have two questions.

Mr. Dennis Skinner (Bolsover): You rang, m'lord?

Sir Peter Emery: Is that what the hon. Gentleman wants?

When a group of amendments is tabled for debate, it is not unknown for an hon. Member to ask for a Division on an amendment that had not previously been annotated for a Division. It is entirely up to the Chair to decide on a Division. It has been suggested that the Chairman does not decide on whether to grant a Divison, but that is obviously incorrect, because such power has always rested with the Chairman.

Secondly, if, as the right hon. Member for Chesterfield (Mr. Benn) suggested, there is to be a substantive motion, surely it would be right to proceed with the debate and have no more points of order on the selection of amendments.

Several hon. Members *rose*——

The Chairman: Order. I confirm the right hon. Gentleman's first point, and I am grateful to him for making it. I have no comment on his second point.

Mr. Alex Salmond (Banff and Buchan): On a point of order, Mr. Morris. Members of the Committee will have noticed that you have accepted for debate some amendments to the new clauses about a referendum, which make the link between consulting the people on the Maastricht process and consulting them on the social protocol. The hon. Member for Hamilton (Mr. Robertson), who is in his place, is quoted in today's issue of *The Scotsman* as saying that these amendments have "no chance of being debated or accepted."

That has turned out to be a bad short-term forecast, because, as we see from the selection paper, they have been selected for debate. *[Interruption.]* I understand why the hon. Member for Hamilton is getting rather upset. His fig leaf for not supporting a referendum on Maastricht is starting to be removed. In view of that statement, Mr. Morris, will you confirm that the choice of matters for debate is made not by the Government or the Opposition, but by you alone?

The Chairman: I certainly confirm that. The thrust of the hon. Gentleman's point of order proves that selection is always provisional.

Mr. William Cash (Stafford): On a point of order, Mr. Morris. Some days ago and today, you ruled that the Bill's effect is one criterion that you take into account, and that you also take account of its clarity. Without referring specifically to a television programme of which I have a transcript, you reinforce that by suggesting—quite rightly, I understand—that you would not want to see the Bill wrecked.

That brings us to the significance of Second Reading. If the Bill's principle is one of your prime considerations in referring to its effect, will you bear in mind the fact that, on Second Reading on 2 May last year, almost a year ago, the Danish referendum, which significantly changed the nature of the treaty signed on 7 February, had not been held?

Secondly, the question of economic and monetary union lies at the heart of the principle of the Bill. As the Government have withdrawn from the exchange rate mechanism, considering the basis of the Second Reading debate, surely we should not be excluded from consideration of whether to allow amendment No. 27. Do you agree, Mr. Morris?

The Chairman: No.

5 pm

Mr. Bryan Gould (Dagenham): On a point of order, Mr. Morris. You will recall that, on Thursday, I suggested that your ruling on amendment No. 27 might well be opposed by a majority of the Committee; I asked how such a majority could make its view known and expect it to prevail. In the event, you accepted the motion moved by my right hon. Friend the Member for Copeland (Dr. Cunningham) to allow the Committee a cooling-off period. I assume that it was hoped that, during that period, you and others might have second and better thoughts.

Nearly every hon. Member who spoke in Thursday's debate endorsed the need for a cooling-off period, and expressed the hope that a different view would be taken after it. The fact that the motion was accepted without a Division strongly supports my view that a majority of the Committee does not agree with your ruling, Mr. Morris. May I ask to what extent you took account of the sequence of events—that is, the debate and its outcome—when you drafted the statement that you have read out today?

The Chairman: Let me make two points. First, as I was in the Chair for the whole of what the right hon. Gentleman describes as a cooling-off period, it was not a particularly cool time for me. Secondly, I must and do take every factor into consideration, but at the end of the day the buck stops here: I have to choose the amendments.

Mr. Michael Spicer (Worcestershire, South): On a point of order, Mr. Morris. When my hon. Friend the Member for Southend, East (Sir T. Taylor) expressed anxiety about how he would explain the effect of your decision about amendment No. 27 to his constituents, you said that he must make up his own mind about the impact of the Bill —he had been here long enough to do so. Earlier, in your statement, you said that the impact on the Bill was one of the criteria on which you decided whether to select an amendment for a vote. Will you tell us a little more about the possible impact of new clause 74? For instance, if a vote on it had the effect of excluding the social chapter——

The Chairman: Order. I do not wish to amplify anything that I have already said; I hope that the hon. Gentleman listened very carefully to what I said in my statement.

Mr. Peter Shore (Bethnal Green and Stepney): On a point of order, Mr. Morris. I am grateful for your

statement, and will give it the careful study for which you asked. I was, however, disappointed that you stuck to your decision not to call amendment No. 27.

My point of order relates to some extent to what was said by the hon. Member for Worcestershire, South (Mr. Spicer). Although you were not obliged to do so, you explained some of the factors that had influenced your decision, one of which was the effect of an amendment on the Bill. Surely this is the crux of the matter. The effects of different amendments are entirely different: amendment No. 27 would deliver a major blow to the Bill—indeed, it would destroy it, which would please me personally—while new clauses 74 and 75 are entirely acceptable to the Government, because they will have no effect on the Bill or the treaty. We want to vote on amendments that are relevant to the Bill, and have some meaning.

The Chairman: The guidance that I have given this afternoon is very general, and can be applied to any and every amendment.

Mr. Bill Walker (Tayside, North): On a point of order, Mr. Morris. This is an entirely separate point of order. May I turn your attention to new clause 80, which is entitled "Transferred Powers (Scotland)"? I remind the Committee that the Union with Scotland Act 1706 contained 25 articles committing the Scottish people to full political, economic and fiscal union for ever. The words "for ever" are important.

As recently as last month, in the White Paper "Scotland in the Union", the Government recognised and acknowledged that "for ever" commitment. A set number of Scottish Members of Parliament are sent to the House of Commons: that number is quite out of proportion to the number sent from other parts of the unitary kingdom. That is because section 22 of the 1706 Act—which later became the treaty of Union, having been accepted in its entirety by the English Parliament—clearly laid down the number of Scottish Members of Parliament. It also clearly laid down the commitment, for ever, to political, economic, monetary and fiscal union.

Let me remind you, Mr. Morris, that the Scottish Parliament was never dissolved; it was simply prorogued. I believe, along with many of the people of Scotland, that Scotland's 72 Members of Parliament are the guardians of the Scottish Parliament.

New clause 80 deals directly with the requirement to debate, and have the opportunity to vote on, the giving away of Scottish and unitary parliamentary, political, economic and fiscal power to the European Community. I believe that failure to debate the matter may have profound legal and political implications in Scotland. I remind you, Mr. Morris, that the new clause is supported by both Labour and Conservative Members of Parliament, and by the leader of the Ulster Unionists.

There are two groups of amendments under which consideration of clause 80 would have been possible. It is interesting to note that, under the groups relating to entry into force, the referendum and the commencement of—

The Chairman: Order. I think that I have the gist of what the hon. Gentleman is driving at.

Mr. Walker: May I make one final point, Mr. Morris?

The Chairman: I hope that the hon. Gentleman will make it briefly.

Mr. Walker: I am sorry, Mr. Morris; I do not want to speak at length unnecessarily.

When new clause 80 was tabled, the wording in relation to no powers being transferred was carefully chosen. You selected an amendment under the "Transferred Powers" list. You had produced a provisional list of amendments, and—as is in order, I understand—the new clause was carefully and deliberately worded in order to dovetail with the accompanying group, or rather with new clause 75, which was the only amendment selected at the time.

Following the tabling of new clause 74, we have a different grouping of amendments under a different heading. I suggest that new clause 80 could and should have been included: without it, we may face litigation in the Scottish courts that could delay any Bill passed by the House, and the implementation of the treaty.

It is no good your Clerk shaking his head, Mr. Morris. He and I know that the matter has not been properly challenged in the Scottish courts, because in the past referendums have dealt with the question of what the people think. That was true of the European Communities Act 1972. When there was any possibility of a challenge —*[Interruption.]* This is important, Mr. Morris.

The Chairman: The hon. Member keeps saying that he will be brief. I think that he has made his point and I recognise the strength of his feeling. I have given careful thought to the new clause, which, if I may say so, reflects a distinctive view of the effects and significance of the Bill. Despite that, and the range of support for it, I regret that I am unable to alter my original decision not to select it for consideration.

I say as an Englishman that "prorogation" is an English term. I am advised that the Parliament of Scotland was continued in 1706 and not prorogued.

Mr. Bob Cryer (Bradford, South): On a point of order, Mr. Morris. Will you confirm that, if your decision is sustained, there will be a class of amendments or new clauses that will be debated and then voted on immediately? That, but for the chance of selection, is a normal occurrence. But for the fact that amendment No. 27 had to take its turn with other amendments in the order of voting, there would have been no time for any decision to be made.

If the precedent is supported—it is an important and, in my view, a dangerous one for the functioning of the House of Commons—and amendments are not voted on immediately following debate, we shall be refused a chance to vote for or against them in any future circumstances. I find that disturbing.

If the proposition were put to the House of Commons in those terms, I think that it would be rejected by hon. Members on both sides of the Chamber, bearing in mind particularly the fact that the order of selection is in the hands of the Chairman of Ways and Means and not those of the Committee. The Chairman can select the amendments on which he wants to have second thoughts to ensure that they are voted upon at a stage subsequent to the debate. That being so, he can use the opportunity to decide that there will be no vote. That is alarming.

I hope, Mr. Morris, that even at this stage you will reconsider the matter. There certainly will be criticism that the procedure that we are discussing works in favour of the Government when your function is to act as a neutral Chairman. The fact is that your decision supports or is in

[Mr. Bob Cryer]

favour of the Government. As amendment No. 27 was the one amendment of which the Government were fearful, that suggests to many both inside and outside the House of Commons that it is not a neutral position.

I have one further point of order, Mr. Morris.

The Chairman: No. I take one point of order at a time. I wish to make it clear to the Committee that I am, have been and will continue to be entirely neutral in the handling of the Bill. I hope that the hon. Member for Bradford, South (Mr. Cryer) will study my statement on voting. He should study it. I have created no precedents for voting on amendments.

Mr. Nicholas Budgen (Wolverhampton, South-West): On a point of order, Mr. Morris. The right hon. Member for Chesterfield (Mr. Benn) talked about the precedents that are created by these proceedings. You will recollect that, on Thursday, I raised with you the important interview that you gave on the BBC "Westminister Live" programme. You rebuked me for not having a transcript of your important remarks. I say immediately that I was much humiliated by your rebuke, and I apologise for not having a transcript. I have now, as you know, supplied you with a transcript of your historic interview.

It is plain that the first consideration is that the occupant of the Chair cannot give reasons to the Members of the House of Commons for his or her decisions. The transcript reveals, however, that you gave reasons to the viewers of "Westminister Live". Presumably that means that you have set a precedent by which the Chair, which I assume includes the Speaker, gives reasons to television viewers but not to the House of Commons.

That is a most interesting and modern precedent of widespread importance. I hope that you will confirm that it is to be followed by the Chair in all its manifestations. It would seem that our attendance in this place is entirely unnecessary. The main thing that we must all do is buy a television set.

The Chairman: I note once again that the hon. Member did not quote directly from the transcript. He will have to take it from me that I gave no reasons to the viewers. I merely positioned the debate.

5.15 pm

Mr. David Winnick (Walsall, North): On a point of order, Mr. Morris. I have no wish to personalise the matter —I accept entirely that you have responsibilities in the Chair—but I wonder whether you will accept the point that has been made repeatedly: that we, as Members of the House of Commons, have responsibilities, as my right hon. Friend the Member for Chesterfield (Mr. Benn) said at the beginning of these exchanges.

You will know from your long experience of the House of Commons, Mr. Morris, that, when Members, whether in the minority or otherwise, feel that they have been cheated out of a debate or a vote that they believe should have taken place, feelings will run extremely high. I remind you that, last Thursday, you accepted—obviously, I am pleased that you did—a motion moved by my right hon. Friend the Member for Copeland (Dr. Cunningham) to the effect that the Committee should report progress and sit again. That was all that the Committee could do to show that it wanted a vote on amendment No. 27.

Perhaps I might remind you, Mr. Morris, that, when it came to a vote, and when we were in the Division Lobby, we received the message that the Government were not appointing Tellers. We could only come to the conclusion —I accept that it is not your business to come to such a conclusion—that the Government knew that they would lose the vote. As a matter of fact, the motion was carried without a vote. That was the only way in which we could show our opposition to and criticism of your decision.

As the matter will not go away—the points of order this afternoon show that—I beg you, Mr. Morris, to bear in mind the views that have been expressed, including those from the Liberal Bench. Undoubtedly, Liberal Members are much in favour of the Bill. Indeed, they could be even more enthusiastic about it than the Government. Nevertheless, on Thursday, they expressed their point of view, which was similar to that of those of us who are critical of the Bill, on amendment No. 27. If you cannot do so now, Mr. Morris, I ask you later to reconsider the issue and to bear in mind the strength of feeling, which, I repeat, will not go away.

The Chairman: I accept that feelings run very high, and that is why I have given the matter the care and attention that I have. At the end of the day, I have a job to do, and I have done it to the best of my ability.

Mr. Ian Taylor (Esher): On a point of order, Mr. Morris. As an overwhelming majority of Members of the House of Commons are in favour of the Bill, would it not be in order to move on to a debate on principle? Those who wish to vote for the social protocol can do so when we come to new clauses 74 and 75. That reflects the overwhelming majority of those who are in favour of the Bill. As those Members would wish to express their views clearly, your position is entirely understandable, Mr. Morris, given that amendment No. 27 is entirely unclear in its application. Therefore, I believe that your decision is to be supported.

The Chairman: I note the hon. Member's view.

Mr. Stephen Byers (Wallsend): On a point of order, Mr. Morris. I take up your decision to select for debate and decision new clause 74. You will be aware that, in the context of both amendment No. 27 and new clause 75, the Government used the advice of the Law Officers to wriggle out of a debate and a vote on the issues raised by the amendment and the new clause. I have no doubt that, in the light of your decision to select for debate and Division new clause 74, some of the best legal brains will be subjecting the new clause to detailed scrutiny.

Is it your view, Mr. Morris, that new clause 74 does not mean only that the Bill, when enacted, cannot come into force until the House of Commons has had a chance to debate and vote on the inclusion of the social chapter? In this instance, the constitutional position is different from the legal position. Constitutionally, Her Majesty's Government cannot move to ratify the Maastricht treaty until such a debate and vote have taken place.

The Chairman: That is a matter for debate when we get to it.

Mr. John Wilkinson (Ruislip-Northwood): On a point of order, Mr. Morris. In your statement explaining why you would not allow the Committee a vote on amendment No. 27, you said that the Chair would not allow a separate

Division on an amendment if the Chair believed that the amendment was insufficiently clear and had doubts about its effect on the Bill. In saying that, you were in effect the custodian of the Bill rather than the custodian of the rights of the Committee.

The amendment's effect was perfectly clear to the Committee: it would have involved the disbursement of public funds to pay for the implementation of the social chapter by the 11 other members of the Community. You, as Chairman of Ways and Means, have a responsibility to ensure that the Committee has a chance to vote on it. Will you duly reflect again?

The Chairman: The hon. Gentleman is beginning to move into the argument again. I ask him to study the words that I used. I said that, in arriving at such a decision on an amendment, I was giving general guidance.

Mrs. Alice Mahon (Halifax): On a point of order, Mr. Morris. In the event of either or both new clauses 74 and 75 being withdrawn, would you need to reconsider your decision on voting on amendment No. 27?

The Chairman: That is hypothetical.

Mr. Richard Shepherd (Aldridge-Brownhills): I should like to associate myself with the remarks by the right hon. Member for Chesterfield (Mr. Benn) and all the others who have spoken in a similar vein, because the abandonment of so many amendments and our right to vote on them has enormous constitutional consequences for the running of the Chamber. I remind you, Mr. Morris, of what you reminded us of last Thursday, to which the right hon. Member for Copeland (Dr. Cunningham) also referred. You said:

"We are some way off a vote on amendment No. 27, and other developments may occur at any time, but at this juncture I am minded to take seriously the need for a further debate before the Committee votes on that amendment".—[*Official Report*, 22 February 1993; Vol. 219, c. 685.]

All the subsequent arguments of which you advised us were about whether there would be a debate before we voted on amendment No. 27. If your ruling stands, you will be setting a precedent whereby the Committee will not be sure whether we can move and vote on amendments, because you are setting aside all votes on virtually all amendments tabled by Members of good standing. How do we express our view? That is why I wish to associate myself with the burden of the argument made by the right hon. Member for Chesterfield.

The Chairman: It is the hon. Gentleman's right to interpret as he wishes, but his interpretation is not necessarily shared by the Chair or anyone else. My words to the Committee were very clear right from the start: I am totally impartial in this matter. Hon. Members will have to accept that, whether they like it or not. They can put whatever interpretation they like on that, and everyone —not least the hon. Member for Aldridge-Brownhills (Mr. Shepherd)—should recognise that statement from me.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): Will you please advise us, Mr. Morris, how the Committee is to express its wish to vote on amendment No. 27? What means and procedures are available to the Committee to do so?

The Chairman: Hon. Members can make representations but, at the end of the day, the power rests with the Chair, and the Chair has ruled.

Mr. Roger Knapman (Stroud): We know that you have given very careful thought to the selection of amendments, Mr. Morris, because you tell us so. You have told us that selection depends on the clarity and effect of an amendment. In that case, under amendment No. 27, my constituents in Stroud are being asked to pay through their VAT towards implementation of the social chapter in other countries. Shall I have an opportunity to vote on that issue? If clarity is so important, why has new clause 74 appeared, as it refers to a motion yet to be tabled by a Minister of the Crown? How can there be clarity when the motion has yet to be worded?

The Chairman: The hon. Gentleman must make his own interpretation of new clause 74. It seemed an appropriate new clause for consideration as far as I was concerned.

Mr. Dennis Skinner (Bolsover): Will you tell the people—not principally hon. Members but those who watch our proceedings and read *Hansard*—why such a decision has been taken by the Chair when a majority of hon. Members want a vote? How is it the Chair can say, "Sorry, we are not having a vote," even though, on 22 February, the same Chair said that we could have a debate and a vote?

People outside, who believe that the Chair is supposed to be impartial, will think that we should have a vote, because a majority—or so it seems—of members of the Opposition want to vote. People will not understand why the majority have no recourse to further action to get a vote, or even an explanation.

I know of no organisation or society to which I belong in which the Chair is not called on to explain its conduct; in the Labour party, in a trade union and, I suppose, in big business—although I do not know—it is likely to be called on to do so. The Chair is under so much pressure and, having had a week to think about it, is not prepared to explain how it reached a decision in line with the Government's views——

The Chairman: Order.

Mr. Skinner: I have not finished yet.

The Chairman: All right, I shall come back to the hon. Gentleman in a minute.

Mr. Skinner: I want to know why you are leaning toward the Government. Why?

The Chairman: Order. I am trying to answer the hon. Gentleman.

Mr. Skinner: You have had three days to think about it, and you are still on the Government's side. There is something bent about it. I am not prepared to accept this mumbo-jumbo. You are acting like a Tory Member on behalf of the Government. You cannot convince me otherwise. You have made it clear again and again that you back the Government.

The Chairman: Order. I repeat to the hon. Gentleman in particular, and to other hon. Members who have referred to it, that I am wholly impartial about the Bill. I do not care what manifestations or attitudes any hon. Member takes; I am wholly impartial. I make that clear to every hon. and right hon. Member in the Chamber now, and to every hon. and right hon. Member who is no longer in the Chamber.

[The Chairman]

The hon. Member for Bolsover (Mr. Skinner) would be the first to acknowledge that it is not the number of hon. Members which decides whether a vote takes place. He will recall many occasions when he has caused a vote backed by very few hon. Members present, and the Chair has accepted it.

Mr. Christopher Gill (Ludlow): On a point of order, Mr. Morris. On BBC2 on 13 April, you said that there had been "a significant Second Reading" of the Bill and that you "cannot wreck the Bill". In saying that, did you not, in effect, explain your decision not to allow a vote on amendment No. 27?

The Chairman: I was merely reflecting the rules of the House in making that statement.

Mr. Tony Marlow (Northampton, North): On a point of order, Mr. Morris. It is common ground that amendment No. 27 is quite different in detail and effect from new clauses 74 and 75. It is common ground that amendment No. 27 has been well debated and deals with a distinct and important constitutional issue. It is also common ground that a majority of hon. Members want a vote on amendment No. 27. I know what the Standing Orders say, and I know what "Erskine May" says, but nothing prevents you from telling the Committee why, in these circumstances, we cannot vote on amendment No. 27. My constituents want to know.

The Chairman: I have never noticed the hon. Gentleman having any problem communicating with his constituents, who are right next door to mine. I am not commenting on the hon. Gentleman's alleged common ground.

5.30 pm

Mr. Frank Cook (Stockton, North): On a point of order, Mr. Morris. I truly need your help, as a recent recruit to the Chairman's Panel. The procedural aspects of the present dilemma not only fascinate but dismay me—because, if I maintain my position on the Chairmen's Panel, I may find myself in a similar situation in future.

You said, Mr. Morris, that the Chairman has the right to allow or deny a vote. Does that mean that, if members of the Committee, regardless of whether or not they are in favour of amendment No. 27, were interested in arriving at some kind of democratic determination and tabled a motion this evening saying, "We seek a Division on amendment No. 27", and more than 326 right hon. and hon. Members voted in favour of it, that would be disregarded by the Chair?

The Chairman: The hon. Gentleman knows that is not the way that the Committee works, and that such decisions are left to the Chair.

Dr. John Cunningham: I noted your earlier advice, Mr. Morris, to read carefully in *Hansard* the wording of your statement. That implies that we shall have to study the exact nature of your statement tomorrow. In so far as you spelled out factors as to whether or not amendments should be voted upon, I cannot myself accept that it is the responsibility of the Chair to take account of political judgments about the effect of amendments on legislation. Surely it is for the Chair to rule whether or not an amendment is procedurally in order, not to make political judgments.

In view of your remarks, I hope that the Committee will again pause and carefully study your observations—not least because, to coin a phrase, I do not want to throw out the opportunity to vote on amendment No. 27 on Report as the Committee tries to throw out the occupant of the Chair in any motion at this stage.

I hope that members of the Committee will pause and reflect, and will read carefully tomorrow in *Hansard* your statement, Mr. Morris, and not rush into taking ill-judged decisions that may prevent the House once and for all having an opportunity to vote on amendment No. 27.

As I said before, I believe that there is an unanswerable case for tabling and debating that amendment on Report, when any decision will be taken not by you, Mr. Morris, but by Madam Speaker.

The Chairman: I am grateful to the right hon. Gentleman.

Several hon. Members *rose*——

The Chairman: Order. I have called every right hon. and hon. Gentleman who wanted to raise a point of order. We will now move on to amendment No. 57.

Mr. Spearing: On a point of order, Mr. Morris. It is a different point of order.

The Chairman: I make it clear that it must be a new point of order. I note the four hon. Members who sought to catch my eye, and I will accept new points of order from them.

Mr. Spearing: My point of order relates to amendment No. 426, which, if it is pressed, could be voted on four hours or less from now. Whereas amendment No. 27 received enormous publicity and has been considered by you, Mr. Morris, and by the Committee for a long time, amendment No. 426 will not have the same advantage. That amendment, which relates to the proceedings for direct elections to the European Parliament under article 138(3) of the treaty of Rome, calls for those procedures to be fully implemented in the United Kingdom.

Article 138(3) states that the European Parliament

"shall draw up proposals for elections by direct universal suffrage in accordance with a uniform procedure in all Member States."

There are at least three interpretations of the amendment's implications, coupled with the article of the treaty of Rome to which it refers. One is that the procedure will apply in every member state of the European Community.

Another is that the procedure will be uniform within each member state. If the latter, and that is applied to the United Kingdom, it must be noted that the United Kingdom has no uniform procedure. The procedure in Northern Ireland differs from that in the rest of the United Kingdom.

The Chairman: Order. The hon. Gentleman does not need to remind the Committee of the debate that we had some days ago. In all honesty, it seems that I cannot win. When I select an amendment on which some right hon. and hon. Members want a vote, I receive a complaint on a point of order from an hon. Member who does not want a vote on it.

Mr. Spearing: No, Mr. Morris.

The Chairman: That is my interpretation of the hon. Gentleman's point of order.

Mr. Spearing: I am asking whether it is in the remit of the Chair to explain the effects on this country's constitution of amendment No. 426. It will mean either that Northern Ireland has to adopt our procedures, or that we will have to adopt those of Northern Ireland.

The Chairman: The answer is no, that is not in the remit of the Chair.

Several hon. Members *rose*——

The Chairman: Order. I said that I would call four hon. Members who had stood in their places, and the hon. Member for Stafford (Mr. Cash) was one of them.

Mr. Cash: On a point of order, Mr. Morris. Is it a Standing Order or a matter of practice as to whether or not reasons are given for selecting amendments and apparently for allowing Divisions? If the latter, by what practice, because page 405 of "Erskine May"——

The Chairman: Order. It is a matter of practice. Mr. Cryer.

Mr. Cash *rose*——

The Chairman: Order. I have called Mr. Cryer.

Mr. Cryer: On a point of order, Mr. Morris. As the Committee will debate the Bill again on Wednesday, can you say whether a motion of no confidence would take precedence over further debate in Committee? It seems to me highly desirable—arising out of your refusal to allow a Division on amendment No. 27—to allow a debate on that issue and to vote on it. Also, would such a debate be limited to three hours, or would it occupy the whole of Wednesday?

The Chairman: Those matters are not for me.

Mr. Knapman: On a point of order, Mr. Morris. You will acknowledge that right hon. and hon. Members in all parts of the Committee have voiced over the past half an hour deep-seated concern about certain aspects of Committee procedures. You seemed to suggest that right hon. and hon. Members would be restricted to raising one point of order. Is that the case?

The Chairman: I find it rather easier to deal with one point of order at a time. Mr. Walker—this is the last point of order.

Mr. Bill Walker: On a point of order, Mr. Morris. Will you confirm that your advice is that the Scottish Parliament has been dissolved? If it has not, why can it not be recalled? The advice given by legal brains in Scotland may run contrary to your advice—in which case your decisions as to what is relevant and should be debated may be subject to revision. The Maastricht treaty goes right to the heart of the treaty of Union between Scotland and England. I speak as a unionist and as a supporter of this unitary Parliament. Because I care so deeply, I believe that we will be in danger of entering into the worst possible political, economic and legal minefield if we get it wrong.

The Chairman: I receive very good advice, especially on Scottish matters.

I may comment finally, especially to the hon. Member for Stafford (Mr. Cash), that of course "Erskine May" is all about procedure.

Clause 1

Treaty on European Union

Sir Teddy Taylor: I beg to move amendment No. 57, in page 1, line 10, after '1992', insert
'but not Article 201 in Title II thereof'.
I have been waiting since four o'clock last Thursday to introduce this important amendment, which is the only one in my name to be selected for separate debate. Unfortunately, I have contracted a cold, but I hope that I shall still be able to make an extensive speech.

It is a great help to have my right hon. Friend the Paymaster General in his place on the Treasury Bench. We regard him as one of the more constructive members of the Government. While we know that they all have their assets, my right hon. Friend is someone who is constructive, looks forward and tries to solve problems.

The amendment is designed to suggest to the Committee how we might solve some of the appalling problems that face the European Community, of which both its supporters and opponents are well aware. We are well aware, from the small number of hon. Members who attend these debates, that hon. Members do not want to listen to the arguments. Nevertheless, there is a deep-down feeling throughout the House of Commons that things are going terribly wrong with the European Community: that the EC's share of world trade is going down and down, that unemployment in the EC is soaring and that expenditure by the EC is riddled with graft and corruption. The tragedy is that no one has the slightest idea what to do about it.

My impression is that most members of the Government party, who are now sickened with the whole EC business, are genuinely not sure what on earth they should do. They are worried about the EC, but they say, "We've got to support the Prime Minister. The negotiations are too far advanced. We don't know which way to turn, so what on earth else should we do?"

The impression that I have gained throughout the whole debate on the treaty is that hon. Members feel that we are stuck on a tightrope, that we are heading towards a cliff and that we cannot turn either to the right or to the left, or even back. No one, apart from the Liberal Democrats—who, I accept, are sincere people, as we have seen in all our debates on the treaty—seems to be genuinely supportive of Maastricht. No one seems to think that Maastricht will be a good deal. The Government talk about Maastricht, warts and all. They say that they do not want to improve Maastricht, despite warts and all. Some of my hon. Friends say, "Don't worry about the Maastricht treaty; the exchange rate mechanism won't come back", even though the treaty makes it clear that we must try to get back into the ERM from 1 January next.

In this amendment I am suggesting an answer that might bring all hon. Members, both supporters and opponents of Maastricht, together and solve some of the problems that worry them. The amendment suggests that we should delete article 201 on page 56 of the treaty.

Mr. Marlow: I have read my hon. Friend's amendment. It is a good one. I am looking forward to the rest of his speech. My hon. Friend suggests, in effect, that we should

[Mr. Marlow]

take the Community's budget away. That is a very good idea. However, would not a better way of approaching it be to adopt another suggestion? My hon. Friend is well aware of the fact that about a fortnight ago some Italian either jumped or was pushed from a 16th floor window in Brussels. There are allegations that he was tied up with the Mafia. There are also allegations that £1,000 million of our money has been misapplied through some fraud related to tobacco. Should there not be a total review of the Commission and of all who work in it, in terms of where there is fraud, where there is not fraud, whether money has been properly applied and the involvement of the Mafia in the Commission? Should not that be a matter of great urgency and should not that inquiry take place before there is any further debate on this wretched piece of paper that we are concerned with?

Sir Teddy Taylor: I appeal to hon. Members not to pay attention to that. It has been tried time and time again. The trouble with people who are positive about the EC is that we have tried all this before. For example, an organisation looked into all the fraud and all the rubbish. It said that it would do the job for us. Then we had Maastricht. A fraud department was to be set up. According to the Maastricht treaty, the idea is that, somehow, the European Parliament will look into all this. I appeal to my hon. Friends not to be misled by that suggestion. It will not work. We have heard talk of the common agricultural policy being reformed. It cannot be reformed. I appeal to the Committee, and in particular to the Paymaster General, to give a message to the European Community about where Britain wants it to go and how we can make the EC work more effectively.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Can the hon. Gentleman emphasise one simple fact: that the powers to audit and change the rules relating to fraud and to take action against those found guilty of defrauding the EC have existed since the earliest treaties and that the European Parliament has never chosen to use those powers properly, nor has any subsequent Commission?

5.45 pm

Sir Teddy Taylor: The hon. Lady is so right. I heard her in European Standing Committee A, before I was chucked off it for asking too many questions, rightly saying over and over again that fraud had been proved and that lots of money, which could be spent on helping the poor and pensioners, is being thrown away. The hon. Lady pointed out that the European Parliament has the powers but that they are not being used and that they cannot be used. That is the great tragedy. Instead of laughing at this, I appeal to the House of Commons to say, "Where the blazes are we going?" We all know that the European Community is in a terrible mess, that democracy is being destroyed, that unemployment is soaring and that Europe's share of world trade is going down, so what on earth, I ask the Government, do they think we should do about it?

Mr. Marlow: If, as may well be the case, the Commission is as rotten with the Mafia as gorgonzola cheese is with maggots, who is it that can sort it out? Is it only the Commission, or can Her Majesty's Government do something about it? Unless somebody does something about it soon, there is not a lot of point in proceeding with this treaty, or any other European legislation.

Sir Teddy Taylor: My hon. Friend is one of the most conscientious people attending these debates. I know that his heart is in the right place, but I appeal to him not to look for an answer in the Commission. It cannot be found there. I appeal to him not to look for an answer in setting up new Committees or new organisations. We have been through all that. I appeal to him, as someone who represents very fairly and adequately the interests of farmers in this country, to ask what on earth can be done about the common agricultural policy. The answer is, nothing. The CAP is getting worse and worse. The tragedy is that nowadays nobody talks about the fact that the food mountains are breaking all records, because they know that there is nothing that we can do about the CAP. We all know that the CAP is in worse trouble than ever before, so nobody wants to talk about it.

Mr. Walter Sweeney (Vale of Glamorgan): My hon. Friend drew the analogy of a car going towards a cliff, unable to turn left or right, or to turn round and go back. Would not it be fair to describe this vehicle as one in which the accelerator is stuck down and that we in this country are required to chip in and load that vehicle, which has enormous petrol tanks, with a very expensive load of fuel in order to enable that vehicle to pursue its headlong pace towards the precipice?

Sir Teddy Taylor: How right my hon. Friend is. That is the key fact that we should think about. We are putting in more and more money and, as a result of Maastricht, there will be a lot more money going into the European Community. This year it amounts to £2·6 billion. I just ask those who sit on the Treasury Bench to think about what we could do with that money, if we had it. Let us take, for example, VAT on electricity and gas. It is terribly unpopular. Old people think that it is dreadful. We, sadly, on these Benches voted for it because the Government appeared to be going bust and we had to get some money from somewhere. If we did not have to make that contribution to the European Community, this VAT levy on electricity and gas would not be needed. We should have a lot of money to spare. That is what we must think about.

What would be the effect of having the European Community without any funding at all? Some of my hon. Friends are absolutely right when they say that we are being asked to put more and more money into it. My first question to the Paymaster General, because I know that he is one of the Ministers who will tell us the truth, relates to the fact that as a result of article 201 it was decided at Edinburgh, on top of all the resources going to the European Community, that there would have to be a new one—a fifth resource.

The Commission was asked to give its view of what this should be. This morning's papers tell us that a new EC tax on energy is being discussed which will result in electricity bills being put up by a further 20 per cent. Apparently, that is to be the first of the European Community's own resources, the one which will be a European tax. The papers say that the British Government are not very happy about it. If we go ahead with it and say to people that, on top of VAT on their electricity bills, there will be a new,

extra Common Market tax of 20 per cent., they will be very angry and will probably lose even more faith in democracy.

The purpose of the amendment is not just to raise a marginal argument about the proposed changes and the extension of EC spending, but to try to find an answer to the problems of the EC. My hope is that the Government will approve the amendment. I hope that they will, because they have been flexible in their attitude and have now agreed to back new clause 75, which was originally said to be a time bomb. They have now thought again about that. I am seeking to remove every single word in the treaty about European Community resources. That might persuade other member states in the European Community to ask themselves whether the EC would be better off or worse off if it did not have a single pound or ecu to spend and if it returned to its original concept, approved by the people of Britain in a referendum, of establishing a body of nations to co-operate on trade, friendship and related matters.

I do not seek to hide the fact that I was one of the "no" campaigners in that referendum and I have never had cause to regret my decision. In the horrendous mess we now face in Europe, with mass unemployment, with horrendous graft and corruption, with the ever-declining share of world trade and with unworkable and uncontrollable policies, there can be little doubt that everyone, with the possible exception of the Mafia, would be better off if the Brussels bureaucracy was deprived of all its resources. How is the money collected under article——

Mr. Marlow: I am listening to my hon. Friend with interest and I am very keen to know what the effects of the amendment would be. My hon. Friend is aware that the treaty establishes something called the cohesion fund, which is a means whereby the Commission gives favours to people in return for support. My understanding is that the cohesion fund should not come into effect until ratification, yet I read last week that the cohesion fund is beginning to take effect already and that money is already being provided through it. Would the amendment stop that abuse? As we have not ratified the treaty and as Parliament has not agreed to the treaty yet, it must be an abuse that money is being spent on something coming out of the Maastricht treaty.

Sir Teddy Taylor: Oh yes. My hon. Friend is so right. If he votes for the amendment, that abuse will be stopped. The cash should be cut off. What the Government could then do to save Europe would be—this is our answer—to have a Europe without any cash at all.

Mr. Cash: I am sure that my hon. Friend was not referring to me when he made that remark.

I refer to article F.3 of the treaty and I am sure that my hon. Friend will not mind my reading it out. The article says:

"The Union shall provide itself with the means necessary to attain its objectives and to carry through its policies."

I hope that I am not pre-empting a point that my hon. Friend is likely to make shortly. That article comes under title I, "Common Provisions", which is being shoved through disgracefully by prerogative and which is not part of the Bill. It provides for the union to have the means necessary to attain its objectives. That is critical to the question of own resources. How on earth can anyone justify, against the background of the requirements of this place—this point is tied up with the social chapter and with all the other matters that we have discussed, such as raising taxation—the provision going through by prerogative? It will be the basis for all the corruption and fraud that we see in prospect.

Sir Teddy Taylor: My hon. Friend is putting a genuine point and is saying that there is something else in the treaty, as hon. Members may know. There is probably no one among the newer, younger and more active hon. Members who has played a greater part than my hon. Friend in drawing people's attention to the dangers of all the spending, fraud and corruption. I appeal to my hon. Friend not to ask how we can debate article F.3. We shall not be allowed to debate article F.3. How can we control the spending, fraud and corruption? I believe that we need the support of the Government and that we need a vote by Parliament to say that the British point of view is that we should have a Europe without any resources.

Rev. Ian Paisley (Antrim, North): The hon. Gentleman referred to the report from Brussels of a 20 per cent. rise in electricity charges. Is he aware that that will be used as a sop in the Denmark referendum? Because the politicians in Denmark feel that they may lose the referendum, they believe that, to get the green lobby, they must have a rise in the price of electricity.

Sir Teddy Taylor: My hon. Friend is absolutely right. Terrible things are happening in the attempt to get votes and support. We know what happened with the Republic of Ireland, for example. I feel sorry for some of the ports of Northern Ireland which now find themselves facing wholly unfair competition because of what Maastricht will do, through the cohesion fund, to ports just south of the border. Many of these things are done for votes. I appeal again to the Committee: although there are terrible things and although they are getting worse, let us try to find some answer to the problem.

My answer is that the British Government should say, "We want the future to be a Europe without funds. We think that the problems would be solved if funds were removed. If we do not do that, things will simply get worse." Where does the money come from? At present there are four components.

Mr. Stephen Day (Cheadle): Is not my hon. Friend saying in reality that a Europe without funds is no Europe at all? Is not he really telling the House that that is what he desires? Is not that the nub of the issue? My hon. Friend undoubtedly speaks eloquently about protecting the sovereignty of this place. He also mentioned the Irish Republic. Is not he really saying that he believes that Britain's position in the new Europe that he envisages—that is, no Europe at all—relative to Brussels, if it carries on without us, will be the same as Dublin's position relative to London before the Irish Republic gained some sovereignty by joining the EC?

Sir Teddy Taylor: Goodness gracious, I am saying exactly the opposite. If we have an EC without funding, of course there can still be free trade, co-operation and friendship. How can my hon. Friend say to his constituents—I am sure that he has many poor constituents who face hardship, whom he looks after very well—"I am terribly sorry. We are spending a fortune on fraud, on tobacco and on agriculture. We have a bank that is wasting money like water and there is nothing that I can

[Sir Teddy Taylor]

do about it." My hon. Friend may believe in a good future for the EC. I believe that it will end up in tears the way it is going. It will end up with people marching in the streets. It will end up with mass unemployment. If there was no funding, the EC could carry on doing all the positive things that some people think it can do, such as promoting free trade and friendship, but it would not waste money with policies that inevitably lead to graft and corruption, as we well see.

I see that the conscientious hon. Member for Harlow (Mr. Hayes) has just walked into the Chamber. I am sure that he must be aware of many poor constituents who face hardship. He must be very angry when he hears about the money being wasted in fraud and corruption in the EC. His people want to know what he intends to do about it. The answer is that there is nothing that we can do about it because of the EC's crazy policies. The only thing to do is to take away the money and put it under the democratic control of member states.

Mr. Jerry Hayes (Harlow): What I shall do about it is to vote for the Maastricht treaty so that the courts can intervene to stop these things happening, which they cannot do under the treaty of Rome.

Sir Teddy Taylor: My hon. Friend is one of the younger and more enthusiastic hon. Members. I appeal to him to look back at the assurances given in the past. Baroness Thatcher, who used to be the Conservative Prime Minister —a splendid lady—also thought that she had the answer. She said, "Vote for the Single European Act. It is great. We shall get legally binding controls on spending. We shall not be able to spend a penny more on the agriculture policy. Things will automatically happen." She found out what happened. I am afraid that she was misled in the same way as my hon. Friend the Member for Harlow has been. What happened was that, whenever the controls were breached, the EC Commission, followed by the Council of Finance Ministers, simply said that it would have a metric year of 10 months, with 12 months' income and 10 months' spending. That is how it kept within the legally binding restrictions.

I point out to my hon. Friend the Member for Harlow that we have been told this time and time again. Decent, honourable, sincere Members like himself have been misled. If we carry on his way with Maastricht, we shall end up in a horrible mess of even more overspending, more fraud and more corruption. His constituents, for whom he works so hard, will suffer just as much as anyone else.

Mr. Barry Porter (Wirral, South): I am following the hon. Gentleman's argument with some care. There is a point that I do not understand. There appear to be rules and regulations through the Single European Act and so on about fraud and corruption. Nobody takes any notice of them and nothing happens. Why should whatever is contained in the Maastricht treaty be treated in any other way? If things are not in the national interest of Germany, Greece, and Italy—whether we are talking about olive oil, tobacco or a central bank—why should they take any notice of this treaty any more than they take any notice of the Single European Act?

Sir Teddy Taylor: Those countries will notice if we take the money away because the practices will stop. One of the interesting points of this debate—I hope that my hon. Friend has noticed—is that the newspapers that used to be terribly supportive of the EC have now become doubtful. Instead of my hon. Friend listening to me, which might involve some heartache for him, he should go to the Library and read, of all papers, today's *Daily Mail*. It used to be one of the most terrible papers which always presented one side of the Euro debate. It has a wonderful article today in which it gives a detailed explanation of how the most appalling frauds are going on in Greece. It points out how fraud is basically uncontrollable in Greece.

6 pm

How do the frauds work? In the case of olive oil, the *Daily Mail* states:

> "In order to show that non-existent olive crops are real, businessmen have set up an ingenious network of fake companies that supposedly buy the produce. Of 152 companies registered as producing olive oil, only 44 actually do so. The EC pays 160 drachmas, about 50p—for every kilo of olives which ends up as bottled or canned oil. Of the 300,000 tons of olives produced annually, only about 50,000 tons go into the country's shops as oil. But subsidies were claimed last year on about 140,000 tons—amounting to £46 million in illegal handouts."

If the *Daily Mail*, as a great supporter of the EC, is getting worried, I am sure that my hon. Friend the Member for Wirral, South (Mr. Porter) must be worried, because nothing is being done about it. It is terrible that open, basic, criminal fraud should be occurring in Greece. Money is pouring in and it is appalling that great damage and distress have been caused. My hon. Friend, who I know has taken a great interest in Euro matters, should ask what he can do about that dreadful problem. The answer is nothing at all unless he agrees that we should take away the money and let every member state look after its own resources under democratic control.

My hope is that the Committee will approve the amendment.

Mr. Barry Porter: I have taken little part in the debate over the past however many days, but I think that the Committee is in danger of reaching its boredom threshold, as has happened in the rest of the country.

Does not my hon. Friend make my point for me? Regardless of what is contained in the treaty of Rome and the Single European Act, countries behave in their own national interests and nobody does anything about it. What is so different about Maastricht? We will carry on acting in our national interest, not in connection with olive oil or tobacco, but perhaps in connection with a central bank or a common currency. None of this will happen and it is not worth all the excitement or the time spent debating it.

Sir Teddy Taylor: But the frauds are happening today. They are known as monkey crops. Of course, if there were no EC funds the Greek Government could, if they wanted to, pay for a lot of fraudulent activities for the payment of the production of goods that do not exist. If there were not EC funding, that kind of crazy activity could not take place unless the Government of Greece paid for it.

Mr. Michael Spicer: My hon. Friend the Member for Wirral, South (Mr. Porter) appears to be arguing, "Such corruptions go on in other countries. So what? The Maastricht treaty will not make any difference". Is not the whole point about the own resources issue—the one directly addressed by my hon. Friend in his amendment

—that we are talking not about those countries' own resources, but about our resources? That is what is at stake and what my hon. Friend has drawn to the attention of the House. If it were just the Greeks being corrupt in Greece with their own money, it would not matter. Should not the fund be called the "other people's resources" fund rather than the "own resources" fund?

Sir Teddy Taylor: How right my hon. Friend is. Although I am sure that we will always have some graft and corruption, we want to stop such corruption being done with Euro funds. The existence of own resources means that, even though we have splendid Agriculture Ministers who work hard and try to do their best for the Community, there is nothing that they can do. I believe that the only way in which we can move forward is to take away those funds.

Rev. Ian Paisley: Does the hon. Gentleman agree that, unfortunately, such things are happening even though the Government, and successive Governments, have done their best to police all those arrangements? While we keep to the letter of the EC law, other Governments do not. Therefore, our country has to bow down and take all the stick.

Sir Teddy Taylor: I appreciate how my hon. Friend must feel, because Britain is a law-abiding country, whereas the other countries are basically ignoring the law and grabbing money through fraudulent, filthy graft, greed and corruption. What are we going to do about it? I appeal to the Committee not merely to acknowledge that the problems exist but to consider what we can do about them.

Mr. Day: In dealing with that point, my hon. Friend should recognise that the Maastricht treaty essentially increases the powers of the European Court to deal with such problems as non-compliance to which some of my hon. Friends seem to object so strongly. The mechanism for dealing with the corruption is in the treaty. We should support the treaty and get rid of the abuse.

Sir Teddy Taylor: If my hon. Friend believes that—and I am sure that he will reflect on his view—he should look back at our previous debates. We have repeatedly been told, "New measures are being taken, new bodies set up, new fraud commissions created." We have been told that all kinds of things are happening, but such measures have never worked and can never work. Perhaps my hon. Friend is contemplating voting for the proposals and has been misled into thinking that giving a new power to the European Parliament—or saying that we are giving an institution such as the Court of Auditors new significance and increased importance—will help. If so, he should bear in mind the fact that, for years, the Court of Auditors has been publishing information on the basis of regular research which shows how money is pouring down a big drain, but that, sadly, nothing happens; things simply get worse and worse.

With the Maastricht treaty, we are simply obtaining yet more assurances that something will be done while at the same time giving out more money—more own resources. The problem will get worse. If my hon. Friend has been misled, as we have been misled in the past, he should say, "Let us look at the crazy policies that create all the spending and do something about them."

What started as a moderate and limited amount of spending by Brussels has increased and is now set to increase further. One or two hon. Members see some hope in Maastricht. To my mind, cause for optimism is to be found only in future estimates of total EC spending and of our own contribution. The trouble is that they are invariably wrong. I suppose that they help to restore fading morale, at least.

The Foreign Office is particularly helpful in this regard. On 11 June, at column 438 of *Hansard*, the Chancellor of the Exchequer explained that our net contribution for 1992 was forecast to be £2·6 billion, which is about £4 per week per British family. However, in its colourful and wildly misleading pamphlet, produced at great expense and entitled "Britain in Europe", the Foreign Office explained that the figure was actually £1·7 billion. When I asked about the difference, I was told that different ways of doing sums had been used in each case, which is true. Similarly, in Edinburgh, where the new own resources regime was discussed, we were assured that there were firm controls on spending. Hon. Members will see that commitments agreed at Edinburgh were greatly in excess of the agreed own resources ceiling.

The question that I put to the House is simply whether it makes sense to have any own resources at all. Does it make Europe any stronger, any bigger, any fitter or any more just? Does it help jobs or prosperity? Frankly, I think that it would be infinitely better for those who believe in Europe if we scrapped own resources altogether.

The first problem that inevitably emerges when substantial own resources are made available to a non-democratic structure based on nonsensical policies is that a great deal of cash goes in waste, extravagance and fraud. I could provide many examples, but I shall restrict myself to three.

Mr. Sweeney: I am grateful to my hon. Friend for giving way in mid-flow. Is he arguing—in a nutshell—that, if we prevent money from being dished out throughout the Community, we automatically prevent graft and corruption by drying off the font from which the funds that finance that corruption emanate? Playing devil's advocate, let me ask my hon. Friend this. One of the arguments advanced in favour of this treaty of European union is that the European Court will henceforth have power to impose sanctions in the form of substantial—indeed, unlimited —fines on member states that transgress the provisions of European law. What would my hon. Friend say to those who might argue that opportunities for graft and corruption will effectively be eliminated, or at least dramatically reduced, if the treaty is ratified?

Sir Teddy Taylor: Why should we bother even investigating the possibility of whether the Maastricht treaty will make it more effective to control those policies? If we scrap the policies, we will guarantee success. For example, if we did not have the common agricultural policy, which is based on opportunities for fraud and corruption, the problems would not exist.

Obviously, there may be graft and corruption in every member state. However, if there are democratic controls and if people know that it is their money that is being spent, there will be some kind of control. If we do away with the policies which are not subject to democratic

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control and which countries regard as a means of pinching from other countries, we will do away with a great deal of the graft and corruption.

We know that there is an enormous amount of graft and corruption in Greece. Why should the Greek Government bother much about what is happening unless they have a special wish to pursue sensible policies based on objectivity? Why should the Greek Government bother as they are basically pinching money from other member states? That is quite a nice position.

We know that some dreadful things are happening in the Republic of Ireland. If money is pouring into the Republic of Ireland for graft and corruption, why should the Government there be bothered? What about the terrible amounts of money paid to the Mafia in Italy for delivering non-existent fruit juice to a firm in Palermo? Why should the Italians bother about that when the money is simply being taken from Brussels? If there were democratic controls and the money involved belonged to the country concerned, the problems would fade away.

I want to consider three specific examples of how waste and corruption arise inevitably from the existence of own resources. First, there were the astonishing revelations which originally appeared in that splendid paper the *Financial Times* about the wild and extravagant spending of the European Bank for Reconstruction and Development, which is headed by a rather unusual Frenchman who has no banking experience and whose sole claim to fame is that he impressed President Mitterrand when they met in a nightclub.

We have all read about the monstrous expenditure of the bank on its temporary accommodation, on its replacement marble, on its very extravagant parties and on those ridiculous private jets which were three times as dear as the British private jets that could have been borrowed. No tax was paid on all that. We should not ask ourselves why the issue has, according to the press, apparently infuriated MEPs. Instead, we should ask ourselves how all that could happen when the bank was operating under the control of a Euro-board that includes our own excellent Chancellor of the Exchequer.

We know that our Chancellor of the Exchequer is a tough man who watches spending very carefully indeed. We know that he is worried about every penny of expenditure in this country. However, that Frenchman is operating on the board on which sits not only our Chancellor of the Exchequer, but Finance Ministers from other countries and yet it goes on and nothing is done about it.

The plain fact is not that our Chancellor of the Exchequer is at fault, but that such wild spending is uncontrollable under the EC system. Instead of trying to say who is to blame or that the Chancellor of the Exchequer has made an appalling mess of the issue, it would be better if we recognised that the system was wrong and that something should be done about it.

My second example relates to the astonishing and worrying tale of that pathetic EC official who fell to his death from a window in the Commission's office.

Mr. Spearing: Before the hon. Gentleman leaves the EBRD, surely the Committee cannot leave the issue of the governorship and the responsibilities of the Chancellor of the Exchequer just like that. The Paymaster General is in the Committee this afternoon. Should not we have some explanation from him about the conduct of the governor, who is acting on our behalf and who presumably guarantees the bank with taxpayers' money?

Sir Teddy Taylor: I believe that that would be unfair. As we know, the Paymaster General is one of the most decent and, in my view—I mean this sincerely—honourable members of the Government. I suggest that we should not say who is to blame. There is nothing that we can do about it.

The Paymaster General (Sir John Cope): I apologise for interrupting my hon. Friend, particularly as he was being polite to me. My interruption has nothing to do with whether I think that he might damage my career if he continues in that fashion. I simply want to draw the attention of the Committee to the fact that the EBRD is not a European Community institution. Although there are questions that hon. Members and Ministers may properly ask, and have properly asked, about the conduct of that institution, it is not an EC institution and it would be wrong to discuss it under this Bill, let alone under this amendment.

Sir Teddy Taylor: Of course, I accept that it is not an EC institution. However, the Minister is aware that it stems from Euro discussions on how to help Russia. I understand that membership of the governing body comprises EC members.

Let us forget all about the bank. Let us pretend that it does not exist and talk simply about the Commission official who jumped from a window in Brussels. As he jumped from Jacques Delors' office window, I think that he must have had something to do with the EC. He was the chap who had been masterminding what *The Observer* called an astonishing tobacco swindle which filched the equivalent of £1 for every one of the EC's 320 million inhabitants.

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The Observer further alleged that the sad Mr. Antonio Quatraro was believed to be working for the Mafia. Although he was basically suspended from work for over a year, he still enjoyed a tax-free salary of about £100,000 a year. Despite all the alleged reforms in the tobacco regime, the fact is that the monstrous business of growing high-tar tobacco in Europe and then dumping it in the third world and eastern Europe is costing the EC more than £1,000 million a year—about £3 a head per Euro citizen.

That is being done under own resources. This Government and other Governments have been trying to do something about the tobacco regime year after year, but the situation is getting much worse. The only way to improve matters would be to scrap own resources altogether. The EC must operate without any funding. Clearly, nothing can be done about that continuing and growing scandal. I am obviously sorry for a man who jumps from a window and kills himself on a salary of £100,000 a year. I am sorry for his wife and children. There are all kinds of personal tragedies that might stem from that. However, we must consider the most grotesque tragedy of that money being spent on crime and fraud when there are so many other better ways in which we could spend it.

Mr. Sweeney: Does my hon. Friend accept that it is not simply a matter of corruption and fraud? The very fact that the EC in effect subsidises and encourages the production of tobacco is widely deplored by members of the public, Governments and Health Ministers probably in all member states of the Community. However, year after year, public money—money belonging to the British public and the public in every member state—is spent on the artificial encouragement of the tobacco industry.

Sir Teddy Taylor: My hon. Friend is absolutely right, but what can we do about it? Ministers would also agree with my hon. Friend. It is shocking and scandalous, but there is nothing that we can do about it. Our Ministers have tried hard to do something, but if other Ministers had tried, too, something would have happened. However, expenditure simply increases, as does the amount of fraud and corruption in places like Greece. More and more money is being spent.

In fact, the EC has decided to set up an anti-smoking campaign to try to counteract what is happening. That is the kind of nonsensical answer that we get from the EC. It does not try to solve the problem, it simply tries to find a way to spend more money. If my hon. Friend the Member for Vale of Glamorgan (Mr. Sweeney) wants to stop the scandals of the tobacco expenditure, he will succeed only by scrapping own resources. There is no other way to solve the problem.

My third example relates to the disgraceful scandal of the CAP. Nothing sickens me more than to hear Ministers announcing the almost quarterly event of new reform plans. We all know that the policy is in a greater mess than ever before. EC expenditure has broken all previous records, even though Ministers continue to say that the expenditure will come down. The mountains of cereals have also broken all previous records.

Fraud and corruption are endemic in the EC's agriculture policy. It was typical to read of the £70 million subsidy under the dairy regime paid for sending two lots of milk powder to the Soviet Union and then to buy back the same milk powder as animal feed. The first shipment was dispatched from Italy to Austria and the exporters received the first subsidy to compensate for the difference between the high price in the EC and the low price in Austria.

The milk was then sold to the Soviet Union, with another subsidy, to help the Soviet Union in its new commitment to democracy. It was then returned immediately to Europe, with the usual fraudulent documents, as animal feed with the help of a further huge subsidy. No one is sure about the next port of call, but I have been told that the milk is still going round. That is a clear example of specific subsidies being paid through the Eurosystem. What on earth can we do about it?

The Minister is well aware—because he is one of the nice ones—that I continue to ask such questions. I continue to say, "Here is a scandal, here is a subsidy and here is something specific with names and addresses, amounts and the rest of it". However, nothing can be done.

Mr. Cryer: The hon. Gentleman knows that I was in the European Community for five years. During that time, such fraud was going on. At one point, the EC Commission pleaded that it did not have the money to fulfil its obligations to 200 Sheffield steel workers who had been made redundant and, therefore, could be retrained using money from the Common Market. Those unemployed workers could not get the money from the Common Market because Commissioner Manuel Marin withheld it for 12 months on the alleged basis of a shortage of money. The steel workers were not allowed to collect unemployment pay because they were on an EC course. Therefore, they had to borrow money from the Department of Social Security to eke out a miserable existence for 12 months. That is how the EC applies its priorities. It neglects real areas of genuine poverty for which such money could be used.

Sir Teddy Taylor: That is another terrible story and I hope that the Government have listened to it. I could give the hon. Gentleman innumerable cases. I have pleaded with the Government, saying "Here is problem after problem. What can we do about it?" We all have a high regard for British Governments of all parties. Because we have a splendid civil service, the Government have tried to run things in a proper and agreeable way to help our people and to ensure that money is spent properly and fairly. Here we have a vast and ever-increasing amount of money. I am sure that Treasury Ministers, who are good Ministers, must be worried sick about all this money being spent on silly things when there are so many things on which we need to build at home.

Mr. Brian Wilson (Cunninghame, North): Before the hon. Gentleman moves on from agricultural fraud, I put to him this example. I was on the island of Lewis last week. My octogenarian father-in-law had received an extraordinarily convoluted form called the IACS form, which must be one of the most obtuse documents anyone has ever been asked to fill in. My father-in-law, who has two and a half acres, was being asked to fill in the form with all sorts of cartography and to attach appendices. In the accompanying letter, a Minister explained that the form was necessary to counter fraud in the EC.

While I do not support the general thrust of the hon. Gentleman's arguments, perhaps he should suggest to his ministerial friends that it is not necessary for the same form to be filled in by a crofter with two and a half acres in Lewis, a large farmer somewhere in the south of England and an olive oil producer in Corfu because the problem of fraud is scarcely the same in each of those parts of the European Community.

Sir Teddy Taylor: I am sorry about the hon. Gentleman's elderly relative in that lovely part of Scotland. Once again, it is the EC saying that it must try something new to stop the fraud, so it is making all these people fill out those big, complicated forms. Believe it or not, the EC is holding conferences and classes to guide farmers on how to fill out the forms. It is yet another pathetic attempt to say, "We have to do something". As long as we have the sort of problems that exist in Italy, Greece and elsewhere, it is simply a big joke. It will simply mean that many British farmers will fill in lots of complicated forms. It will be good for the paper industry.

Instead of the hon. Member for Cunninghame, North (Mr. Wilson) saying, "What about my poor grandfather and what about the poor crofters in Skye?", he should say, "What will I do about the problem?" To stand up in the Committee and complain does not achieve anything. Hon. Members who are just as conscientious as the hon. Member for Cunninghame, North have complained about

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such matters for years, but the problem only gets worse. The hon. Member for Linlithgow (Mr. Dalyell), who is one of the most conscientious attenders at such debates—he is a good man, but he supports the silly EC—should say "What can I do about it?" If he votes for Maastricht, he knows that the amount of money spent on resources will increase and the amount of fraud will increase. Despite all that the EC can do about it, the spending will get worse. It is very sad.

Mr. Knapman: Will my hon. Friend bear in mind the fact that we voted an increase of funds for the common agricultural policy as recently as the week before Easter? We voted an extra £150 million only a fortnight ago.

Sir Teddy Taylor: My hon. Friend is right. I can think of what I would do with £150 million in places such as Southend and Essex. I am sure that all hon. Members feel affronted when they find that people are being told, "I am sorry, we cannot sort out these little parts on the pavement because the local authorities do not have any money. We cannot attend to cleaning school windows as we should do. We cannot do things for poor people. We cannot increase pensions as they should we because we do not have the money". I appeal to all hon. Members. I am sure that pensioners have told hon. Members on both sides of the Committee, "Why should we pay this extra amount of money in VAT on gas and electricity?" We have to say that they must pay it because the Government have run out of money. The Labour party will say that it is because the Government have made a mess. If we did not have to pay our net contribution this year, we could reduce VAT substantially for many people. The increase in VAT is terrible and something must be done. I am trying to be constructive in making my suggestion.

Mr. Michael Spicer: Is not it part of the bizarre conundrum that—partly in answer to the hon. Member for Cunninghame, North (Mr. Wilson), who was complaining about his poor relation having to fill out these forms—the hon. Gentleman's relation will probably get a lot of money for filling in the form? Instead of farming, he will be filling out forms. A new industry will be created called the filling out forms industry. The money from consumers goes in and people are paid to fill out the forms. That is what will happen. It is an absurd and bizarre situation.

Sir Teddy Taylor: My hon. Friend is right. I do not want to move away from the amendment, but I shall simply make a brief point. I have done the calculations. I hope that the hon. Member for Cunninghame, North will tell his grandfather that, if we did away with the common agricultural policy, all farmers in Britain with more than 40 hectares could be presented with a cheque for £127,000, fully indexed for inflation on 1 January, at ceremonies in village halls. All farmers with less than 40 hectares, including the hon. Member for Cunninghame, North, could get £40,000. Such payments would be indexed for inflation. Of course, the hon. Gentleman will say, "My grandfather does not get £40,000". However, if he adds up everything, he will find that he gets that amount.

If we scrapped the common agricultural policy, we could tell all farmers in Britain, "If you have more than 40 hectares, here is your £127,000. If you have less than 40 hectares, here is your £40,000. You can do whatever you like. You can grow what you like or go where you like." We would have no administration and we would save the Government a fortune.

Mr. Tam Dalyell (Linlithgow): Dame Janet, I treasure being called a good man by the hon. Member for Southend, East (Sir T. Taylor). That has never happened before. I was a member of the budget committee and the budget sub-committee. When I was a member of the indirectly elected European Parliament, I was in the distinguished company of such perceptive members as Martin Bangemann and Senator Andreotti. We looked at a number of——

Mr. Richard Shepherd: Martin Bangemann is now the Commissioner.

Mr. Dalyell: That is not a generous comment from the hon. Member for Aldridge-Brownhills (Mr. Shepherd). Often, there were allegations of fraud. On further investigation, as in Friuli, it turned out that the allegations had been grossly exaggerated and sometimes were non-existent. I am a defender of Brussels on this matter.

Sir Teddy Taylor: I accept the hon. Gentleman's sincerity. If he reads the detailed reports of the Court of Auditors, he will find that they have been through everything. He should examine the spending. I ask him to look in the Library at today's *Daily Mail*, which gives details of what happens in Greece. Newspapers will not publish specific details without having some objective base, especially a pro-EC paper such as the *Daily Mail*. The hon. Gentleman must accept that a lot of the fraud exists. It is specific and scandalous. He must know that, if one has a lunatic policy which invites fraud, inevitably it must go on and on.

Mr. Cryer: It is not merely a question of fraud. The fact that the EC is in no way accountable and at one stage removed from directly elected Parliaments such as this one allows it to splash out money without any regard to responsibility. For example, when Spain and Portugal entered the Community, there was not enough room to house all the officials that were required from those two new member states. So the EC sent home 250 well-paid officials on full salary until their age of retirement, when they would receive a reduced pension. The pensions were not very much reduced.

The EC simply spent millions of pounds sending people home to do nothing. It was like an EC mountain of officials doing nothing. That is the pervasive mentality. If people do not know how to handle something they create a huge reservoir or mountain of it and pay everyone to keep it. That mentality pervades the whole EC. It is corrupt not only because it gives backhanders—that occurs, too—but because there is a corruption of thought. It has no clear accountability in spending other people's money.

6.30 pm

Sir Teddy Taylor: I am glad that the hon. Gentleman has raised those important issues. I wish further to emphasise that what we are saying tonight is in no sense anti-EC, anti-Europe, anti-French or anti-German. I am complaining about the destruction of democracy. When democratic control is destroyed, terrible things always happen. That is the great problem.

Mr. Sweeney: Will my hon. Friend join me in discerning a certain irony? For the fourth time we have a Conservative Government committed in their manifesto to reducing the amount of paperwork for small businesses. They have tried to make small businesses more efficient so that they can survive the recession and thrive in the future. Yet simultaneously we have a steadily increasing burden of bureaucratic intervention at the level of the European Community.

Does not my hon. Friend find it strange that our Government should help businesses, for example, by increasing the threshold for VAT so that the number of forms to be filled in is reduced, yet simultaneously take the nation further towards European union? Regardless of his views on the European Community, which he has made clear since before we joined the Community, does my hon. Friend agree that this treaty is a treaty too far?

Sir Teddy Taylor: Yes, my hon. Friend is right. It is a treaty too far. It will simply make things worse. The trouble is that my hon. Friends who support the treaty know it. I find that almost everyone to whom I speak privately—apart from a few fanatics, whom one always finds—accepts that Maastricht will make the European position worse. There will be more fraud, more expenditure and more involvement. People always say, "But what can we do?"

Mr. Michael Spicer: My hon. Friend has just used the word "fanatics". Is he referring rather indelicately to the two Front-Bench teams, or does he have some other people in mind?

Sir Teddy Taylor: I am not referring to the two Front-Bench teams. I find that when I ask people on the Front Benches who support the Maastricht treaty what good it will do, they say, "Don't worry too much, Teddy."

Mr. Stephen Milligan (Eastleigh): Will my hon. Friend give way?

Sir Teddy Taylor: Here is one of them.

Mr. Milligan: I am grateful to my hon. Friend for putting me in this category. He mentioned fraud and bureaucracy and asked what the treaty would do about them. Does he agree that the strengthening of the Court of Auditors is a useful step forward in preventing fraud? As for bureaucracy, is he aware that as a result of the beginning of the adoption of subsidiarity, in the past year the Commission has reduced by two thirds the number of directives that it has produced?

Sir Teddy Taylor: I appeal to my hon. Friend to look back at what has happened in all our years of membership of the EC. He said that the treaty would improve the position of the Court of Auditors. How will it improve it? It simply proposes to call the court an institution and change its role in some way. The Court of Auditors has published wonderful detailed reports on the most appalling fraud and corruption year after year. Why has the position not improved?

I ask my hon. Friend the Member for Eastleigh (Mr. Milligan) to read his *Daily Mail* today. It is the most fanatically pro-EEC newspaper that one can find. Yet it gives firm and specific details of the most appalling fraud. I appreciate that my hon. Friend is a great enthusiast for Maastricht. Whatever his view of the Maastricht thing, I plead with him to think about what has happened in the past and all the assurances that have been given. If he genuinely believes that Maastricht will make the position better, I appeal to him to consider what happened and ask whether it will make the slightest difference if the Court of Auditors is given perhaps a bigger office, a bigger car for its chairman or more importance.

My hon. Friend mentioned subsidiarity. I do not wish to stray out of order, but I wrote to our splendid Prime Minister the other day about the old problem of Sikhs and their turbans. I asked why he did not use subsidiarity to save the Sikhs from being forced to wear helmets. I asked whether we could decide the issue here in Britain. It matters to the Sikhs. It is an important religious issue. He wrote back a lovely friendly letter, as Prime Ministers always do, saying that he was reluctant to go to the EC in case it took away the powers that we already have in Britain.

If my hon. Friend the Member for Eastleigh thinks that Maastricht and subsidiarity will solve the problem, I beg him to examine my compromise plan. I have presented my plan today in a friendly spirit. I am saying that people can have their European Community if it is one without resources. How would the things that my hon. Friend wants to achieve be weakened by that? All that we achieve by giving EC resources is to make things worse for the Community and undermine its spirit.

Mr. Cash: I understand that my hon. Friend wishes to make rapid progress, but is he aware that the European Commission has issued a document entitled "Euromyths and Misunderstandings"? With respect to the issue of turbans or helmets, it accuses my hon. Friend of lying. It says:

> "There is no Community law that makes anyone wear a helmet. Legislation in this area is entirely the responsibility of respective national governments."

Is he aware that I spoke recently to 2,500 Sikhs in the midlands? I am sure that my hon. Friend has spoken to others. They certainly do not agree with the rubbish that is churned out by the European Commission.

Sir Teddy Taylor: I do not wish to stray out of order, but a chap called John Drew has just retired as the boss of the European Commission's office in London. I wrote him a long letter. I said, "Mr. Drew, although I do not like the EEC, I have always thought that you are a good guy." I asked him to sort out the issue of turbans and helmets immediately because what "Euromyths and Misunderstandings" said was a pack of nonsense.

I must return to the amendment. The last time that we passed legislation, we were told about a new exciting fraud dept in the EC which would sort things out. Now we are told that the European Parliament will do the job for us. But we should realise that nothing can realistically be done unless we accept the suggestion in my amendment that the EC should not have one penny to spend. If we did that, the various member states could use their own national resources according to their traditions and practices to stop fraud, or could use the money wisely.

We must put an end to the official conspiracy of silence about the appalling position in Europe. The peoples of Europe are being subjected to mass unemployment. Costs are being forced up for everyone. The poor and pensioners are being exploited. Our trade is being distorted and the fraudsters are prospering. The only realistic solution is to cut through the absurdities by depriving the EC of resources.

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The second advantage of my amendment and the reason why I hope that the Government will support it is that it would put an end to the tragic unfairness of the contribution system. Hon. Members may have read an article by Sam Brittan, whom some of my hon. Friends think is a very wise man, in the *Financial Times* entitled "EC—Time for normal budget principles." They may also have read the splendid Library paper on the financing of the EC.

It seems grotesque that, despite the splendid endeavours of the previous Prime Minister to reduce the United Kingdom's contribution to the EC, only four member states—Germany, the United Kingdom, France and the Netherlands—paid anything into the EC in 1992. The Dutch contribution was minimal. The eight other member states received substantial net payments. As the *Financial Times* said on 13 February, it is little more than a scandal that the two countries with the highest average incomes should be net beneficiaries of the budget.

It is equally grotesque that Belgium should receive more aid than Portugal. I know that many hon. Members feel that Portugal is a splendid country. It has much poverty and needs a great deal of aid. To tell it that Belgium should get more aid seems to be ridiculous. When this kind of money is shared out there is always grotesque unfairness. People ask what can be done about it. The answer is, nothing. It is going to get worse and more unfair if the EEC gets more money to spend.

It seems wholly wrong that we should allow the "own resources squad" to proceed. Britain will have to pay even more—possibly an extra £500 million, although no doubt the Foreign Office estimates will be smaller. My estimate —and that of others who have studied this matter, including the Library—is that Maastricht will cost us, on top of all the money that we are paying, £2·6 billion net this year. It will probably be more because a lot of the money that is supposed to be coming to us is money that we pay traders for dumping food. But the £2·6 billion that we will pay this year will go up by £500 million.

That splendid chap the Chancellor of the Exchequer said just the other day in the House of Commons, when we asked him about the cost of VAT on gas and electricity —a terrible thing—that it would raise £995 million in the first year. We could scrub that tax and a lot more if we did not have those silly contributions.

The biggest problem of all in our new democratic scene is that opinions about the EEC are being distorted because nations and organisations are so deeply in debt to the EEC for its handouts. The Prime Minister of Spain was received as a national hero upon his return from Edinburgh to his own Parliament and the Irish were assured in their referendum that their money will double because of Maastricht. It seems clear that these nations are not looking at the EEC in an objective way; they are looking on it as an organisation that gives them lots of money. When planning a constitution, or how to run a country or a united Europe, the worst possible thing is that some of the countries, and many of the organisations within those countries, should be dependent upon Euro cash. If that situation exists, those countries will be very positive about Europe. That is why countries like Spain and Greece—not so much Portugal because it has always played fairly in this respect—which receive a lot of money, are saying, "We want more money for Europe and more power for Europe", whether they think that, democratically, it is a good case or not.

Likewise, at home, the depleted finances of many trade organisations, research bodies and voluntary organisations are boosted by EEC funding of alleged research and information projects. The next time that hon. Members get a letter from one of those worthy trade bodies saying something nice about the EEC, I suggest that they write back and ask, "How much money are you getting for these alleged projects?" The money is splashed round and the recipients are delighted.

I do not want to make any specific allegations in this regard about the Confederation of British Industry because I have not seen its detailed accounts. I can only say that I am staggered and alarmed that that rather inadequate organisation, which is obsessively enthusiastic about the EEC, recently made strong statements about the acute worry of its major members that a defeat on Maastricht could lead to a collapse of investment and a departure of cash from the United Kingdom. That was suggested in a parliamentary brief which was sent to every Member of the House of Commons on 2 March.

6.45 pm

I have secured details of the actual responses that firms sent to the CBI and I am astonished by what they actually said. One company, company A, a major automobile manufacturer, stated:

"Failure to ratify Maastricht or becoming part of a two-speed Europe would affect investment."

The other companies all seem to give a wholly different message. I have been through them all; I have seen them all. I shall just read out few of them. Company B said:

"Investment decisions would not be affected."

Company C, a big chemical firm, said:

"Political considerations are not the main driving forces behind investment."

Company D said:

"Political factors would not have a significant impact on investment decisions."

Company E, a major retailer in the United States, said:

"These factors are not relevant to investment."

Company after company said basically that it did not seem to matter at all. But, despite that, the CBI has put out a wholly different message.

I find it difficult to understand why an allegedly reputable organisation should send us a brief when the advice of its members seems to be different. What should concern the CBI is that, while our trade with the EEC before our membership was positive, the deficit since joining is now more than £100,000 million.

It is the future to which I would ask the House to look. I ask every hon. Member—and particularly the Government Whips and Ministers—to consider whether it is possible that, through this amendment, we can make the EEC better and solve many of its problems. It is a fact that Europe's share of world trade is falling year by year; that our industries are becoming less and less competitive in the world; that mass unemployment in Europe is causing sickening hardship and that the poor are being hammered by the high-priced food regime.

What can we do about it? The simple point that I would make, in what I hope is a constructive debate, is that if we simply carry on, under clause 1, which I want to eliminate, giving more power and cash to the EEC, we shall slip into a horrible crisis.

If we destroy democracy in the process, we shall pave the way for people to march instead of using their democratic rights. I think that a new message of hope would be given to the nation and Europe if Britain were to indicate that the best future that we see for Europe is to deprive Brussels of all funds, to close the absurd, costly and bureaucratic institutions which have been created—including the ridiculous European Parliament—and to scrap, root and branch, its absurd and fraudulent policies.

Many hon. Members will say that that is a dramatic thing to do and will question how the EEC would agree to it, but I believe that if one country says that that is the way it wants to go, perhaps others will follow. To people who say that that is nonsense, I appeal to them to look at the referendum results. People said that the only Euro sceptics were in Britain—because we were an island—and that nobody was bothered about us, but now we find that those feelings are shared across Europe.

Mr. Marlow: I am very much in favour of this amendment and I have been looking at a paper about the cohesion fund, which was issued by the President of the Commission of the European Communities on 1 April 1993—which is significant because it is April fool's day. It says:

"On Tuesday, the Council adopted the first measures to get the Community's Cohesion Fund up and running. The Fund was able to start operations today (1 April). Some 1,500m ECUs will fund this year's commitments in the four Cohesion Fund countries . . . Announcing the decision, Budget Commissioner Peter Schmidhuber said that European solidarity, evident in the quick implementation of the Fund, had a vital role to play in solving Europe's dire economic problems."

It has happened; the EEC is spending money on the cohesion fund before we have ratified the treaty. For goodness sake, at the very least, I hope that my hon. Friend's amendment when we support it later this evening will stop the boondoggling that is going on at the moment.

Sir Teddy Taylor: Of course it is scandalous; it is shocking, dreadful and contrary to all the principles of democracy. What can my hon. Friend do about it? I would say that all he can do is support my amendment and take away the funds. As a democrat, my hon. Friend is quite rightly agitated about it.

There are other scandals. I received a letter from the Consumers Association this morning. Consumers pay in the shops 64p for 250 g of butter. The proper price throughout the EEC is 29p. I am furious about that; it is shocking and scandalous. My poor constituents pay 68p for a kilo of sugar; they should be paying 33p. Steak mince is £2 per pound when it should be £1·10. Lamb chops, which a lot of people still buy, cost £3·10 per pound instead of £2·70. Casserole steak costs £2·40 instead of £1·50. That makes me angry.

What can we do about it? We are putting up food prices at the present time and not bringing them down because of things like the green pound. Sadly, even super-conscientious Ministers like those we have in the Treasury can do nothing about that. They must know that the position in Europe is getting worse and worse, and something must happen. My amendment provides the possibility of new hope. It would give a new message of hope to the nation if we could show the way in which we want to go.

If we were to scrap the own resources clause it might be argued by Ministers that other key decisions would remain untouched and nothing much would happen as a result of passing the amendment. But surely if we took that step to give a sign of how we wish to proceed as a nation, we would send a clear and unambiguous message of our determination to save Europe from the EC. I do not want my right hon. Friend the Paymaster General to say that the amendment does not achieve what the hon. Member for Southend, East wants, and that even if we scrap the own resources clause, we will still have to pay some money. We should not take trouble with that nonsense as we want to know whether it would be good or bad for Europe to scrap the own resources provisions.

The saddest part of our debates on Maastricht has been to see how the vast majority of hon. Members simply do not want to listen to the arguments. They know that the Maastricht treaty will entangle us further in the economic shambles of the EC, but, for a variety of reasons, they can see no alternatives. My amendment provides an opportunity for us to take a new path that will destroy not the EC, but the nonsenses of the EC. It will not undermine Brussels, but will destroy the corruption, evil and fraud. We should say that the sort of EC that we want is an EC of co-operation, friendship and understanding, but no cash—that is the way forward.

The mere fact that we are able to discuss the subject before the final curtain falls on British democracy and freedom is, in itself, a bonus. I hope that the Government will think about my proposition and not simply reject it out of hand. I hope that they will not use that silly form of words and say that if they accept the amendment, something else will happen. Should not the House of Commons, which knows that the EC is plunging deeper and deeper into a huge economic mess and democratic disaster, state what this country can do?

The way forward is to have a Europe without resources. I hope that the Government will say that that is what they want, with everyone united. We should do away with the party wrangles and should not have Tory blaming Labour and Labour blaming Tory. We know that there are some hon. Members—Labour, Conservative, and even some Liberal Democrats—who are unhappy about the way in which the EC is going. Let us have a united policy for once, do away with the wrangling and say that the way forward is a united path towards a Europe without resources, fraud and corruption. We should have a Europe of friendship and co-operation and I hope that the Government will give 100 per cent. support to that objective.

Mr. Spearing: The hon. Member for Southend, East (Sir T. Taylor) rightly focused on the word "resources". In an intervention, the hon. Member for Worcestershire, South (Mr. Spicer) made it clear that we were talking about the resources not of the House of Commons, but of the British people and, moreover, resources that we make available through our votes on taxation.

As we all know, money means political power, and the two are closely connected. It is no coincidence that we sit as the Committee of Ways and Means. I understand that it was originally a committee on the ways and means of raising taxes to supply the deficit in the Crown's finances to provide services to the country; hence the word "supply". It was designed to supply the deficit in the Crown's expenditure caused by spending over and above the Crown's revenues. Surprise, surprise—the First Lord of the Treasury obtained a central position. Understandably, the Treasury has always had a sort of

[Mr. Spearing]

primus inter pares in British Government. At least, it played that role until it came up against the Commission and the Council of Ministers.

The function and title of the Paymaster General is fairly ancient, but he is not the master of the payments that he makes to the EC. The House, the Treasury and the First Lord of the Treasury have lost control of the expenditure made available to the EC through own resources. The hon. Member for Southend, East gave many examples.

I challenge the Paymaster General to disagree with the picture that I hope to paint for the Committee and, perhaps, for the nation. The hon. Member for Southend, East is right to say that the resources provided to the EC constitute the windpipe or petrol pipe or gas pipe to its power. The fact that is not fully understood by either hon. Members or the electorate is that that money is not voted year by year on the estimates. It is not voted on in the Budget debate, about which everyone, including the media, goes wild. Under the European Communities Act 1972 that money is paid as a first charge on the resources of the Treasury, whether or not it receives a vote. Under that Act and its financial regulations, which are uprated from time to time, we are obliged to pay that money as a result of decisions taken in the Council of Finance Ministers. The payment of the money is not voted in the House, but was decided at one big vote, which we have to follow, willy nilly.

Mr. Cryer: I am sure that my hon. Friend will refer to the big constitutional issues, but will he also mention the comfort issues? Taxpayers are often pinched as they have to pay taxes and provide the own resources of the Common Market. They would be chagrined to learn that a considerable part of their own resources—many millions of pounds each year—was used to pave the way for fact-finding delegations all over the world from the so-called European Parliament. Those delegations do not involve a couple of Members of the European Parliament, but a committee, translators for seven languages, translation booths to ensure that everyone is comfortable, clerks and advisers. Therefore, we are talking about a tour of perhaps 50 to 100 people. It is outrageous that, when people in our country are pinched and poverty stricken, that money should be scattered to the winds by comfortable Eurocrats and Members of the European Parliament.

Mr. Spearing: I am grateful to my hon. Friend, who knows far more about the European Parliament than I do. I do not think that his remarks are at all unjustified. I believe that translators have a useful role to play in translating documents, of which there are many, and meetings, of which there are even more. That is necessary in order to promote international understanding, of which I am in favour. However, I am not in favour of taxpayers' money going to political parties in the European Parliament to fund not just necessary functions in that Parliament—as taxpayers do for our Parliament in a modest way—but other functions that are unacceptable to many of us in the United Kingdom. To use European accounts in that way involves its own dangers.

Mr. Marlow: The hon. Gentleman has set out clearly how the European Community finances to which we are committed have first charge on funds from the United Kingdom. Will the hon. Gentleman, who understands such matters, explain how the European Community is able to spend 1·5 billion ecu on the cohesion fund before the House of Commons has authorised the treaty that authorises the cohesion fund?

Mr. Spearing: I cannot answer that question. I can only suggest that some good citizen of Northampton—or a representative of Northampton—finds ways and means of discovering the answer and takes the matter to the European Court. I understand that the matter may be covered in preparatory legislation, but one danger of the EC is that it involves many preparatory documents which are contingent on votes that have yet to be taken. This happens time and again in Whitehall. I have even seen Bills about which it is stated that they are being introduced because it is expected that the EC intends to do this or that. In any case, if money is transferred, that becomes a matter for the European Court.

7 pm

I do not believe that the House of Commons or the public at large realise the extent to which control over money and resources represents political power—both of the House and of the voters whom we represent. Our power is no more than the money at our disposal with which we provide the Government, who are the successors of the Crown. As the functions of the EC become broader and the money going directly to the EC never passes through the House despite growing in volume, so political power ebbs away with it. The power to control the money disappears.

The hon. Member for Southend, East was right. We have been in this position before. Some people think that history is bunk, but they do not realise that what we have inherited was fought for and won. The procedures and powers that we hold from the voters resulted from the struggle against the Crown. That struggle, which ended in the tragic civil war and the glorious revolution, was essentially an argument about money and about who controlled it: an argument about who should raise taxes and about how they should be spent.

Now we are holding the same argument again. Yonder in Brussels there is a great new imperium, a new crown. Some Members—some Conservative Members—are willingly giving away these powers, just as they are willingly giving away powers of taxation. And the representative of the Crown sitting on the Government Front Bench is wholeheartedly in favour of that. He cannot deny it when he winds up the debate.

Some of this is already determined by the treaty of Rome, of course. Under article 199, revenue and expenditure shown in the EC budget "shall be in balance". As the hon. Member for Southend, East knows, they often have not been. The way to control expenditure is to impose a limit on it. I am sure that all hon. Members remember that there was a time when there was to be a ceiling on own resources, and the then right hon. Member for Finchley was going to do something about them when they reached that ceiling. But the members of the EC came to an intergovernmental agreement to provide money over and above what was already authorised. Some public-spirited persons took the matter to court, challenging whether we could supply the money by means of a simple statutory

instrument. In the end we did not; we had to have a Consolidated Fund Bill to provide the extra money. The Government at the time had no alternative.

This is yet another example of how expenditure in the EC has left the control of the Treasury and of the House of Commons. If Maastricht is agreed to, more money will depart in this way. As the hon. Member for Southend, East said, the money going through all sorts of curious Community routes will grow and grow. When Mr. Delors talks about an energy tax, we may be sure that he is more concerned about finance than about the environment.

The hon. Member for Southend, East mentioned fraud. The hon. Member for Eastleigh (Mr. Milligan), no longer here, countered that the Court of Auditors will have more power. Year after year we debate that court's reports, which show massive fraud and mismanagement. Treasury Ministers know that, year after year—this happened again only a few months ago—they and their counterparts in the Council of Finance Ministers sign away or discharge this money. So does the European Parliament. Year after year, mismanagement gets worse.

I remember a relevant example from a previous debate. It concerned the European Year of Tourism. I do not think that tourism in the EC needed encouragement from official funds. A great deal of tourism goes on in the EC and in Britain anyway, but 5 million ecu—or it may have been pounds—was given away by the EC for this rather nebulous programme, which was the subject of terrible mismanagement.

For our own expenditure, the estimates have to be passed by means of an appropriation Act—we have to appropriate money for the appropriate purpose. Our Public Accounts Committee then examines what has been spent. I know from experience of the Select Committee on European Legislation, however, that this common-sense procedure can be bypassed in EC matters in a curious way. We hear about the Victorian values of the Conservative party, but when it comes to European accounting Conservative Members seem to have thrown away those values. The Gladstonian principles of public finance appear to have been chucked in the channel.

When regulations or draft regulations come before the Select Committee, we often ask where the money is to come from. Sometimes no money is involved—we are just debating a report of certain proposals. On other occasions, when we ask our advisers where the money is coming from, they say that it is included in a line of the budget. That budget is not even a budget in our sense of the word; it is an estimate of money and of own resources expenditure. But somewhere, tucked in its hundreds of pages, there will be a line about some proposal for some programme or form of assistance or handout or lubrication. So, even though the budget is only observed by the House of Commons, a line in it is sufficient authority for expenditure.

This deserves a great deal of investigation, because all the money comes from own resources. Ours is probably the only Parliament to examine such matters, and even we observe them for only three or four hours a year. Nevertheless, hundreds of millions of pounds flow out in this way; sums of money are shifted around at the end of the year from surpluses to deficits. European financial procedures are nothing like those in this country, and even ours are sometimes not as good as they should be.

As I have said, Parliament had power over the Crown to raise revenue and to spend it, and the two had to be balanced. A further power which the Crown used to hold we did not acquire until some time later—the power to borrow money. According to article 199, the EC must work in financial balance, but it includes a number of institutions that guarantee and lend money. Earlier the Paymaster General and the hon. Member for Southend, East had an exchange about the European Bank for Reconstruction and Development. The scandal surrounding that bank has been well ventilated in the media. The Minister jumped up to say, rightly, that the bank has nothing to do with the EC—but he did not add that it is an intergovernmental institution. The Chancellor of the Exchequer is one of its governors. On certain other matters the Foreign Secretary has been saying, month after month, that we should not worry because they will not be dealt with by EC institutions; they will be dealt with intergovernmentally, as though that meant that the Government had a complete grip on them. But if the intergovernmental institution of the EBRD is any guide to the other intergovernmental parts of the treaty, heaven help us. And all this was going on in London less than a mile from the Treasury—yet Treasury Ministers could not stop it.

The European Investment Bank, however, is an institution of the EC provided by the treaty of Rome. Its protocol tells us that Ministers from our Government will be nominated—or at least one of them will be—to serve on the board of governors. For all I know, the Paymaster General may be nominated, but it may be the Economic Secretary or the Financial Secretary. Perhaps the Paymaster General will tell us.

The European Investment Bank lends money for all sorts of enterprises. Its directors, who are bankers—I hope that they are better than some bankers that we have recently heard about—can grant those loans. Article 6 of the protocol setting up the EIB states:

> "The Board of Governors may, acting by a qualified majority on a proposal from the Board of Directors, decide that Member States shall grant the Bank special interest-bearing loans if and to the extent that the Bank requires such loans to finance specific projects and the Board of Directors shows that the Bank is unable to obtain the necessary funds on the capital market on terms appropriate to the nature and purpose of the projects to be financed."

That is a wonderful banker's dream. If money cannot be obtained on the free market, it will be taken by raising a loan, presumably by running around the Governments of member states. I understand that that is what the EIB is about. It does not only raise money and appropriate finance for grants and funds but has a mechanism for raising loans.

I understand that the EIB recently opened a new fund of about £60 billion of credit. The Paymaster General, whose name I hope is associated with permission for that, may be able to tell us about it. Unfortunately, for reasons that I deplore, I do not think that the proposal will be debated by Parliament. The bank has recently expanded its activity and the Government will oversee that if they can —but the precedents are not too good.

Sir Teddy Taylor: The Government are against any kind of state funding, so I am sure that they will be interested in the EIB's provision of £1·6 billion, a huge amount, for that ridiculous white elephant, the channel tunnel. Has the hon. Gentleman read about the horrible economic mess that the tunnel is in, and does that loan not seem ridiculous in view of our law which says that no

[Sir Teddy Taylor]

public money will be provided for the channel tunnel no matter what kind of mess it gets into? However, this silly EIB has provided £1,600 million. That is a heck of a lot of money that could have been used for more sensible purposes.

Mr. Spearing: Own resources can be used by the EC's central institutions in all sorts of ways almost at the drop of a hat at some vague meeting whose participants decide to spend our money. I do not think that it is within the remit of the Public Accounts Committee to look at how all that money is spent. That is political power for Europe. It is unaccountable and in a sense it is fleecing our taxpayers.

Alas, Parliament has voted away its powers to oversee that, and a majority of Conservative Members are advocating that we do the same again. How they can claim to be democrats I do not know. Do not they understand the basis of political power in the modern world? Much of it is money and permission to spend it is being given away, and by the Treasury, of all corporate organisations, which is chasing local authorities and old people and cutting everywhere. The mailbags of Conservative Members must be full of letters about that, but they do not seem to worry about the EC. They throw away power and suggest that we throw away more through this treaty. I do not know how they can face their electorates and claim to be democrats.

Power is money and it is raised by taxing the people. If that is not done by Parliament a supra-national authority will take power. People will receive money illegally by getting grants for this or that. More and more funds will be acquired over there if the treaty is passed. That is why the Committee must accept the amendment.

Mr. Michael Spicer: My hon. Friend the Member for Southend, East (Sir T. Taylor) has done the Committee and the country an enormous service by raising the whole question of the budgetary implications of the way that EC policy is developing. He focused, understandably and rightly, on the issue of fraud; I suspect that the Government will reply by saying that fraud is all sorted out because the Maastricht treaty gives the courts power to impose all sorts of penalties. I shall anticipate what they will say.

I agree with the hon. Member for Bradford, South (Mr. Cryer) that all the signs are that the governing EC institutions—the Commission, the law courts and, if Maastricht is passed, the central bankers—are singularly inappropriate and certainly ineffective in keeping track of all this money. That is evident from history. Even leaving that aside, it is a questionable matter of principle whether this Parliament and country should hand over accountability and the power to check and impose penalties for fraud to non-accountable institutions in Europe. That is one of the fundamental problems.

7.15 pm

As I said to my hon. Friend the Member for Southend, East in an intervention in his admirable speech, we are debating Britain's resources. As several hon. Members have said, over the past 10 years Britain and Germany have essentially been the paymasters for this whole business. France occasionally goes into the black, if I may put it that way, but, typically, over the years France has taken money out. Therefore, the term "own resources" is singularly inappropriate. To a Greek, an Irishman, a Portuguese, a Belgian, a Dane or a Dutchman, they are other people's resources. The budget should be called other people's resources, or, better still, British and German resources.

Mr. Sweeney: I am sure that my hon. Friend is aware of the commonly-held belief that he who pays the piper calls the tune. This is an exception to that estimable rule because, although, as my hon. Friend says, Germany and Britain are clearly the leading paymasters in the European Community, they do not call the tune. The people of this country are being denied the responsibility and freedom of choice that usually goes with being the paymaster. The Government are agreeing to a process that is increasingly going beyond our control.

Mr. Spicer: I agree with my hon. Friend to the extent that it is certainly not Britain that is calling the tune. Perhaps it is a matter for future debate whether Germany is calling the tune in the Community. The money that is being handed over, by Act of Parliament, as the hon. Member for Newham, South (Mr. Spearing) reminded us, is inexorably increasing. Fraud is certainly one aspect of the matter and the Government will reply to that. The answer to them when they do is that the whole process of accountability for British money is inadequate in the way that the matter is currently presented.

Mr. Ron Leighton (Newham, North-East): Why do the majority of EC countries contribute nothing in net terms while we subsidise countries richer than ours by an amount which is greater than our aid programmes to the entire third world? Does the hon. Gentleman agree that that is because of the taxes by which own resources are financed? There are taxes on food imports, and we will always import more food than the other member states. There is a levy on industrial imports and we carry on more trade outside the Community than the other member states. With taxes like that, we shall always pay in more than we get out.

Mr. Spicer: Indeed, that is the mechanism involved in the process that I have described. We are not talking about mean figures; as my hon. Friend the Member for Southend, East pointed out, we are talking about more than £2 billion a year—the equivalent of 100 national health service hospitals.

My hon. Friend the Member for Southend, East and others have already analysed the question of fraud very well. What worries me is the inexorable growth in spending that the ratification of the Maastricht treaty will make inevitable. The £2 billion figure involved in what are described as "own resources" is bad enough, but we should remember that, since we first joined the Community, its budget has risen from about £2,000 million to about £50,000 million. Already we are seeing a dynamic growth and, given what is envisaged in the treaty, we are heading towards a worrying position: our resources will be depleted, and not much accountability will be attached to their expenditure.

My hon. Friend the Member for Northampton, North (Mr. Marlow) pointed out that we seem to have slipped from the idea of own resources into that cohesion funding without even ratifying the treaty of Maastricht. I hope that my right hon. Friend the Paymaster General will deal with

that disturbing point. The core of the treaty, however, is the issue of the single currency, which I consider crucial to the question of the resources that will be applied.

In effect, a single currency means a single pricing system throughout the Community; but I do not think anyone has suggested that a single wage system will accompany that single pricing system. No one has suggested that, after the ratification of the treaty, wages in Greece will be the same as those in Germany. Surely, given that people in Greece will soon find themselves paying broadly the same prices as those in Germany while earning perhaps half the wages paid to German workers, there will be great unhappiness in Greece. The same applies to Ireland and Portugal. People simply will not be able to cope. The demand for compensation will inevitably follow.

A single currency means not only the handing over of all control of the banking system and all that it implies to a non-elected central bank, but, inevitably, the handing over of a large measure of budget control. In the past, vastly increasing resources have gone into the Community; moreover, Maastricht and the single currency make a single budget inevitable. That is the truth that my hon. Friend the Member for Southend, East has exposed.

What is the pay-off? There are two parts of the equation. On the one hand, Britain and Germany are to be the only paymasters; on the other, Maastricht presents the prospect of a massive increase in budgets and in the resources required—in essence, from Britain and Germany, but possibly from the northern European countries. What will be the advantage for this country? Ultimately, hon. Members still represent constituents here. I feel accountable to my own constituents, and I hope that the Italian politicians will soon feel the same. Surely it is fair for me to ask what benefits my constituents and my country will gain from the enormous step that we are taking—the transfer of resources into other countries' budgets.

Mr. Bill Walker: For nearly 300 years, the United Kingdom has operated a single currency, a single bank and a single economy. Anyone who wishes to see how that operates in practice need only examine the mass migration of people from the less well-off areas to the wealthy areas, and the large transfer of public funds in United Kingdom own resources from the wealthy to the poor areas.

Mr. Spicer: That is a good point. One of the ways in which Governments have tried to compensate is by robbing the successful areas in an attempt to pay for the unsuccessful ones. For instance, great benefits have been stripped from the midlands—where my constituency lies—and I am not sure who has gained any advantage from that.

Mr. Sweeney: Does my hon. Friend agree that it is one thing to strip successful areas to help the unsuccessful, and another to strip areas that are only moderately successful to help, in some cases, the successful rather than the unsuccessful?

Mr. Spicer: That, too, is a good point. As was pointed out earlier, it must be asked whether Britain and Germany—which will be the paymasters of the enormously expanding Maastricht budget—are the countries that should be paying all that money.

Sadly, Britain's income per head is rather low in terms of the European Community countries. Even if I represented a German constituency, I would at least ask whether Germany would be able to afford such amounts in a few years, given its current recession and all the other problems that are hitting it—for instance, social welfare programmes that it cannot really pay for. However, that is not my problem; my problem is in Britain.

Mr. Denzil Davies (Llanelli): I am sure that the hon. Gentleman is aware that even Germany has not done too badly out of Maastricht and the Edinburgh declaration. I understand that the whole of Germany is now to be an objective 1 area, whereas not one part of Britain is to be such an area. Although Germany makes the largest contribution, at least it will be given back a huge chunk. We shall not even receive money under the objective 1 criteria.

Mr. Spicer: Indeed, as a result of all the mechanical problems and the Edinburgh agreement that the right hon. Gentleman has mentioned, it is possible that Britain—which has been the number two paymaster for the past 10 years—will end up being the number one paymaster in relation to a vastly increasing budget.

What, then, are the benefits for Britain? The Common Market was founded on the concept of trade, and I certainly support the continuation of close European trade links. Britain pays £2 billion a year into the budget; moreover, the year before last she bought £10 billion more than she sold, and will probably do so next year. Even in the matter of trade, on which most of us agree, there is a questionable return on all the money that we spend on a vastly increasing budget that will explode following the Maastricht treaty.

Will we gain anything from the single currency, if we decide at some point to opt into it?

Sir Teddy Taylor: It will make things worse.

Mr. Spicer: It may do so, for a very good reason. We saw the effect of fixed and managed exchange rates under the exchange rate mechanism. Some people say that the fact that we were right about the ERM does not necessarily mean that we are right about the Maastricht treaty; I have had that thrown at me at certain meetings, and perhaps my hon. Friend the Member for Southend, East has had the same experience. The obvious answer is that the issue is the same one. The single currency is the ERM perpetuated. If it was wrong to link our economy to the economies of others in the short term, as it was wrong under the gold standard to link our economy with that of the Americans in the 1920s and 1930s, on the basis of costs and benefits it must be wrong to link ourselves in perpetuity with the economies of others.

7.30 pm

What will happen to our democratic constitution? Will there be some great pay-off? I am sure that my right hon. Friend the Paymaster General will take up the fraud argument when he responds. He will say that there will be a new pay-off in terms of accountability and the institutions that will be created as a result of the treaty of Maastricht to deal with fraud. I see, Mr. Lofthouse, that you are becoming somewhat restless. I assure you that there is a direct relationship between fraud and money. This is one of the few debates that have allowed us to focus on costs, and it would seem reasonable to focus on costs

and benefits. After all, the costs may be beneficial; there may be good reasons for spending so much money. I am trying to ascertain whether there are good reasons for doing so.

The Government say that one of the benefits is a new approach to the institutions of Europe along with a new approach to the accountability and auditing procedures when adjudicating whether moneys have been spent correctly or incorrectly. I merely question that. I cannot conceive how an unelected, secret sitting, central bank, along with an unelected law court and an unelected Commission, can in combination, using an alien system of law to that of the United Kingdom, improve upon the way in which moneys are dispensed. Such an approach will not enable me as a Member to feel that I can tell my constituents that moneys are being properly controlled and that there is proper accountability.

Mr. Iain Duncan-Smith (Chingford): Does my hon. Friend agree that the reports about the European Bank for Reconstruction and Development that have broken so opportunely recently—they focus on the money that the bank has been spending and the sizeable balance between the amount spent on the marble in its halls and on its offices, structures, jets, flights and visits as opposed to the moneys that it was meant to be lending to the eastern bloc—provide a good example of what happens and of what is endemic within the thinking of administrators within the EEC? It would seem that they take the view that it is not their money that is being spent and they do not care where it goes. The reports provide a good example of an endemic carelessness.

Mr. Spicer: When an institution, whether it is the Italian Government, the Commission, the European Court or the central bank, is not directly accountable to the public, who can throw it out of office, corruption in various forms almost automatically follows. That is not surprising. Indeed, in my view, it is inevitable. The British form of democracy, which we are in danger of dismantling under the treaty of Maastricht, has much going for it. At the very least, it provides a process by which Governments can be held accountable. If the process is taken to the ultimate, they can be thrown out of office if the people do not like the way that they perform. Governments realise that, as do the officials who work for them. Therefore, the system is open. It is one in which change can take place. If there is a change of Government, the newly elected administration can examine the books. That can happen only if there is genuine democracy, which we cannot see even emerging within the institutions of Europe.

The issue is central and crucial to the arguments that reflect the worry about the proposed development within the context of the treaty of Maastricht. Some say that everything is in place already under previous legislation, including the treaty of Rome. They say that we are talking only about continuation. In fact, the treaty of Maastricht amounts to a fundamental break. It pushes everything into an entirely different orbit because of the single currency and what will flow from it in terms of the resources that will be required to manage the consequences.

There can be only one possible justification for the enormous commitment that Britain will undoubtedly make—British taxpayers—in handing over possibly the majority of our money to, possibly, a single taxing authority, a central economic authority, within the EEC. That justification can be found only if we believe in a federal state of Europe. If we believe in a nation of Europe, everything fits into place. If we do not, we should not vote for the treaty of Maastricht.

Earlier there was some banter on the Front Bench about Euro fanatics. My hon. Friend the Member for Southend, East came to the rescue when he said that they were not fanatics because they did not really believe in what is proposed. He may have something in that. Indeed, we are presented with the treaty on the basis that, to some extent, we have opted out of it. No one produces firm reasons why we should have the treaty. Instead, we are told that we have opted out of certain parts of it and that the Government have done their best to ensure that we do not experience the worst effects.

I agree with my hon. Friend the Member for Southend, East that the majority of those within the Conservative party and in our constituencies—this is certainly the position in the country generally—do not like the treaty. Some think that it is the best that can be done or the best that we can get. No one, with the exception of one or two of my hon. Friends, says that we want a federal state or a united states of Europe. At the same time, no one who argues against our case is able to show us how a single currency, with the legal system that will pile in behind it along with the money that is pouring in as a result of what has been shown to be an inexorable budgetary process, will not lead to a federal state of Europe. It is clear that there is schizophrenia.

My right hon. and hon. Friends who have been voting through all this stuff will not be able to say in future, "We did not understand what was going on." It was reported in *The Times* yesterday that some had stated that they realised with hindsight that they had got it wrong. The logic has been spelt out during the many days that we have considered the Bill in Committee. It has been presented to the Committee day after day and night after night. No one can misunderstand now the meaning of the treaty. My hon. Friend the Member for Southend, East has done the Committee a great service in showing logically just how inexorable the process of——

Sir Teddy Taylor: Will my hon. Friend say to the Minister and to all those in the Treasury that if there is any doubt about the activities of that terrible bank, the European Bank for Reconstruction and Development, they should turn to page 91 of the treaty to read about the new banks that will be set up under the Maastricht treaty, which will cost more in own resources? If my right hon. Friend the Minister reads article 7, he will find that he will not be allowed to write them a letter or to phone them if he is worried about their expenditure. If he is worried about the spending of money, perhaps my hon. Friend will tell him to turn to page 91 and to ask himself what he could do when faced with the scandals over spending that will come inevitably with the new European banks, which are part of the EEC.

Mr. Spicer: I thank my hon. Friend for that information and for having generally raised the issue earlier. I hope that we shall receive some good answers from our admirable and competent right hon. Friend the Paymaster General.

Sir John Cope: It might be helpful to the Committee if I begin by describing—it has not emerged so far—what article 201 does and the effect of the Maastricht treaty in

replacing old article 201 with new article 201. The article relates to the system of setting the ceiling for the European Community's expenditure. It is in part a tidying-up change, and desirable as such. The Community should recognise how events have moved on since the previous treaties were agreed. It removes some out-of-date references to the old system of financing the Community by levies on member states.

Most important, it embeds in the treaty the basis of the hard-won 1985 agreement, that the Community should be financed solely by the so-called own resources. I accept the criticism of the phrase, but it has occurred in treaties for a very long time. In so doing, the new article 201 reinforces the 1985 agreement and the decisions that have been made under it, but it also repeats that the system of own resources and the ceiling to be applied shall be recommended first by the Commission and then by the Council of Ministers—the representatives of the member states—by unanimity, through the European Parliament to the member states themselves for their own constitutional processes. In our case, that means an Act of Parliament.

Any proposal to increase the ceiling on own resources requires an Act of Parliament. The Bill is not such a proposal. It does not arise from Maastricht, but the House in general will be aware that, since the treaty was agreed, there has been a meeting at Edinburgh at which it was agreed to propose increases in the future in the own resources ceiling. Such a proposal will need to come before the House as a Bill, and it will do so in due course, but it is not part of this Bill or the article or anything to do with the treaty.

I believe that such a method of controlling the ceiling of Community finances is the correct one. It was obtained by Baroness Thatcher in the negotiations that led to the 1985 decision. It was built on by her in 1988, and is now built in to the treaty by the clause. My hon. Friends who are critical of spending should at least recognise that that is in itself desirable, given the parameters within which we have to live. It is the right method to ensure accountability.

The system for setting the ceiling on European Community expenditure should be as it is: it should be a decision for member states in their own national Parliaments or through whatever constitutional process they have. In our case, it involves a Bill coming before the House. When such a Bill comes before the House is the time to decide whether there should be a new ceiling on own resources.

The article strengthens the financial discipline and control over the Community's financing. Those who want budgetary discipline should therefore support the article and the changes it makes to article 201. I do not pretend that it is doing anything other than reinforcing the controls that exist, but it makes them stronger, because they are now to be embedded in the treaty.

Hon. Members who have participated in the debate have not dealt with the effect of the article, but have made more general remarks about own resources and the financing of the Community. Of course, all expenditure must be treaty-based but, in addition, it must come through the European Community budget. The amendment deals with the raising of money. When we have discussed the spending of money, we have discussed the system for the budget, and do so frequently when changes to the Community's budget are proposed. The system is elaborate. It involves the House but is primarily a European set of procedures involving some of the institutions about which we have heard such as the budgetary control council, which a former member mentioned in an intervention. It is an important committee, roughly equivalent to the Public Accounts Committee.

The third control element is the own resources, the 1·2 per cent., about which I have already spoken and which is a key to the overall control of Community spending.

7.45 pm

Mr. Spearing: Will the Paymaster General confirm the thesis that I suggested in my contribution, and which I shall spell out again? The EC budget is not to be compared with our Budget, which covers the raising of revenue but raised by agreements usually running for five years. In addition, they have estimates for spending. Is not the EC budget therefore the equivalent of our estimates and the Appropriation Act put together, and do they not do a different job? Does he agree that whoever authorises the budget automatically authorises the expenditure?

Sir John Cope: I can accept in general terms the hon. Gentleman's description. In a European Community context, the word "budget" is used primarily for expenditure. We use the word primarily to refer to the Chancellor's Budget statement, which is mainly about taxation and the raising of money. We are in the process of altering that. We shall have a unified budget in the next financial cycle and shall, in a sense, be putting the two halves together, which is the right thing to do. However, that is not directly related to the debate. In the European Community, the word "budget" is primarily about expenditure. That is the way it is usually used.

Mrs. Dunwoody: Is it not also true that a budget appropriation in no way inhibits the Community's introduction of supplementary budgets, which can wholly change the original examination of figures and which, except in retrospect, do not require a close examination even by the European Parliament?

Sir John Cope: Oh yes, they of course require examination. Supplementary budgets can be introduced, but, as hon. Members will be aware, so can supplementary appropriations. In any spending or budgetary system, one needs a method by which one can adjust expenditure in the course of a year if circumstances change.

Many references have been made to fraud. They began with my hon. Friend the Member for Southend, East (Sir T. Taylor), who moved the amendment. In this debate, as in others, my hon. Friend's attitude has been that nothing can be done and that the apparatus and methods to control money and spending in the European Community cannot be improved; the only thing we can do is to spend nothing through the European Community. If my hon. Friend will forgive the phrase, I call that the view of a fanatic of the way to control the EC budget: if it has no budget, there is no problem, and we do not need to control it.

It is a defeatist view. We should not give up the attempt to improve controls on the Community budget. I do not believe that they are as bad as they are sometimes painted, but improvements are desirable and necessary. A considerable amount has been done this year, and, over the past 12 months in which I have had responsibility for

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that aspect, I have obviously paid close attention to the matter, and am glad to report some improvements to the system.

Sir Roger Moate (Faversham): My right hon. Friend used the words "fanatic" and "defeatist". I suggest that, on the contrary, my hon. Friend's amendment is essentially constructive, as was the manner in which he moved it. In future, the Community must look to a new way of financing its activities, particularly as it faces spectacular enlargement in the years ahead. Can my right hon. Friend name any other world institution that has own resources, yet somehow does not survive because it lacks own resources? Far from being destructive, my hon. Friend is simply suggesting a different way whereby the Community can be funded, directly by this Parliament, rather than have resources of its own.

That arrangement would provide the Treasury and the House with a real means of controlling Community expenditure, where we deem that appropriate, and of preventing fraud. I hope that my right hon. Friend the Paymaster General will, on reflection, withdraw the rather extreme adjectives that he used and will understand that behind my hon. Friend's amendment is a constructive and sensible approach to the Community's future financing.

Sir John Cope: I used an adjective that my hon. Friend the Member for Southend, East applied to me and to others who support the Maastricht treaty.

Sir Roger Moate: Quite right.

Sir John Cope: Every right hon. and hon. Member must decide that for himself—that is not for me to say. My hon. Friend the Member for Southend, East made kind references to me also, and was flattering, but he said that those who support the Maastricht treaty are taking a fanatical view and are fanatics—and they include me, because I support the treaty, with particular regard to its effect on Community finances.

From the intervention of my hon. Friend the Member for Faversham (Sir R. Moate), I may have misunderstood my hon. Friend's proposals for the Community budget. I understood that he wanted to take from the Community all own resources, and he suggested no other method by which it should be financed. I am not sure whether my hon. Friend had in mind—as I took it to be—that there should be no other method of financing the Community. That is why I assume that he wanted to take all resources from the Community, as a means of cutting back its activities severely.

I do not believe that it is necessary to take away all the Community's resources to control them properly. On the contrary, we have taken some important steps forward, including those in the treaty that make member states pursue fraud against the Community's budget with the same vigour as fraud against national budgets.

The treaty also improves consideration of the Commission's annual report on fraud. It makes the Court of Auditors a Community institution and gives it the right to pursue its views, which have been insufficiently pursued in the past, in the courts.

Mr. Gill: What my right hon. Friend has just said is absolute nonsense. There is no evidence that the Court of Auditors report has brought any improvement. Ministers come to the Dispatch Box each year and say, "We will do this, that, and the next thing," but nothing happens.

I am sorry to take my right hon. Friend into the realm of practicalities, but for years Ministers have been telling us that beef intervention will be brought under control. We have 10 times more beef in intervention stores than we had four years ago, despite the fact that cattle prices in livestock markets are higher than ever before. One would have thought that would trigger the emptying of the stores, to present the public with a commodity at a keener price. It is nonsence for my right hon. Friend the Paymaster General to expect the Committee to believe this rubbish.

Sir John Cope: I was explaining that the Maastricht treaty increases the power of the Court of Auditors to follow up exactly the kind of issues that my hon. Friend cited and that the Court of Auditors mentioned in its reports of previous years. I support the argument that the Court of Auditors should be strengthened in that regard, and I strongly support the treaty because it will do that.

Mr. Cash: Is my right hon. Friend aware that, when Mr. George Carey, who was for a long time the chairman of the Court of Auditors, resigned, he wrote a letter which some of us have seen, and which I dare say my right hon. Friend the Minister has seen too. It is strongly at variance with my right hon. Friend's assessment of the value of the treaty's minimal provisions relating to control over expenditure and fraud. If Mr. Carey expresses such views, it is immensely difficult to understand why my right hon. Friend—who I believe is an accountant of some standing—could possibly reach a different conclusion from Mr. Carey.

Sir John Cope: He was not the chairman, but a member of the Court of Auditors. From my hon. Friend's description, I believe that he must have seen a different letter from that which I saw. Nevertheless, I recall certain comments made by Mr. Carey at the time of his resignation, and have discussed them. My hon. Friend's description of the reasons for Mr. Carey's resignation does not conform with my recollection of his remarks. The Court of Auditors will be strengthened by the treaty, which will strengthen the fight against Community fraud.

My hon. Friend the Member for Southend, East referred to recent newspaper articles about carbon/energy tax and suggested that Community proposals might have something to do with a further resource for the Community. That is not so. It is not proposed to introduce any new own resources as a result of either the Maastricht treaty or Edinburgh agreements. In any case, the funding arrangements could be changed only by the Council acting or making recommendations by unanimity. Any such arrangements would need to be approved by the House.

Discussions are under way on a carbon/energy tax, but it is not suggested that that should be part of the Community's own resources, as those who have read the explanatory memorandum on that aspect will know.

Mr. Leighton: How does the Paymaster General justify the bizarre set of taxes that finance the own resources, wherby we pay literally billions and richer countries pay nothing at all?

Sir John Cope: I will return to that point later.

I was explaining that the carbon/energy tax proposals have been described in an explanatory memorandum, and I do not want to add much to that.

Sir Teddy Taylor: Is it not true that the Edinburgh Council asked the Commission to produce a report for member states on a new fifth resource? I am astonished at the way that the Minister has replied to the debate. I have always had the highest regard for his objectivity. Surely the Edinburgh Council asked the Commission to do this job for it.

Sir John Cope: Yes, but that is not connected with the carbon/energy tax proposals that are flying about and being discussed. They have nothing to do with the own resources of the Community. The preliminary draft for a carbon/energy tax is being discussed by the Community, but those proposals will not affect the own resources of the Community, which is what article 201 and the amendment deal with.

8 pm

My hon. Friend the Member for Worcestershire, South (Mr. Spicer) described Germany and the United Kingdom as the only net contributors. If he looks at the last Court of Auditors' report, he will see that there were five net contributors to the European Community in the last full year upon which the Court of Auditors reported, 1991. They included not only Germany and the United Kingdom but France, Italy and the Netherlands.

Belgium and Luxembourg were also referred to in the debate—certainly Belgium was mentioned. Belgium benefits considerably from administrative expenditure, which affects its net balance with the Community.

Mr. Michael Spicer: Does my right hon. Friend accept that, over the past 10 years, Britain and Germany have been the only large contributors to this fund?

Sir John Cope: Yes, I certainly accept that, although Germany's contribution is much larger than ours. Nevertheless, I draw the Committee's attention to the very important fact that other countries have recently become net contributors to the Community. We shall discuss later the changes in own resources that were proposed at Edinburgh, but they form no part of this Bill. They will be a matter for future legislation. The change in the balance, in particular the change in the number of net contributors within the Community, will make a considerable difference over the years and will have a dynamic effect, to borrow a phrase from my hon. Friend the Member for Worcestershire, South, on the financing of the Community.

Mr. Richard Shepherd: Has my right hon. Friend had the opportunity to read Sir Michael Franklin's report for the Royal Institute of International Affairs, in which he looks at distributive flows and redistributive elements? When they are broken down to show what each citizen of the new union will receive through his or her national identity, one sees that it amounts to 1,987 ecu per head for those in Luxembourg, whereas Germany contributes, per head of the population, 140 ecu. In 1992, we were, on a per capita basis, the second largest contributor. It is extraordinary that, on that basis, Italy is still the recipient of 10 ecu per head, and Spain 73 ecu, Denmark 97 ecu, Portugal 104 ecu, Belgium 165 ecu, Greece 375 ecu and Ireland 678 ecu per head. That is an insane way of financing or redistributing the wealth of the Community, because it bears no relationship to gross domestic product per head.

Sir John Cope: I have not had the opportunity to look at the report to which my hon. Friend refers, but I shall do so. I cannot comment on the figures, but the general points that I made about net contributions are, I believe, correct and important ones for the future financing of the Community.

Mr. Leighton: The right hon. Gentleman says that there are five net contributors to the Community. There is therefore a minority of contributors, and the majority of states pay absolutely nothing at all. That is grotesque. How does the Paymaster General justify that? It is not fair, is it? Ought not contributions to be on the basis of ability to pay, instead of this mad system that we have at the moment?

Sir John Cope: It is not a question of not paying anything at all. It is a question of how the contributions to the Community and the receipts from the Community net out. All the member states contribute to the Community according to the formulae. All the member states, including ourselves, benefit. Member states receive money from the Community. Furthermore, individuals, and individual companies within the member states, receive money from the Community. The question is, what is the net effect of these two processes—the raising and the paying out of money? It is the net effect to which I refer. The net public sector flows amount to about £2 billion a year, although the amount varies from year to year.

Mr. Michael Spicer: How can my right hon. Friend use the word "benefit"? If we get back only a bit of what we give, that is not a benefit; it is a disbenefit. We have given away money in the process. It is the net figure, surely, that really matters.

Sir John Cope: It is the net effect that matters, and that is exactly what I have been emphasising. The net effect is caused by both negative and positive flows.

Some of my hon. Friends and other hon. Members are concerned about the cohesion fund, and about whether the Community is somehow jumping the gun, in legal terms. I hope that I can reassure them, primarily by referring them to the detailed explanatory memorandum that was submitted to the House of Commons by my right hon. Friend the Minister for Industry on 5 March regarding proposals for the Council regulation. There is no legal jumping of the gun regarding the cohesion fund.

Several hon. Members have referred during the debate to the European Bank for Reconstruction and Development and to the recent criticism levelled at it in the newspapers. Both I and others have pointed out during the debate on the issue that the EBRD is not a European Community institution. It is an institution to which 57 countries belong. That includes the Community countries, but many other non-Community countries are represented on the board of management, are shareholders and are part of it.

There are no accountability lessons to be learnt from the EBRD that are directly relevant to the Community, which has much more elaborate institutions for controlling its finances than the EBRD does. Incidentally, the EBRD's accountability is similar to that for other institutional organisations, such as the World bank. It is that

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machinery which will no doubt inquire into recent press reports. In addition, my right hon. Friend the Chancellor of the Exchequer and departmental officials are playing a part in the investigation. That matter is not, however, germane to this debate.

Mr. Robert B. Jones (Hertfordshire, West): It is relevant, is it not, that the Court of Auditors has produced loads of reports on the misuse of European Community funds? Our Chancellor of the Exchequer has endeavoured to get these reports debated properly and action taken, whereas other European Community countries have been singularly unhelpful in trying to get any action whatsoever taken. If my right hon. Friend is in favour of additional resources for the European Community, he must surely accept that its present resources need to be spent properly first.

Sir John Cope: I have talked about the Court of Auditors, and I do not propose to add to what I have said. We were talking about the EBRD, which is a wholly different institution with 57 member countries. It is a different scale of institution.

Sir Roger Moate: We fully understand that the EBRD is not a Community institution. However, it is comparable to a range of other EC institutions. Can my right hon. Friend explain to me and to the British public why Community officials and EBRD officials pay no income tax? Will he explain again for my benefit why they should be accorded that extraordinary privilege? If there is any argument for it, could it not be re-examined, because it is rather scandalous?

Sir John Cope: My hon. Friend must take up that matter on another occasion, because it does not arise out of this debate. The EBRD is comparable to the World bank and to other such organisations, and the matter also relates to other diplomatic privileges.

Mrs. Teresa Gorman (Billericay): I do not know whether my right hon. Friend intends to go back to the subject of the cohesion fund. He talked about not jumping the gun. He must be aware that, at the Edinburgh summit, for example, the European Community promised Mr. Gonzalez, the Prime Minister of Spain, £7 billion out of the proposed cohesion fund towards a hydrolytic scheme. He was guaranteed the money, out of the £17 billion which he hopes to garner eventually from the European fund, to flood the other half of Spain so that the people can grow even more olives and useless things, which we shall no doubt put into storage. That commitment was given to him in exchange for his co-operation over the issue of the Danish opt-out. Will my right hon. Friend explain whether that is a commitment, whether it jumps the gun or not?

Sir John Cope: My hon. Friend has confused a number of different strands. I referred her and other of my hon. Friends to the explanatory memorandum which was issued on 5 March. It explains in some detail what is going on in terms of the cohesion fund. That point is not relevant to the amendment or to the treaty. What is relevant is article 201, which strengthens the disciplines of the Community by restating and improving the controls, especially over the ceiling of own resources. The total of own resources is a matter to which we shall have to return on another occasion when debating different legislation. I believe, therefore, that we should not agree to the amendment.

Mr. Andrew Smith (Oxford, East): The Paymaster General was a little unkind and ungenerous to his hon. Friend the Member for Southend, East (Sir T. Taylor), whom he accused of being a fanatic. The hon. Member for Southend, East may choose to take that as a compliment. He has been generous in this Committee in praising the sincerity of others. A fairer description would be to say that he was very, very sincere in what he was saying about the shortcomings of article 201 and about the system of own resources.

Sir John Cope: I was trying to say that the attitude of my hon. Friend the Member for Southend, East in this matter, as I understood it, was extreme. He used the word "fanatic" about some who, like myself, support the Maastricht treaty. That is a matter for him to describe. I entirely accept his sincerity, which is unquestioned. I also pay tribute to his assiduity not only during our debates on this treaty, but over many years, in pursuing his particular point of view on the European Community.

8.15 pm

Mr. Smith: The Paymaster General's search for acceptable, euphemistic synonyms for fanaticism is intriguing. I think that he is just digging the hole a bit deeper. The hon. Member for Southend, East did well considering that he had such a bad cold. I merely shudder to think how much longer he would have spoken if he had not had that cold. However, I wish him a speedy recovery.

The hon. Gentleman argued that supporting the amendment could bring together various groups in the Committee. I am aware of his sincerity, which we have all just praised. However, I must say that a greater triumph of hope over experience would be difficult to imagine. He was on stronger ground when he appeared to suggest that we might cut cash out of the European Community debate. Even that argument collapsed when people realised that he was talking not about his hon. Friend the Member for Stafford (Mr. Cash), but merely about money.

In all seriousness, the hon. Member for Southend, East has overestimated the effect of the amendment. I understood him to claim that it would remove every word of the treaty relating to EC finance. He is clearly overlooking articles 199 and 201a, as well as many other articles in the treaty. The amendment would not have that effect. Many of the points that the hon. Gentleman made —this was also true of the points made by the hon. Member for Worcestershire, South (Mr. Spicer)—were really a repetition of a number of points made at length in our previous debates, especially those on the Court of Auditors.

Nobody has more strongly condemned irregularities, fraud and corruption in the EC than the Labour party has or than I have at the Dispatch Box. However, the question that we must ask is whether the provisions in relation to the Court of Auditors and the control of expenditure make matters better or worse. There are a number of respects in which the Maastricht treaty makes the situation better; they are set out in articles 206, 290 and 290a, which give stronger powers to the Court of Auditors. At least now the accounts will have to be fully certified by the Court of Auditors which was not the case before. There are extra

powers for the European Parliament to require the Commission to act on the reports and recommendations from the Court of Auditors. There is also the new legal duty, to which the Paymaster General referred, obliging member states to pursue fraud in relation to EC funds with the vigour that they pursue fraud within their own countries.

It is difficult to see how agreeing to the amendment would advance the arguments so sincerely expressed by the hon. Member for Southend, East. Article 201 states:

"Without prejudice to other revenue, the budget shall be financed wholly from own resources."

Is the hon. Gentleman saying that it should not be financed wholly from own resources, but from some further contributions outside the own resources ceiling? I think not. The article also says:

"The Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, shall lay down provisions relating to the system of own resources in the Community, which it shall recommend to the Member States for adoption in accordance with their respective constitutional arrangements."

Does the amendment imply that the Council should not act unanimously in the matter, that the European Parliament should not be consulted, that the recommendation should not be made to the member states, or that adoption should not proceed in accordance with their respective constitutional arrangements? I think not. Does the amendment imply simply that there should not be a system of own resources? That is what the hon. Member for Southend, East and those who took a similar position argued for. I find it difficult to see how that argument or any of the other implications could be in the interests of the United Kingdom or of the Community as a whole. The effect of the amendment, as well as presumably scuppering the treaty and its ratification, would be to leave us with article 201 of the treaty of Rome under which the present budgetary practices have developed. Even in terms of the hon. Gentleman's own argument, the amendment could not represent a step forward.

I argue that if closer European co-operation and integration are to proceed—there are many deep and honest difficulties in the Committee on that matter—there must be a system of financing those functions. That system can be discharged effectively only at the Community level. If there is to be stability in the management of the Community's finances, a set of rules for sources and levels of finance seems to me to be essential.

We serve our electorates better if, rather than arguing the somewhat theological point about the extent to which so-called own resources are in fact the Community's own resources, we focus on the question of how well the system serves the Community's common purposes and how far the distribution of the financial costs and benefits of the Community are compatible with principles of economic efficiency and of fairness and social justice.

Mrs. Dunwoody: I am listening to my hon. Friend with great care. I take it that the underlying thought behind his remarks is that he accepts the princjple that there will be a growing curve of commitment and a growing movement of money towards the own resources system. Is that the position that those on the Front Bench are arguing?

Mr. Smith: I am accepting that, if the Community is properly to discharge its common functions, it must be adequately financed for that purpose. I do not accept any implications as regards a unitary superstate, which is a concept that those on the Labour Front Bench do not endorse. The purpose of the European Community encompasses certain common functions and we need a common system of financing so that those functions can be properly fulfilled.

In one sense, of course, the Community does not have any own resources—any more than the Government do—and my hon. Friend the Member for Newham, South (Mr. Spearing) made that point. The income that it derives either comes from EC citizens or is acquired on behalf of the citizens of the EC, just as its expenditure is undertaken in their name. What should really be at issue in the use of the term "own resources" is the degree to which certain sources of revenue are earmarked for the EC budget within prescribed limits, in the sense that member states have each agreed to take on the obligation to pass certain revenues on to the Community.

Mr. Gill: I appreciate that such a course of action is entirely consistent with the hon. Gentleman's socialist principles. Can the hon. Gentleman enlighten me a little more than my right hon. Friend the Paymaster General was able to enlighten me. What would the hon. Gentleman say to his constituents and what does he suggest I say to mine when they discover that British taxpayers' money will be used, through the cohesion fund, to provide roads and railways in Greece, Portugal, Spain, and southern Ireland, given that many of those constituents see a grave need for those facilities in this country? A case in point is the west coast line from Euston to Glasgow, which has about six more years' life in it and will soon be in need of reinvestment of capital running into thousands of millions of pounds. What are we to tell our constituents when the west coast line breaks down and the money that we might have spent on its renewal has been spent on the four beneficiaries of the cohesion fund?

Mr. Smith: First, I shall tell my constituents—as I do—that Rover, which is already selling a lot of cars to Spain, will be selling even more when investment in that country has succeeded in improving its standard of living and bringing it closer to the average for the Community. Secondly, I shall say that we all benefit in common from the advances that common European Community action can effect. Thirdly, I shall tell my constituents that other sources of Community expenditure benefit many parts of this country and indirectly benefit all its citizens. In previous debates, a number of hon. Members representing some of the most depressed areas of the United Kingdom have made precisely that point. Where the Government have not been prepared to act, we have been able to obtain a measure of assistance through European Community funds.

Mrs. Gorman: It is kind of the hon. Gentleman to give way, but can we talk common sense? Is he really saying that his constituents will sleep better in their beds at night if they know that people in Spain can drive about on nice new roads in Rover cars, on nice new roads which people in his constituency would love to have but cannot afford because they are having to fund such improvements in other countries? Good sensible people in my constituency of Billericay have a word for that, but it is not one that a lady can use in this place.

Mr. Smith: The hon. Lady suggests that we talk common sense. Of course, many of my constituents drive

[Mr. Smith]

Rover cars, and the more such cars are exported to Spain and other countries, the more happily they will sleep in their beds because they will know that their jobs are that much more secure. I hold the conviction that the citizens of all of Europe will be better off to the extent that we co-operate more closely in safeguarding our common economic welfare and security. That is the common sense that lies behind the common purpose of the Community.

Let me return to the question of own resources. I was arguing that the term relates to the extent to which the Community can automatically count on certain funding. As long as there is an overall limit on own resources—and the existence of that limit has not loomed large in the debate, although it is material to the way in which own resources would work in practice—and as long as there is a requirement of unanimity, as there is in article 201, the use of the term cannot imply any right of the Community to set its own tax levels or even to establish its own tax base in the true sense of the term.

On the rather more important questions of fairness and economic efficiency, the details of the own resources system have an impact on the distribution of member states' contributions to the EC budget, to which my hon. Friend the Member for Newham, North-East (Mr. Leighton) rightly drew attention. In relation to, for example, the VAT base element of own resources, those member states with a relatively high VAT base as a proportion of GNP—they include Britain—will be making larger contributions than members with a lower VAT base relative to GNP.

I argue that, because of that, and because the notional VAT base serves no proper and effective economic purpose in the assessment of EC contributions, the capping of the VAT base in 1988 and the Edinburgh decision to reduce it further with effect from 1995, and, indeed, the reduction of the ceiling on the rate of VAT from 1·4 per cent. to 1 per cent. on a notional basket of goods and services, which is taken as the basis for drawing down VAT for EC contributions, are broadly to be welcomed. Hand in hand with that goes the decision to increase the share of Community revenue contributions calculated on the basis of gross national product—the so-called fourth resource, which will be contributing 40 per cent. of revenue by the end of the century. I had expected the Paymaster General to point to that in answer to criticisms from both Conservative and Opposition Members. There has been a shift towards a wealth-related system of contributions. As my hon. Friend the Member for Newham, North-East and others would point out, that has not gone far enough: the relationship between net contribution and wealth is still not nearly strong enough. The Labour party is concerned to ensure that there is a much fairer correspondence between net contributions to the Community and the wealth of member states.

The *Financial Times* article of 13 February 1992, quoted in the Library briefing, estimated that, even after the United Kingdom rebate, in 1992, the United Kingdom would be the second largest net contributor after Germany even though we rank down at eighth in terms of GNP per head. Another way of looking at it is that our post-rebate net contributions to the EC budget in 1992 will run at something like 0·34 per cent. of GNP as compared with 0·62 per cent. in Germany, but only 0·15 per cent. in France and 0·04 per cent. in the Netherlands, while the rest of the member states, some of which are significantly richer than us, will be net recipients. As the hon. Member for Southend, East said, the *Financial Times* said that it is a scandal that the two countries with the highest average incomes in the Community—Denmark and Luxembourg—should be net beneficiaries. That is absolutely right.

The system must be changed and that will require more significant reforms in the EC budget, upon which we have already touched in earlier debates; most notably it will require further reform of the CAP.

8.30 pm

Mr. Nicholas Winterton (Macclesfield): The hon. Gentleman is being remarkably helpful to the Committee. With no disrespect to my right hon. Friend the Paymaster General, he is providing more information which is helpful to the Committee as it reaches a decision on the matter than anything that I heard from my right hon. Friend the Minister.

As the hon. Gentleman has been extremely informative and interesting, will he speculate with the Committee as to why the inequities and injustices in the present system have not already been attended to, bearing in mind that they are so obvious to all? Why are we not debating that rather than the nonsense of this obsolete and useless Maastricht treaty?

Mr. Smith: I support the case for more debate in the House about how we can achieve a more equitable system of contributions and receipts from the EC budget. If the hon. Member for Macclesfield (Mr. Winterton) is not satisfied with the answers from his right hon. and hon. Friends and he is better educated by contributions from the Opposition Benches, that is all to the good.

Changing the system in respect of the EC budget which the hon. Member for Macclesfield and many other hon. Members find so objectionable will require political will and more determination. He asked why there had not been more change given that the inequities are so obvious. However, I dare say that they are not quite so obvious to the majority of member states that are net beneficiaries under the system. Therein lies the problem.

We must continue to argue for sensible reform. The Labour party will do that and will continue to question the sums being spent on the Community's agricultural policy, which lies at the heart of so many of the problems.

Mr. Leighton: What would my hon. Friend say about the other two taxes involved in own resources—the levy on food imports and the tax on industrial imports? They are both very damaging for this country. They are a way of fining and penalising this country for trading with the rest of the world.

Mr. Smith: My hon. Friend draws attention to a very important matter. While I was able to point to the fact that the GNP-based contribution as a share of the Community budget would be increased to 40 per cent. and that the VAT-based contribution would be reduced, the traditional own resources contribution based on agricultural levies and levies on non-agricultural imports stay at 25 per cent. under the projections based on Edinburgh and the previous European Council meeting.

The case for the benefits to be derived from trade that can take place more freely without such a scale of additional levies and duties, particularly freer trade with

central and eastern European countries, the countries of the former Soviet Union and third world countries, is something which all hon. Members should consider. There is real mutual benefit in ensuring that the Community collectively becomes more of an engine for concerted world growth, including growth in general trade, which must be part of any real worldwide recovery, and not simply a fortress Europe that closes its doors to such opportunities.

Mr. Cash: I listened with great interest to the hon. Gentleman's remarks about the reform of the CAP and the opportunity for eastern European countries and other developing countries such as Antigua—from which I have just returned and where I played cricket—and other parts of the Caribbean which have serious problems in respect of entry for their goods.

Would not the hon. Gentleman's argument be a little more convincing if he accepted that it was the failure to renegotiate such matters, as with the single market, in advance of Maastricht which was a reason for not supporting the treaty? Irrespective of the blemishes and flaws in the treaty and its contradictions, the very failure to solve or attempt to solve the problems which the hon. Gentleman is addressing, such as the CAP, is a terrible blight and indictment of the negotiating that took place in advance of the signing of the treaty.

Mr. Smith: I agree that it would have been better if a more persuasive case had been put and more progress had been made in advance of signing the treaty. It is not true to say that no progress has been made. There has been some limited reform of the CAP, but the basic difference between us is how far we see Maastricht as a framework to secure further improvement or how far we see it as an impediment. The hon. Member for Stafford (Mr. Cash) sees it as an impediment while I see it as a framework.

The Opposition will be keeping a close eye on the commitment on overall agricultural spending. While the Community budget agreed in Edinburgh shows agriculture taking a decreasing share of the total EC budget, in absolute terms it shows agriculture spending increasing from 35·2 billion ecu to 38·4 billion ecu in 1999. We believe that the escalating costs of the CAP must be reversed and expenditure switched to investment in regional, industrial and training policies to improve the economic competitiveness and prosperity of the Community, including more expenditure within the United Kingdom, for example, from the regional and social funds.

My hon. Friend the Member for Newham, South (Mr. Spearing) referred to the role of the European Investment Bank. It is important that we underline the difference between the European Investment Bank and the European Bank for Reconstruction and Development, to which many comments have rightly been addressed.

I wish that the Paymaster General had said rather more firmly about the EBRD, not just that there were matters which the Government would have to consider, but that the United Kingdom Government as shareholders in the EBRD—and, for that matter, the European Commission, as it is also a shareholder—would absolutely condemn the scandalous waste of money involved in setting up that institution. I hope that it is the firm intention to ensure that those resources are in future invested in developing central and eastern European countries and not in enriching the surroundings and standards of Christmas entertainment at the EBRD. I hope that the Committee would speak with one voice in that respect.

The European Investment Bank is a different institution. To the best of my knowledge, it does not, thankfully, have anything like the reputation for extravagance of the EBRD. On the contrary, it has been involved in many worth while projects. When the need for European co-operation to secure recovery and investment in infrastructure and to tackle unemployment has never been greater, the European Investment Bank and the purposes that it can properly serve within its defined role is an invaluable instrument for European recovery which should be used more rather than less.

Unlike Conservative Members, the Opposition recognise the importance of policies at the European level, as well as at national, regional and local levels, for economic and social cohesion so that jobs can be generated and areas that have been shattered by industrial decline can be rebuilt. It is vital that the funds available are used effectively to achieve those aims and that the scope for investment in the United Kingdom is not undermined in the future as it has been in the past by the squabbles about additionality and the Government's reluctance to provide matching expenditure for European Community funds.

The issues and other matters which I have covered can in no sense be addressed by amendment No. 57. For the reasons that I set out earlier, the Committee cannot support the amendment. It would take the Community backwards, not forwards. Therefore, while I share many of the apprehensions which have been expressed about the way in which some parts of the Community's budget are mis-spent, and the irregularities and fraud which must be condemned outright, and which more vigorous action must be taken to stop altogether, I believe that the European Community needs a system of own resources so that it can properly discharge those functions for our common welfare which can be discharged only in common across the European Community.

Mr. Robert G. Hughes (Harrow, West) *rose in his place and claimed to move*, That the Question be now put.

Question put, That the Question be now put:—

The Committee divided: Ayes 301, Noes 281.

Division No. 232] **[at 8.40pm**

AYES

Adley, Robert
Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Alton, David
Amess, David
Ancram, Michael
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Aspinwall, Jack
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beith, Rt Hon A. J.
Bellingham, Henry
Beresford, Sir Paul
Blackburn, Dr John G.
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Carlisle, Kenneth *(Lincoln)*
Chapman, Sydney
Churchill, Mr
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey

Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Dafis, Cynog
Dalyell, Tam
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gallie, Phil
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, John
Grant, Sir Anthony *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Johnson Smith, Sir Geoffrey
Johnston, Sir Russell
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles *(Ross,C&S)*
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Kirkwood, Archy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Llwyd, Elfyn
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Lynne, Ms Liz
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
Madel, David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Michie, Mrs Ray *(Argyll Bute)*
Milligan, Stephen
Mills, Iain
Mitchell, Sir David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pickles, Eric
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon. Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Tyler, Paul
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wigley, Dafydd
Willetts, David
Wilshire, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Andrew Mitchell and
Mr. James Arbuthnot.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Dr. Roger
Betts, Clive
Biffen, Rt Hon John
Blair, Tony
Blunkett, David
Boateng, Paul
Body, Sir Richard
Boyce, Jimmy
Boyes, Roland
Bradley, Keith
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Budgen, Nicholas
Burden, Richard
Butcher, John
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Carttiss, Michael
Cash, William
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*

Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cran, James
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Forsythe, Clifford *(Antrim S)*
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Sir George
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Gill, Christopher
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gorman, Mrs Teresa
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Hawksley, Warren
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Janner, Greville
Jessel, Toby
Jones, Barry *(Alyn and D'side)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kinnock, Rt Hon Neil *(Islwyn)*
Knapman, Roger
Lawrence, Sir Ivan
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Lord, Michael
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Alice
Marek, Dr John
Marlow, Tony
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Paisley, Rev Ian
Parry, Robert
Pendry, Tom
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skeet, Sir Trevor
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Rt Hon John *(M'kl'ds E)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Spearing, Nigel
Spellar, John
Spicer, Michael *(S Worcs)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Sweeney, Walter
Tapsell, Sir Peter
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Sir Teddy *(Southend, E)*
Thompson, Jack *(Wansbeck)*
Tipping, Paddy
Trimble, David
Turner, Dennis
Vaz, Keith
Walker, Bill *(N Tayside)*
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'f'ld)*
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Jon Owen Jones and
Mr. Peter Kilfoyle.

Question accordingly agreed to.

Question put accordingly, That the amendment be made:—

The Committee divided: Ayes 64, Noes 298.

Division No. 233] **[8.57 pm**

AYES

Abbott, Ms Diane
Ashton, Joe
Barnes, Harry
Beggs, Roy
Benn, Rt Hon Tony
Bennett, Andrew F.
Biffen, Rt Hon John
Body, Sir Richard
Boyce, Jimmy
Budgen, Nicholas
Butcher, John
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Cann, Jamie
Carttiss, Michael
Cash, William
Corbyn, Jeremy
Cran, James
Cryer, Bob
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham, H'dge H'l)*
Dunwoody, Mrs Gwyneth
Forsythe, Clifford *(Antrim S)*
Gardiner, Sir George
Gill, Christopher
Godsiff, Roger
Harvey, Nick
Hawksley, Warren
Hughes, Kevin *(Doncaster N)*
Jessel, Toby
Knapman, Roger
Lawrence, Sir Ivan
Leighton, Ron
Lewis, Terry
Livingstone, Ken
Loyden, Eddie
Madden, Max
Maginnis, Ken
Mahon, Alice
Marlow, Tony
Marshall, David *(Shettleston)*
Mitchell, Austin *(Gt Grimsby)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Paisley, Rev Ian
Redmond, Martin
Ross, William *(E Londonderry)*
Rowlands, Ted
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Simpson, Alan
Skeet, Sir Trevor
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Spearing, Nigel
Tapsell, Sir Peter
Taylor, Sir Teddy *(Southend, E)*
Trimble, David
Walker, Bill *(N Tayside)*
Winnick, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'f'ld)*
Wise, Audrey

Tellers for the Ayes:
Mrs. Teresa Gorman and
Mr. Michael Lord.

NOES

Adley, Robert
Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard

Alison, Rt Hon Michael *(Selby)*
Alton, David
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Aspinwall, Jack
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beith, Rt Hon A. J.
Bellingham, Henry
Beresford, Sir Paul
Blackburn, Dr John G.
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Chapman, Sydney
Churchill, Mr
Clappison, James
Clarke, Rt Hon Kenneth *(Ruclif)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Dafis, Cynog
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Ewing, Mrs Margaret
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Gale, Roger
Gallie, Phil
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, John
Grant, Sir Anthony *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Johnson Smith, Sir Geoffrey
Johnston, Sir Russell
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles *(Ross,C&S)*
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Kirkwood, Archy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Llwyd, Elfyn
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Lynne, Ms Liz
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
Madel, David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Michie, Mrs Ray *(Argyll Bute)*
Milligan, Stephen
Mills, Iain
Mitchell, Sir David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pickles, Eric
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Salmond, Alex
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Tyler, Paul
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Welsh, Andrew
Wheeler, Rt Hon Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Sir Jerry
Wigley, Dafydd
Willetts, David
Wilshire, David
Wolfson, Mark
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Timothy Wood and
Mr. Andrew Mitchell.

Question accordingly negatived.

Amendment proposed: No. 225, in page 1, line 10, after '1992', insert

'but not the Protocol on the Transition to the Third Stage of Economic and Monetary Union'.—*[Mr. Cash.]*

Question put, That the amendment be made:—

The Committee proceeded to a Division—

The Chairman: Order. I ask the Serjeant at Arms to investigate the delay in the Ayes Lobby.

The Committee having divided: Ayes 74, Noes 297.

Division No. 234] **[9.12 pm**

AYES

Ashton, Joe
Austin-Walker, John
Barnes, Harry
Beggs, Roy
Benn, Rt Hon Tony
Bennett, Andrew F.
Biffen, Rt Hon John
Body, Sir Richard
Budgen, Nicholas
Butcher, John
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Cann, Jamie
Cash, William
Chisholm, Malcolm
Corbyn, Jeremy
Cox, Tom
Cran, James
Cryer, Bob
Cummings, John
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham, H'dge H'l)*
Duncan-Smith, Iain
Dunwoody, Mrs Gwyneth
Forsythe, Clifford *(Antrim S)*
Gardiner, Sir George
Gill, Christopher
Godsiff, Roger
Harvey, Nick
Hawksley, Warren
Hughes, Kevin *(Doncaster N)*
Jessel, Toby
Jones, Lynne *(B'ham S O)*
Knapman, Roger
Lawrence, Sir Ivan
Legg, Barry
Leighton, Ron
Lewis, Terry
Livingstone, Ken
Loyden, Eddie
Maginnis, Ken
Mahon, Alice
Marlow, Tony
Marshall, Jim *(Leicester, S)*
Mitchell, Austin *(Gt Grimsby)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Olner, William
Paisley, Rev Ian
Parry, Robert
Porter, David *(Waveney)*
Redmond, Martin
Ross, William *(E Londonderry)*
Rowlands, Ted
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Simpson, Alan
Skeet, Sir Trevor
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Spearing, Nigel
Spicer, Michael *(S Worcs)*
Tapsell, Sir Peter
Taylor, Sir Teddy *(Southend, E)*
Townend, John *(Bridlington)*
Trimble, David
Walker, Bill *(N Tayside)*
Watson, Mike
Winnick, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'f'ld)*
Wise, Audrey

Tellers for the Ayes:
Mrs. Teresa Gorman and
Mr. Michael Lord.

NOES

Adley, Robert
Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Alton, David
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Aspinwall, Jack
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beith, Rt Hon A. J.
Bellingham, Henry
Beresford, Sir Paul
Blackburn, Dr John G.
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Chapman, Sydney
Churchill, Mr
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Dafis, Cynog
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Ewing, Mrs Margaret
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Gale, Roger
Gallie, Phil
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, John
Grant, Sir Anthony *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Johnson Smith, Sir Geoffrey
Johnston, Sir Russell
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles *(Ross,C&S)*
Key, Robert
King, Rt Hon Tom
Kirkwood, Archy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Llwyd, Elfyn
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Lynne, Ms Liz
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
Madel, David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Michie, Mrs Ray *(Argyll Bute)*
Milligan, Stephen
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pickles, Eric
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew

Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Salmond, Alex
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Tyler, Paul
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Welsh, Andrew
Wheeler, Rt Hon Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Sir Jerry
Wigley, Dafydd
Willetts, David
Wilshire, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Timothy Kirkhope and Mr. Nicholas Baker.

Question accordingly negatived.

Amendment proposed: No. 268, in page 1, line 10, after '1992', insert

'but not Article 12.1 of the Protocol on the Statute of the European System of Central Banks and of the European Central Bank'.—*[Mr. Cash.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 82, Noes 295.

Division No. 235] **[9.29pm**

AYES

Adams, Mrs Irene
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Beggs, Roy
Benn, Rt Hon Tony
Bennett, Andrew F.
Biffen, Rt Hon John
Body, Sir Richard
Budgen, Nicholas
Butcher, John
Callaghan, Jim
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Cann, Jamie
Carttiss, Michael
Cash, William
Chisholm, Malcolm
Cohen, Harry
Corbyn, Jeremy
Corston, Ms Jean
Cox, Tom
Cran, James
Cryer, Bob
Cummings, John
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham, H'dge H'l)*
Duncan-Smith, Iain
Dunwoody, Mrs Gwyneth
Forsythe, Clifford *(Antrim S)*
Galloway, George
Gardiner, Sir George
Gill, Christopher
Gorman, Mrs Teresa
Grant, Bernie *(Tottenham)*
Harvey, Nick
Hawksley, Warren
Hughes, Kevin *(Doncaster N)*
Jackson, Helen *(Shef'ld, H)*
Jessel, Toby
Jones, Lynne *(B'ham S O)*
Lawrence, Sir Ivan
Legg, Barry
Leighton, Ron
Lewis, Terry
Livingstone, Ken
Loyden, Eddie
McAllion, John
McKelvey, William
Madden, Max
Maginnis, Ken
Mahon, Alice
Marlow, Tony
Marshall, Jim *(Leicester, S)*
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon James
Oiner, William
Paisley, Rev Ian
Porter, David *(Waveney)*
Redmond, Martin
Ross, William *(E Londonderry)*
Rowlands, Ted
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Simpson, Alan
Skeet, Sir Trevor
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Spearing, Nigel
Spicer, Michael *(S Worcs)*
Tapsell, Sir Peter
Taylor, Sir Teddy *(Southend, E)*
Townend, John *(Bridlington)*
Trimble, David
Walker, Bill *(N Tayside)*
Watson, Mike
Winnick, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'f'ld)*
Wise, Audrey

Tellers for the Ayes:
Mr. Michael Lord and Mr. Roger Knapman.

NOES

Adley, Robert
Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allon, David
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Aspinwall, Jack
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beith, Rt Hon A. J.
Bellingham, Henry
Beresford, Sir Paul
Blackburn, Dr John G.
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Churchill, Mr
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcl)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Dafis, Cynog
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Dunn, Bob
Durant, Sir Anthony
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Ewing, Mrs Margaret
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Gale, Roger
Gallie, Phil
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, John
Grant, Sir Anthony *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Grylls, Sir Michael
Hague, William
Hamilton, Rt Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael

Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Johnson Smith, Sir Geoffrey
Johnston, Sir Russell
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles *(Ross,C&S)*
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Kirkwood, Archy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Llwyd, Elfyn
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Lynne, Ms Liz
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
Madel, David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Michie, Mrs Ray *(Argyll Bute)*
Milligan, Stephen
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pickles, Eric
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Salmond, Alex
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Tyler, Paul
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Welsh, Andrew
Wheeler, Rt Hon Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Sir Jerry
Wigley, Dafydd
Willetts, David
Wilshire, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Sydney Chapman and
Mr. Andrew MacKay.

Question accordingly negatived.

Mr. Cash: On a point of order, Mr. Morris. You will know that amendment No. 426 deals with the European Parliament and with the proposals for the drawing up of the new voting arrangements in all the member states. You will probably know that this evening the Italian people, by a referendum, have decided that they will not have proportional representation——

The Chairman: Order. That is not a point of order for the Chair, as the hon. Gentleman well knows. I call amendment No. 426.

Mr. Marlow: On a point of order, Mr. Morris.

The Chairman: Order. I have already called amendment No. 426.

Amendment proposed: No. 426, in page 1, line 17, at end add

'with the proviso that Article 138(3) is fully implemented in the United Kingdom before the fourth direct elections to the European Parliament.'.—*[Mr. Kirkwood.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 36, Noes 325.

Division No. 236] **[at 9.48 pm**

AYES

Adams, Mrs Irene
Alton, David
Ashton, Joe
Beith, Rt Hon A. J.
Bruce, Malcolm *(Gordon)*
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Cohen, Harry
Dafis, Cynog
Ewing, Mrs Margaret
Foster, Don *(Bath)*
Galloway, George
Harvey, Nick
Johnston, Sir Russell
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jones, Nigel *(Cheltenham)*
Kennedy, Charles *(Ross,C&S)*
Livingstone, Ken
Llwyd, Elfyn
Lynne, Ms Liz
McAllion, John
McKelvey, William
Michie, Mrs Ray *(Argyll Bute)*
Mitchell, Austin *(Gt Grimsby)*
Parry, Robert
Prescott, John
Salmond, Alex
Steel, Rt Hon Sir David
Taylor, Matthew *(Truro)*
Tyler, Paul
Wallace, James
Watson, Mike
Welsh, Andrew
Wigley, Dafydd
Winnick, David

Tellers for the Ayes:
Mr. Archy Kirkwood and
Mr. Simon Hughes.

NOES

Abbott, Ms Diane
Adley, Robert
Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Aspinwall, Jack
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Barnes, Harry
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Benn, Rt Hon Tony
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyes, Roland
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela

Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Callaghan, Jim
Campbell, Ronnie *(Blyth V)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Chisholm, Malcolm
Churchill, Mr
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Corbyn, Jeremy
Cormack, Patrick
Couchman, James
Cox, Tom
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Currie, Mrs Edwina *(S D'by'shire)*
Curry, David *(Skipton & Ripon)*
Davidson, Ian
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Davis, Terry *(B'ham, H'dge H'll)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dixon, Don
Donohoe, Brian H.
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Dunn, Bob
Dunwoody, Mrs Gwyneth
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Etherington, Bill
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Gale, Roger
Gallie, Phil
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Godman, Dr Norman A.
Goodson-Wickes, Dr Charles
Gorst, John
Grant, Sir Anthony *(Cambs SW)*
Grant, Bernie *(Tottenham)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Illsley, Eric
Jack, Michael
Jackson, Robert *(Wantage)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Leigh, Edward
Leighton, Ron
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lewis, Terry
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Litherland, Robert
Lloyd, Peter *(Fareham)*
Loyden, Eddie
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
Madden, Max
Madel, David
Maginnis, Ken
Mahon, Alice
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Meale, Alan
Mellor, Rt Hon David
Merchant, Piers
Milligan, Stephen
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pickles, Eric
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Prescott, John
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shersby, Michael
Shore, Rt Hon Peter
Simpson, Alan
Sims, Roger
Skinner, Dennis
Smith, Sir Dudley *(Warwick)*
Smith, Llew *(Blaenau Gwent)*
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spearing, Nigel
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Wise, Audrey
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Sydney Chapman and
Mr. Robert G. Hughes.

Question accordingly negatived.

It being after Ten o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

Committee report progress.

Motion made, and Question put forthwith, pursuant to Standing Order No. 14 (Exempted business),

That, at this day's sitting, the European Communities (Amendment) Bill may be proceeded with, though opposed, until any hour.—*[Mr. Arbuthnot.]*

The House divided: Ayes 302, Noes 295.

Division No. 237] **[10.03 pm**

AYES

Adley, Robert
Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Alton, David
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Aspinwall, Jack
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beith, Rt Hon A. J.
Bellingham, Henry
Beresford, Sir Paul
Blackburn, Dr John G.
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushcl)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Dafis, Cynog
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gallie, Phil
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, John
Grant, Sir Anthony *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Johnson Smith, Sir Geoffrey
Johnston, Sir Russell
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles *(Ross,C&S)*
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Kirkwood, Archy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Llwyd, Elfyn
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Lynne, Ms Liz
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
Madel, David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Michie, Mrs Ray *(Argyll Bute)*
Milligan, Stephen
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Pickles, Eric
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon. Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Tyler, Paul
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wigley, Dafydd
Willetts, David
Wilshire, David
Wolfson, Mark
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Timothy Wood and
Mr. Andrew MacKay.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*

Allason, Rupert *(Torbay)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Dr. Roger
Betts, Clive
Biffen, Rt Hon John
Blair, Tony
Blunkett, David
Boateng, Paul
Body, Sir Richard
Boyce, Jimmy
Boyes, Roland
Bradley, Keith
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Budgen, Nicholas
Burden, Richard
Butcher, John
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Cash, William
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cran, James
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Duncan-Smith, Iain
Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Forsythe, Clifford *(Antrim S)*
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Sir George
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Gill, Christopher
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gorman, Mrs Teresa
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Hawksley, Warren
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Janner, Greville
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Knapman, Roger
Lawrence, Sir Ivan
Legg, Barry
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Lord, Michael
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Maginnis, Ken
Mahon, Alice
Mandelson, Peter
Mans, Keith
Marek, Dr John
Marlow, Tony
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Paisley, Rev Ian
Parry, Robert
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Porter, David *(Waveney)*
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Richardson, Jo
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skeet, Sir Trevor
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Rt Hon John *(M'kl'ds E)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Spearing, Nigel
Spicer, Michael *(S Worcs)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sweeney, Walter
Tapsell, Sir Peter
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Sir Teddy *(Southend, E)*
Thompson, Jack *(Wansbeck)*
Tipping, Paddy
Trimble, David
Turner, Dennis
Vaz, Keith
Walker, Bill *(N Tayside)*
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Wilkinson, John
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'f'ld)*
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Eric Illsley and
Mr. John Spellar.

Question accordingly agreed to.

Again considered in Committee.

Mr. Spearing: On a point of order, Miss Fookes. In the normal course of events, the next Question would be, That the clause, as amended, stand part of the Bill. As this is, in effect, a one-clause Bill, may I put it to you that we should debate that Question, just in case you might think otherwise?

The Second Deputy Chairman of Ways and Means (Dame Janet Fookes): I have already given consideration to that matter, and I have come to the conclusion that adequate debate has taken place on all aspects of the clause.

Question put forthwith, pursuant to Standing Order No. 67 (Debate on clause or schedule standing part). That the clause, as amended, stand part of the Bill:—

The Committee divided: Ayes 296, Noes 96.

Division No. 238] **[10.21 pm**

AYES

Adley, Robert
Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Alton, David
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Aspinwall, Jack
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beith, Rt Hon A. J.
Bellingham, Henry
Beresford, Sir Paul
Blackburn, Dr John G.
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Chapman, Sydney
Churchill, Mr
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcl if)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Dafis, Cynog
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Ewing, Mrs Margaret
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Gale, Roger
Gallie, Phil
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, John
Grant, Sir Anthony *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Johnson Smith, Sir Geoffrey
Johnston, Sir Russell
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles *(Ross,C&S)*
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Kirkwood, Archy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Llwyd, Elfyn
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Lynne, Ms Liz
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
Madel, David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Michie, Mrs Ray *(Argyll Bute)*
Milligan, Stephen
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pickles, Eric
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon. Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Salmond, Alex
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Tyler, Paul
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Welsh, Andrew
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry

Willetts, David
Wilshire, David
Wolfson, Mark
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Timothy Wood and
Mr. Andrew MacKay.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Allason, Rupert *(Torbay)*
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Beggs, Roy
Benn, Rt Hon Tony
Bennett, Andrew F.
Body, Sir Richard
Budgen, Nicholas
Butcher, John
Callaghan, Jim
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Cann, Jamie
Carttiss, Michael
Cash, William
Chisholm, Malcolm
Clapham, Michael
Cohen, Harry
Connarty, Michael
Corbyn, Jeremy
Cox, Tom
Cran, James
Cummings, John
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham, H'dge H'l)*
Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Forsythe, Clifford *(Antrim S)*
Galloway, George
Gardiner, Sir George
Gerrard, Neil
Gill, Christopher
Godman, Dr Norman A.
Gorman, Mrs Teresa
Graham, Thomas
Grant, Bernie *(Tottenham)*
Hall, Mike
Harvey, Nick
Howarth, George *(Knowsley N)*
Hughes, Kevin *(Doncaster N)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Jessel, Toby
Jones, Lynne *(B'ham S O)*
Knapman, Roger
Lawrence, Sir Ivan
Leighton, Ron
Lewis, Terry
Livingstone, Ken
Lord, Michael
Loyden, Eddie
McAllion, John
McKelvey, William
McWilliam, John
Madden, Max
Maginnis, Ken
Mahon, Alice
Marlow, Tony
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon James
Oiner, William
Paisley, Rev Ian
Parry, Robert
Pickthall, Colin
Porter, David *(Waveney)*
Redmond, Martin
Rooney, Terry
Ross, William *(E Londonderry)*
Rowlands, Ted
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Simpson, Alan
Skeet, Sir Trevor
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Spearing, Nigel
Spicer, Michael *(S Worcs)*
Steinberg, Gerry
Tapsell, Sir Peter
Taylor, Sir Teddy *(Southend, E)*
Trimble, David
Walker, Bill *(N Tayside)*
Wilkinson, John
Williams, Rt Hon Alan *(Sw'n W)*
Winnick, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'f'ld)*
Wise, Audrey

Tellers for the Noes:
Mr. Bob Cryer and
Mr. Dennis Skinner.

Question accordingly agreed to.

Clause 1, as amended, ordered to stand part of the Bill.

Clause 2

ECONOMIC AND MONETARY UNION

Amendment made: No. 420, in page 1, line 23, at end add

'and unless Her Majesty's Government has reported to Parliament on its proposals for the co-ordination of economic policies, its role in the European Council of Finance Ministers (ECOFIN) in pursuit of the objectives of Article 2 as provided for in Articles 103 and 102a, and the work of the European Monetary Institute in preparation for Economic and Monetary Union.'.—*[Mr. Andrew Smith.]*

Question proposed, That the clause, as amended, stand part of the Bill.

The Financial Secretary to the Treasury (Mr. Stephen Dorrell): This debate provides the Committee with the opportunity, if it wishes to take it, to examine the procedure provided by the treaty and the Bill for moving to stage 3. There are three elements to the arrangements, two of which are provided by the treaty and one which is provided by clause 2.

Article 109j provides for the transitional arrangements negotiated at Maastricht. The article contains four key elements, for those who wish to read it. From the Committees's point of view, the key element is the terms of the United Kingdom protocol which makes it clear that the House of Commons and the country are under no commitment to move to stage 3 unless and until the House has made a clear decision that that is what the country wishes to do.

Clause 2 gives effect to the commitment that we have given that this country is under no obligation to move to stage 3 of economic and monetary union unless the House has passed an Act of Parliament to give effect to that intention. I commend it to the Committee.

Mr. Shore: I am glad that the Committee has the opportunity to debate again what I suppose the Government regard as the jewel in their negotiating crown, the so-called opt-out protocol from stage 3 of economic and monetary union.

We have heard tonight the Financial Secretary summarise remarks that he made very late at night on Wednesday 24 March, when we sat for an unbelievably long time. Our debates lasted from about 5 pm to noon the following day. Naturally and inevitably, few hon. Members of any party attended and there was, of course, no one in the Press Gallery to pick up a word of what the debate was about.

As it happened, there were three consecutive debates which encompassed the evil heart of EMU. We debated the powers, independence and non-accountability of the European central bank; the totally unacceptable 3 per cent. of gross domestic product capping of Government borrowing requirement; and the content of stages 2 and 3 of economic and monetary union.

Those of us who participated in those debates remarked that it was monstrous that one subject should follow another, with the Financial Secretary answering as best he could all three of them, without the Committee having the chance to study the *Hansard* report of the Minister's comments in one debate in relation to the two others. As they were totally interlocked as debates, that was a disgraceful way of proceeding and a great loss to the Committee and to the country, thus preventing a serious and considered debate that would be reported and made known to our fellow countrymen.

Mr. Cash: Does the right hon. Gentleman recall that my right hon. Friend the Chancellor of the Exchequer—who, after all, negotiated the arrangements for the protocol—took no part in that debate? The most that we saw of him in the course of 16 hours was when he popped in for two minutes to talk about some matter or other. My right hon. Friend played no part in debating a range of issues, including white Wednesday: the so-called betrayal of trust that preceded it; the fact that we were subsequently told that there were fault lines; and the remark by my hon. Friend the Financial Secretary that we would enter the ERM when the conditions were right. In fact, only last week, at ECOFIN, Ministers said that there were no fault lines.

The Second Deputy Chairman: Order. I remind the hon. Gentleman and the Committee, not for the first time, that long interventions are to be deplored.

Mr. Shore: I recall very well the unhappy events to which the hon. Gentleman referred. I regret to say that, in the middle of that night, I noted with concern the absence of my hon. Friend the shadow Chancellor, whom I am glad to see in his place tonight and welcome. After all, my hon. Friend's powers as a future Chancellor of the Exchequer would be vigorously and seriously affected by the treaty's provisions. It is therefore helpful to have my hon. Friend present. I only wish that the Chancellor of the Exchequer also was in his place.

Our last debate took the form of the Financial Secretary doing his utmost to give reassurances. On studying his remarks, most members of the Committee will find that his reassurances failed to be reassuring.

Mr. Renton: Before the right hon. Gentleman continues, I remind him of his incarnation as Secretary of State for Economic Affairs in a Labour Government. If the then Labour Chancellor of the Exchequer had set the right hon. Gentleman the criterion of a public sector borrowing requirement of only 3 per cent. of GNP, would he not have thought that that was a reasonable criterion at which to aim?

Mr. Shore: In 1967, which is the date to which the hon. Gentleman refers, this country had less than 3 per cent. unemployed and was just returning to a balanced current balance of payments account. It did not have the vast deficit that exists today. In those circumstances, I might well have accepted with a good heart a 3 per cent. of GDP borrowing requirement.

However, when one considers this country's present situation, the fact that the Chancellor's best estimate is a borrowing requirement of 8 per cent. of GDP this year alone, looks at the miserable state of one's fellow countrymen, 3 million of whom are registered unemployed, and considers our appalling trade indebtedness and the continuing devastation of our manufacturing industry, one knows that it would be intolerable and impossible to accept any such constraint now or, I suspect, for some years ahead—unless one wanted to inflict further misery on our fellow citizens and to increase unemployment by another couple of million to squeeze the economy and purchasing power to the level necessary to bring the deficit back into balance.

We faced the Financial Secretary with the reasons for our dissatisfaction and asked him about the nature of our commitment to economic and monetary union. Far from denying it, the Financial Secretary said:

"we accept the commitment to economic and monetary union, to which this country has signed up several times—including in the early 1970s."

He did not dispute the commitment, but he played about with the idea—frankly, we gained no reassurance from it—that, although we are committed in principle to economic and monetary union, it could be that there is some kind of economic and monetary union other than the one in the treaty which eventually we might accept and persuade our European partners to accept, too.

10.45 pm

The Financial Secretary was then asked a question which very much concerns us: does our commitment in principle to economic and monetary union and to the first two stages of economic and monetary union, which is agreed by the Financial Secretary, imply our return to the exchange rate mechanism? In reply to that question, the Financial Secretary said:

"It is true that it is Government policy to return to membership of the exchange rate mechanism when the Government believe that it is in this country's interest to do so."

We are therefore committed to returning to the ERM. That is a policy pronouncement of the most serious kind.

The Financial Secretary of course reserves judgment about when the Government believe that it will be in the interests of this country to do so, but I am not convinced that I can see much prospect of it being in the interests of this country to rejoin, particularly if it is an exchange rate mechanism, as we know that it is, which is programmed to be the stepping stone to a permanent interrelationship of exchange rates, leading on to a single currency.

It is precisely the rigidity which has been introduced into the ERM that has made it such an appalling affliction not only upon our country but upon most of the countries of Europe. That, more than any other single cause, is the reason for high unemployment both in Britain and throughout western Europe, the political consequences of which have been obvious and devastating to the Government of France. I suspect that they will also be devastating to the Governments of Spain and Italy.

We are committed to rejoining the exchange rate mechanism, but the circumstances for doing so are undefined, except that we are told that it will be when the Government believe that it is in the interests of this country to do so. We were not reassured, therefore, by what we were told on that occasion.

The Financial Secretary sought to reassure us on another point. He said that, although we are committed to economic and monetary union,

"I do not accept that it is necessary or, indeed, desirable, within the principle of subsidiarity, to remove fiscal policy or wider economic policy responsibility from member states." —[*Official Report*, 24 March 1993; Vol. 221, c. 1042-44.]

His point was that there was no equivalent commitment regarding economic policy as there was—which he accepted—in stages 1 and 2 regarding monetary policy.

That was not a happy statement, either. When we turn to what we are committed to in terms of economic policy, we find that it is a very considerable obligation. I remind the Committee of those obligations. We are committed to article 103 of the treaty, which states that

"Member States shall regard their economic policies as a matter of common concern".

The treaty then makes the point:

"The Council shall, acting by a qualified majority on a recommendation from the Commission, formulate a draft for the broad guidelines of the economic policies of the Member States and of the Community".

After the broad guidelines, article 103.4 says:

"Where it is established, under the procedure . . . that the economic policies of a Member State are not consistent with the broad guidelines referred to . . . or . . . risk jeopardizing the proper functioning of economic and monetary union, the Council may, acting by a qualified majority on a recommendation from the Commission, make the necessary recommendations to the Member States concerned. The Council may, acting by a qualified majority on a proposal from the Commission, decide to make its recommendations public."

That is the old coercive business of collective, multilateral surveillance followed by the condemnation of any country whose economic policies are judged to be against or not consistent with those of the majority. The sins of omission

or of commission are then made public and broadcast to the market, with all the uncertainties and instabilities, as a direct means by which to coerce a member state that falls out of line. That is yet another contradiction in what the Financial Secretary told us. The Financial Secretary knows well that the belief that economic policies are a matter of common concern is written into economic policy and leads to reasons why we should conform.

The Financial Secretary then said that we need not get worried about obligations to avoid excess deficit. He said that it was Government policy anyway to avoid excess deficit. Of course. However, when he was pressed a bit harder, he said that 8 per cent. of gross domestic product was not an excess deficit because the Government had judged it to be a proper deficit and that is why they had proposed it to the House. That is fine. However, if the Government are right in their judgment on the matter, an excess deficit is simply what the Government at any time decide that it is and there is no real meaning to the treaty obligation to 3 per cent. of GDP as the benchmark or to its use as the major and central means—not the sole criterion—by which to judge whether an excess deficit has been incurred.

Those are all obligations, commitments and pressures that will fall on us in stages 1 and 2. In stage 2, to which we are committed, we do not have to face the dangers of penalties and fines being imposed on us which we would face if we were in stage 3, from which the Government have got their exemption. However, the pressure is there all the time and we agreed to best endeavours. On top of all that, we know very well that how we proceed in all these matters is constantly to be reported on and invigilated by the Commission and by other European agencies.

Mr. Spearing: To put it in plain language which we in east London would understand, is my right hon. Friend saying in effect that, whereas stage 3 is rigid iron bars, this is very strong elastic, and that we might as well be in stage 3 for all practical purposes? If that is so, the great opt-out, the bit of paper that the Prime Minister came back waving from Maastricht, is not worth very much. Is that right?

Mr. Shore: My hon. Friend has got it very nearly right —*[Interruption.]* Very nearly. There are two crucial questions. One is whether the Government are right in saying that the legal obligations on us are less than those imposed on the other 10. That is still a matter for some argument. Many hon. Members are not satisfied that it is a lesser legal obligation than that which is imposed on the 10. In terms of political pressure and in terms of economic pressure——

Mr. Spearing: Bankers' pressure.

Mr. Shore: —and bankers' pressure, it will indeed be a continuing, powerful, public and private constraint on all the Government's activities in so far as they depart from the common guidelines set down and the common policies recommended by the European Community, not only for economic policy, but for monetary policy as well.

Mrs. Dunwoody: Can my right hon. Friend understand the attitude of a Labour leadership which finds it perfectly acceptable to abstain, if not to vote with the Government, on powers that would make it impossible for any Opposition party that formed a Government to take radical steps to improve its political, and, certainly, its economic, policies for the future?

Mr. Shore: It has all been said before, but I find it quite simply incomprehensible, not only in relation to a Labour Government. If a Conservative Government had to accept what appear to be the limitations imposed on borrowing that the treaty and its protocols proclaim, they, too, would find it totally unacceptable. As we know, the Government have recommended to the House only this year that we accept a GDP borrowing requirement of 8 per cent.

Mr. Marlow: Further to the point raised by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), the right hon. Gentleman will be aware that the Government are putting it around among their own supporters—they dare not do it publicly, of course—that these provisions of the treaty are a load of nonsense and that they intend to prevent them from happening. But the treaty is by way of being a contract. What are the chances of the other parties to the contract letting the Government get away with presuming that the provisions of the treaty are a load of nonsense and that we shall not have to apply them in the United Kingdom?

Mr. Shore: That is one of the great dangers. We deceive ourselves—though we do not deceive others—if we think that there is no real content or danger in such treaties because they are unenforceable and simply will not work. My fear is not that we would necessarily reach economic and monetary union. Rather, I fear the damage that we shall inflict upon ourselves in our efforts to get there. Given the present condition of the British economy, that must surely be at the forefront of our minds as a really major hazard.

Very much a part of stage 2 of economic and monetary union is the whole doctrine of convergence and the criteria that are laid down for it. As part of the transitional provisions, article 109j says:

"The Commission and the EMI"—

the European Monetary Institute—

"shall report to the Council on the progress made in the fulfilment by the Member States of their obligations regarding the achievement of economic and monetary union."

Mr. Spearing: Report on.

Mr. Shore: The Commission and the EMI will report on the member states' progress, presumably annually. The matters upon which they will report are the so-called convergence criteria that are laid down in the protocol referred to in article 109j and the extent to which countries are conforming to them.

Those four criteria will become very important, and may dominate future debates in the House. First, our cost of living must not be appreciably more than those of the best three performing member states—in other words, we must keep prices down. That is not a bad objective in itself, although much depends on just how serious the deflationary problems are in other countries. I would not necessarily rejoice if other European countries achieved zero inflation if the price of that was a massive increase in unemployment and a fall in output in those countries.

The second criterion relates to the Government's budgetary position. That refers to the excess deficit. We must conform to the 3 per cent. of GDP criterion—or the approach to it—as laid down in the relevant articles and in the protocol.

The third of the convergence criteria relates to the exchange rate. That must surely cause the Financial Secretary some difficulty, as, clearly, we have to be a

member of the European exchange rate mechanism if we are to conform to the behaviour of the pound within the exchange rate mechanism which is laid down in article 3 of the protocol. According to that performance, the fluctuation margins must be observed for at least two years without causing severe tensions.

The last of the four criteria relates to nominal long-term interest rates which must not exceed more than 2 per cent. of the interest rates in the three best performing countries in Europe. Those are very deflationary criteria. From some of the speeches made by hon. Members on both sides of the Committee, one would have thought that the kind of protocols written into the Bill were not the kind that I have described, with their demands about monetary and inflationary criteria, but criteria relating to the achievement of full employment, a balance on current account or to output.

From the speeches that we have heard, we would suppose that all those sensible things had been written in. Not a bit of it. Instead there are the very old-fashioned, pre-Keynesian criteria and the experience that we had between the wars in terms of almost nil inflation and massive unemployment.

11 pm

I cannot see any attraction in the content of stages 1 and 2, to which we are committed in the treaty by our own signature, and our simply saying that there are dangers and that we must debate those matters but we are saved from the ultimate horrors of the third stage because we have not signed to firmly fixed exchange rates, a single currency, a European central bank and all the disciplines that go with that.

The safeguards are quite inadequate. There is a terrible blur between stages 1, 2 and 3 and we would be fooling ourselves and our fellow citizens and voters if we said that we were satisfied with the opt-out, however great a prize the Government claim it to be.

Mr. John Townend (Bridlington): I welcome the Government's right to opt out of stage 3 and the single currency. However, I am concerned about whether the Government will ever take advantage of the opt-out. As I see it, for the Government to opt out of a single currency, they would have to go against their own policy, because they have made it clear time and again that it is Government policy that we should be at the centre of Europe.

If we exercise our opt-out and our colleagues in Europe move towards a single currency, how can we be at the centre of Europe when we are one of only a few who have not accepted the single currency? That worries me. I cannot help but wonder whether the opt-out was included to get the Bill through the House and receive the approval of the British public.

I am in favour of an economic Community. I was really upset when the "E" was dropped from the EEC without a by-your-leave. I am also in favour of the single market. However, I am opposed to full monetary union.

Monetary union without a single currency will not work. It will be impossible to get the various economies of the various disparate countries in the Community to converge. The ERM, as the right hon. Member for Bethnal Green and Stepney (Mr. Shore) made clear, was meant to be the forerunner of monetary union and a single currency. What a disaster that has been.

Earlier this year, we saw the effect of our being forced, by our membership of the ERM, to fix our interest rates, not at a level appropriate for the British economy, but at a level appropriate for the German economy, because the German and British economies were diverging. Therefore, we had to have interest rates at excessively high levels when this country was going deeper and deeper into recession.

It was the deepest and longest recession this century. How many jobs were lost and how many businesses went bankrupt because we were stuck in the exchange rate mechanism? I must remind hon. Members that those who said last summer that this policy was disastrous for our country were told that they were economically illiterate. Four weeks later, the Government were proudly telling us that we were out of the exchange rate mechanism and that we could fix our interest rates at appropriate levels for the British economy. Interest rates came down rapidly by four per cent.

If we were still in the exchange rate mechanism, our interest rates—like the interest rates of France—would probably be much higher. Far from seeing the green shoots of recovery, the United Kingdom would not just be in recession; it would be in economic collapse.

Mr. Ian Taylor: My hon. Friend is missing one crucial point—no country can set its interest rates for its domestic circumstances without paying attention to what is happening in other countries within an internal capital market. There are no restrictions on the movement of capital, so capital will go to the market which has the best hedge against inflation and the best real rate of return. That is precisely what is happening today in the market, although we are not in the exchange rate mechanism.

Interest rates have fallen. The currency has also fallen, and there are considerable inflationary concerns about that fall. It is a trade-off. Although there was a disequilibrium because of the problems in Germany, the reality is that the exchange rate mechanism has been a success since 1979. It is a great pity that the United Kingdom did not join it earlier.

Mr. Townend: With respect to the hon. Gentleman, that is not true. A country can fix its interest rates at a level appropriate to its economy as long as it is prepared to take the consequences on the exchange rate. If one believes in floating exchange rates, it is practical to fix interest rates to suit the United Kingdom.

Mr. Budgen: Is not my hon. Friend the Member for Esher (Mr. Taylor) falling into the trap into which so many people fall? He is saying that, because some prices are affected, it has an effect on inflation. Surely the message that was drummed home so often through the mistakes of the 1970s is that there is only one cause of inflation—an increase in the money supply. We should not confuse the cause of inflation with a relative change in prices that may occur when wages, the exchange rate or any of those factors affect some prices but not all of them.

Mr. Townend: My hon. Friend is right. If my hon. Friend the Member for Esher (Mr. Taylor) was correct, we would have the same interest rates as France. Of course that is not true. The great economic successes of the Conservative Administration were based on a floating exchange rate, monetary policy and controlling public expenditure. As soon as we moved from monetary control

[Mr. Townend]

to an exchange rate policy, and as soon as we started giving in to every pressure group by increasing public expenditure and increasing the deficit, we got into trouble.

It is not simply the United Kingdom which has suffered through the exchange rate mechanism. We have seen what happened in Ireland, Spain and Italy. We have also seen what happened in France, which is the birthplace of the EEC. France, which is the most communautaire country in Europe, has been driven deeper into recession because it had to fix its interest rates at a level appropriate to Germany. When France has an inflation rate of something like 2 to 3 per cent. and a fairly successful economy, it is nonsense that it must have real interest rates at a record level which is creating more unemployment and driving the country into deeper recession.

Let us be honest: the whole of Europe, apart from the United Kingdom, is moving into recession as a result of the failure of Germany's economic policy. That failure is being transferred to the rest of the countries in the Community because of the exchange rate mechanism.

It would be disastrous if we had to rejoin the exchange rate mechanism. We can never be sure that in future, even if our economies start to converge with Germany, they might then start to diverge. If that happened, we would be in the same position as we were last summer.

Mr. Budgen: Will my hon. Friend give way?

Mr. Townend: I shall simply finish making this point. The Government should have learnt the lesson from the damage which was done to our economy. They should not be afraid of upsetting our European partners. They should say honestly that they do not believe that we should go back into the exchange rate mechanism.

Mr. Budgen: I am sure that my hon. Friend will concede that there is a serious risk that either by political or by legal pressures, we shall be forced back into the ERM if the Maastricht treaty is ratified. Do we conclude from his powerful and moving oration that he proposes to vote against clause 2 stand part?

Mr. Townend: I do not know, because by voting against clause 2, I would be voting against the Government's opt-out, with which I agree. But I assure my hon. Friend that I certainly shall vote against the Third Reading of the Bill, because I believe that it would be disastrous for Britain.

If we move to a single currency, inevitably we shall move towards a federal united states of Europe.

Sir David Mitchell (Hampshire, North-West): As only one country within the EC at present falls within the set of criteria for convergence which we have to meet, does my hon. Friend seriously suggest that there will be a sufficiently large block of countries which will fit the criteria for moving forward to stage 3 and a single currency? Is that a reality or a dream?

Mr. Townend: I agree with my hon. Friend that it is most unlikely to happen. It is interesting that many hon. Members on this side of the Committee who intend to vote for Maastricht, including many members of the Government, have said when they have tried to persuade me to vote for the Bill, "John, I don't know why you're worried, because it is never going to happen." The whole thrust of the Maastricht treaty is economic and monetary union. If economic and monetary union will not be practical in the foreseeable future, and it will be impossible to meet the criteria, why are we pressing on with this useless Bill?

I have always believed passionately in the nation state. We are an island country. While I strongly support our membership of an economic community, I am opposed to giving up our sovereignty and moving step by step towards a federal united states of Europe in which more and more decisions would be taken in Brussels, and the House of Commons would progressively be no more than a county council.

I am even more appalled—I hope to catch your eye in a later debate, Dame Janet—that we are making a major constitutional change when the British people have not had the opportunity to express their views. When every major party and its leaders support a particular policy, a general election is no way to find the view of the British people. They have no way of expressing it. The political and bureaucratic classes and big business men in Europe and Britain all seem to have been caught by the dream of a federal united states of Europe. It is strange that they think that it will work. Europe is made up of various countries with various languages and different cultures. When we look across Europe, we see that the multicultural, multilingual and multi-religious federations of the former Soviet Union and Yugoslavia are breaking up. It will never work. The whole treaty is flawed. I strongly urge hon. Members to vote against it.

Mr. Leighton: As the hon. Member for Bridlington (Mr. Townend) said, clause 2 is the essence of the Bill. It deals with economic and monetary union. It is at the heart of the centralising drive of the Bill. There is no subsidiarity in monetary policy. Short-term interest rates will be the same in Glasgow as in Naples, Berlin or Lisbon. The unaccountable central bank will be by far the most powerful institution in the Community.

Unprecedented powers will be surrendered to an autarchy of central bankers and it will be unlawful to seek to influence them. I find that prospect appalling. The fact that the Labour party is in favour of it is inexplicable. In fact, it is not only in favour, but gushingly enthusiastic about the idea.

There has been a role reversal, because the Conservatives say that they have an opt-out—I do not know how realistic that is having listened to the hon. Member for Bridlington. The Danes also say that they have an opt-out and the Germans need another vote in both Houses of their Parliament.

Mr. Rowlands: My hon. Friend just said that the Danes have an opt-out, but one of the consequences of the Edinburgh summit was their formal notification to the other Governments that they have opted out of economic and monetary union. They have already opted out.

11.15 pm

Mr. Leighton: I congratulate the Danes. The Labour party seems to have no such hesitations, because, from what I have heard, it cannot wait to get economic and monetary union. I find that inexplicable. Such behaviour is a recent aberration because it is contrary to policy over the years.

At the time of the 1975 referendum, the Harold Wilson Government issued a manifesto that was sent to every household. It stated:

"There was a threat to employment in Britain from the movement in the Common Market towards economic and monetary union."

That Government recognised the threat.

"This could have forced us to accept fixed exchange rates for the pound, restricting industrial growth and so putting jobs at risk. This threat has been removed."

My right hon. Friend the Member for Bethnal Green and Stepney (Mr. Shore) will recall that in 1978 the Labour Government published a White Paper to explain their decision not to join the European monetary system.

Those documents are history, but let us consider a more recent publication, "Meet the Challenge: Make the Change". Everything was put in the melting pot and that document contained the Labour party's definitive views. On Europe, it stated:

"We see the path to future progress as being one of closer and closer co-operation rather than an attempt to create a European union."

The Labour party did not want European union, but we are now discussing a union treaty. It also stated:

"We oppose moves towards a European monetary union, which could further impede progress in this area."

It also made it clear that the Labour party was against joining the exchange rate mechanism. That document contains the latest policy statement of which I am aware.

The Labour party has stood on its head on Maastricht. Its behaviour has been undignified. There is a limit to how many times it can do that, because if it changes its policy so often, can anyone believe what it says?

Mr. Budgen: Will the hon. Gentleman give way?

Mr. Leighton: I believe that the hon. Gentleman wants to help me, so I will give way.

Mr. Budgen: The hon. Gentleman should accept some reassurance from me. His party has stood on its head on a number of occasions, but my party has stood on the fence. At least his party has taken a view about the advantages and disadvantages of the single currency, but apparently it is impossible for the Government to decide what those might be—they leave open the possibility of either going in or not. It seems that even the experience of 16 September is not conclusive for the Government; they need some other indication of what is to be in the national interest before they decide to adopt the single currency. It seems to be almost impossible to provide evidence that will enable the Government to make up their mind.

Mr. Leighton: The hon. Member for Wolverhampton, South-West (Mr. Budgen) referred to evidence, and he was right to do so as I have heard no explanation for the change in the Labour party's view.

Mrs. Dunwoody *rose*——

Mr. Leighton: I do not want to keep giving way, but I shall give way to my hon. Friend as she played a leading part in Labour party councils on such matters. Therefore, I would be grateful to hear from her.

Mrs. Dunwoody: Does my hon. Friend accept that some of us no longer play a part in Labour party councils precisely because our views were clear cut and we asked questions that were found unacceptable by those who now propose to speak on behalf of the Labour party? I shall ask my hon. Friend a simple question: does not he find it deeply saddening that there has been no clear debate of the pros and cons of the movement towards the monetary system and monetary controls, either among the Labour party or the electorate? There has been a series of slippery smudges that have confused and misled, not only his constituents, but many of mine, irrespective of their political complexion. Is not that the saddest condemnation of Her Majesty's official Opposition?

Mr. Leighton: I know that my hon. Friend was a member of the national executive council for many years and represented us in European matters and, like her, I have heard of no proper explanation. I have heard of no intellectual justification for the change. Perhaps someone thought that it was a clever electoral move and a way to win votes. If that was the case, it was a mistake as we know from our private polls that at the last election there were two issues on which support for the Labour party was well behind that for the Conservative party. One of those issues was the economy and the other was Europe. Therefore, the policy did not help us.

I have searched through all the files that I have kept over the years for any justification or explanation of the change. I do not know whether my hon. Friend the Member for Oxford, East (Mr. Smith), who is having an interesting conversation with his colleague, published any articles of an intellectual nature to explain the changes. I have looked through my files and could find only one such article, which was published by my hon. Friend the Member for Islington, North, for whom I have great respect and affection. He is one of the Labour party's thinkers. In the *Tribune* newspaper on 10 November 1989 my hon. Friend said:

"No ifs or buts, it must be the ERM."

That is the only intellectual case for the policy that I can find. Perhaps my hon. Friends the Members for Blackburn (Mr. Straw) and for Oxford, East published arguments —I do not know.

My hon. Friend continued:

"We must have currency stability".

According to him, that was why we had to join the ERM. He said:

"ERM participation removes currency speculation from the list of the immediate worries faced by the British Government—especially a Labour Government."

He continued, lyrically:

"Entry enables us to wrap the strength of other central banks of Europe around our currency to defend against speculation."

The idea was that we would join the ERM, the pound would be put in an emergency ward and all the other central banks would wrap themselves around the currency so that we would have no more problems and speculation and would not have to worry about the pound.

Mr. Dalyell *rose*——

Mr. Leighton: I shall give way to my hon. Friend, for whom I have great respect, when I have made my point.

Mr. Dalyell: It was not my hon. Friend the Member for Islington, North (Mr. Corbyn).

Mr. Leighton: I have made a mistake, so I shall give way.

Mr. Dalyell: My hon. Friend the Member for Islington, North is lyrical about many things, including rain forests, Cuba and Nicaragua, but I have not heard him being lyrical about the EC.

Mr. Leighton: I am referring to my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith), for whom I have great respect and affection, who was a predecessor of my hon. Friend the Member for Oxford, East as an Opposition spokesman. I made a mistake with the constituency, for which I apologise.

In any case, my hon. Friend said:

"It means that the Government can concentrate on the crucial task of rebuilding the domestic economy without having to devote time, attention and energy to defending the pound."

So the ERM would take care of all the pound's problems. I know of no other intellectual justification besides this one of the view that we have adopted.

Referring to speculation, my hon. Friend said:

"ERM membership virtually removes that problem."

Mr. Richard Shepherd: I thought that I heard the hon. Gentleman say that the article was written in November last year, after the events of September. Have I got it wrong?

Mr. Leighton: The article appeared on 10 November 1989.

On the day the policy was announced, 15 October 1990, I said—it is recorded in *Hansard*—

"I prophesy that he has it wrong and that the pound will not stay at DM2·95."—[*Official Report*, 15 October 1990; Vol. 177, c. 936.]

Exactly a year later, I said:

"It is always dangerous to prophesy, but I am prepared to do so and say that it will not be possible to hold the pound at DM2·95."

I should have thought that those of us who got it right would be listened to now rather more carefully, but I do not think we will be. And those who got it wrong should apologise.

The ERM was a dummy run for the single currency; it was a taster. When industry was crying out for lower interest rates, those rates were 4 per cent. higher than they needed to be, to try to defend the indefensible. They tipped the country into recession, in fact. The ERM made more than another 1 million people unemployed. Growth, employment and prosperity—all were subordinated to pegging the pound in the ERM.

Yet, after all the pain, all the suffering, all the lost jobs, all the houses repossessed, and all the businesses closed down, the policy failed and we were blown out of the ERM. The Government's policy collapsed in spectacular and cataclysmic failure, but not before they threw away the country's entire foreign exchange reserves. In short, the policy ended in ignominy and humiliation.

It was not only the Government's policy that failed, however. Our policy failed, too. It was a bipartisan policy, and right up until the day before black Wednesday Labour party spokesmen were saying that there should be no realignment. So when the Government's entire economic policy collapsed, the Labour party derived no advantage from it because we had foolishly backed that policy.

The question is: have we learnt anything? It is doubtful that we have. It is difficult to know, because the people who supported the policy, who got it wrong, have not commented on its failure. They have remained silent, perhaps because of their embarrassment.

If we support the treaty, and economic and monetary union, and a single currency, we must be willing to rejoin the ERM. In other words, we must be prepared to make the same mistake all over again. Why cannot we grasp the simple truth that exchange rates must reflect economic fundamentals? If economies diverge, as those in the Community are diverging, so will their currencies. A strong currency reflects a strong economy, not the other way around. We cannot achieve a strong currency by passing a resolution to that effect, or by artificially pegging it to a nominal exchange rate. The exchange rate is no more than the price of a currency compared with that of other currencies.

If countries' economic performance or rates of inflation vary, so will the value of their currencies—their exchange rates. There have just been movements in the exchange rate between the Japanese yen and the American dollar. Problems arise if such movement is not allowed to take place, as we saw recently in east Germany. If country A links its currency to country B which has lower inflation and higher productivity, country A's currency will be continually overvalued and the currency of country B will be undervalued. A's exports become dearer, imports become cheaper, the balance of payments deficit grows, factory closures proceed apace, and there is unemployment.

Countries can join a single currency mechanism only if there is real convergence, if their economies are working in the same way and have similar rates of growth, wealth, employment, investment, productivity and labour costs. The treaty does not mention real convergence. As it is a monetarist treaty, all its criteria are monetary. It talks about fiscal deficits and Government debt, rates of inflation and about joining the narrow band of the ERM. There is hardly a word in the treaty about employment.

11.30 pm

Mr. Winnick: There is some reference to employment, but it is so small that I can understand my hon. Friend not noticing it. Does he agree that there is a great contrast between the passing, slight reference to social harmony, employment and other matters and all the details in article 104C which sets out, section by section, the penalties that will be imposed on member states if they exceed the 3 per cent? Therefore, it is clear that the treaty is a recipe for higher unemployment and more deflation. The ERM will seem insignificant compared with the hardship and misery that will result if economic and monetary union is brought about.

Mr. Leighton: That is why the convergence criteria are outrageous to a party of the left. We are about to enter stage 2, which will require budget deficits of 3 per cent. and Government debts of 60 per cent. That will mean huge cuts in public expenditure throughout the Community. Maastricht means co-ordinated deflation, just when the opposite is needed. Officially, unemployment in the Community is over 11 per cent. The average in the Community is higher than in this country, but in real terms it is much higher. Next year there will be zero growth. The European Community is the world's unemployment blackspot and it will get worse because in stage 2 we will try to reach the convergence criteria.

As I say, there will be co-ordinated deflation. That will mean great upheavals and much suffering. It will destroy several Governments. It has already destroyed the Mitterrand Government. They had 10 years in which to show what a socialist Government could do, but they have been destroyed because they linked up with the ERM. The same thing will happen to the Spanish Government. Surely

the level of Government deficit should be decided by the Government of the day according to the prevailing circumstances. It is ludicrous and arrogant to lay down Government deficits in an international treaty. I have heard of the end of history, but this is the end of economics because the subject cannot be discussed: it is laid out in a treaty.

Who wins elections will not matter very much. It will not matter whether it is the leader of the Conservative party or the leader of the Labour party because if the Bill is passed we will know what the economic policy is to be. We all know. The deficit must not be more than 3 per cent. The Government debt must not be more than 60 per cent. Inflation must be within 1·5 per cent. of the best, and interest rates within 2 per cent. of the best, and we must have successful membership of the narrow band of the ERM. That will be policy. It will not matter whether the right hon. Member for Huntingdon (Mr. Major) or my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) wins the election. It will not matter a damn, or a row of beans. This international treaty, which is legally enforceable, will lay down the policy.

Mr. Nicholas Winterton: We come back to the fundamental reason why so many hon. Members oppose the Maastricht treaty. It is because it is a treaty of federal union, despite protocols and opts-outs, which are untested. We are being led, step by step, with a light blindfold around our eyes, down the road to a federal Europe.

Mr. Leighton: The treaty means that, at the next general election, policy cannot be affected by voting. Our democracy will be devalued and undermined and politics will become redundant, pointless.

Mr. Winterton: What about politicians?

Mr. Leighton: The politicians in the House of Commons, who have been elected, will not be allowed to influence what is happening.

Mr. Wilkinson: Will the hon. Gentleman consider this point? Perhaps we are experiencing a foretaste of what he has warned us about for the future, in as much as we have a de facto coalition Government who, on the matter of European union, are driven by an extraordinary consensus on the line laid down in the Maastricht treaty, without any reference to the wishes of the electorate.

Mr. Leighton: I was taken, earlier this evening, to hear my hon. Friend the Member for Oxford, East chiding the Paymaster General for not making a good enough case. He prompted him, telling him what he should have said, and how he should have put the case. There is a bipartisan coalition between the two Front Benches.

Mr. Winterton: Tripartisan.

Mr. Leighton: Perhaps the hon. Gentleman is right, and we should also include the hon. Members for Inverness, Nairn and Lochaber (Sir R. Johnston) and for Ross, Cromarty and Skye (Mr. Kennedy).

The matter is serious. If we have a single currency, which is the objective of the treaty, we get a single central bank which, we are told, will be independent. That is a nice word, although autonomous would also do. But independent of whom? It will be independent of us, of Parliament, of anybody who has been democratically elected. It will be beyond the reach of the ballot box. The electorates of all the countries of the Community will be stripped of their powers.

I have always understood the historic purpose of the Labour party to be to bring money under democratic control, although some may think that a Utopian idea. That was one reason why Clem Attlee nationalised the Bank of England. He saw what bankers had done in the 1930s and he thought that banking should be brought under democratic control. He must be turning in his grave, given what the party is saying at the moment.

Mr. Budgen: I am sure that I do not need to remind the hon. Gentleman that, on Second Reading of the Bill to nationalise the Bank of England, Robert Boothby voted in favour and a number of Keynesian Tories abstained because they took the view that the bank had been a major cause of the unemployment and depression in the 1930s. They believed that there should be political control of the bank.

Mr. Leighton: That is exactly right. They saw what the bankers had done before the war and people, having fought for six years, were not prepared to accept a world run by bankers. Clem Attlee nationalised the Bank of England, but we shall have to change that and say "Clem, you got it wrong". I am not prepared to do that.

If we pass the Bill, all monetary, exchange rate and budgetary policy—all the bread-and-butter issues of British politics—will be handed to institutions beyond our control. That is the opposite of what the Labour party stands for. In those circumstances, what would be the Labour party's purpose? What could it do? Why should anybody vote for it? We should be preparing ourselves for a fate similar to that of Mitterrand's socialists.

The bank's objectives are laid out in the treaty, but it does not mention unemployment. The only object of the bank—the only aim that overrides and excludes everything else—is price stability. Of course, we want low inflation, but since when has price stability been the sole or even primary aim of the Labour party? If we make price stability our only aim, we betray everything that we stand for. Any fool can reduce inflation by destroying the economy, by inducing recession, by graveyard economics and by creating mass unemployment. That is what the Government have tried to do, but even they have been forced back.

I have a briefing from the Bank of England for November 1992, which says:

> "Had the United Kingdom remained in the ERM it is quite possible that price stability would have been achieved during next year"—

that is this year.

> "Although clearly desirable in itself, price stability attained so quickly might have intensified the problems of domestic debt deflation."

The bank is saying that we could have had wonderful price stability, but that the price would have been too high, so we did not go down that road.

Although the bank says that we should not go only for price stability, the Labour party seems to agree that price stability should be the sole aim of policy. In the past, Labour's economic policy has always had four aims: low inflation; a balance of payments equilibrium; economic growth—when we were in the ERM, growth was negative; and high employment. That is what the Labour party has always believed in. It is difficult sometimes to keep all the balls in the air, but throughout the history of the Labour

[Mr. Leighton]

party it has never been our policy to give sole priority to the one aim of price stability, yet that is exactly what the treaty spells out in the clearest possible terms.

We were able to leave the exchange rate mechanism —we got it wrong. We cut interest rates by 4 per cent. and now have a more competitive pound. I understand that that is now leading to an upturn in the economy. [HON. MEMBERS: "Hear, hear!"] I hope that those hon. Members who are cheering agree that we should not have gone into it in the first place. Under EMU, we would not have been allowed to come out; we would have been locked in and that would have been that.

With separate currencies, if the economy becomes uncompetitive we get a warning signal—the balance of payments deficit—and we can take remedial action. With a single currency, that is not possible. Instead of a balance of payments deficit, there are blighted areas and unemployment and our people suffer.

What will happen if people who are suffering come to us with their grievances? What will Labour Members be able to say to them? How will we answer them? We will have to say, "We are sorry, but we gave these powers away and we cannot do anything about it." We should have to say that politics cannot be of any help or provide any remedy. I do not know how the Labour party can possibly support that. I only hope that the party that I know will come to its senses at some stage.

11.45 pm

Mr. Wilkinson: I enter the debate with some trepidation after two such distinguished speeches as those of the right hon. Member for Bethnal Green and Stepney (Mr. Shore) and the hon. Member for Newham, North-East (Mr. Leighton). Both spoke with tremendous cogency and great intellectual honesty—a quality that has made our debates distinctive, certainly in regard to those who do not support the proposed treaty on European union.

I find it extremely strange that Her Majesty's Government should will the objective of European union —and thereby the mechanistic approach set out in the treaty to achieve it—while not wholly willing the means of stage 3 unless there be first the House's approval by Act of Parliament. This is an inherent inconsistency, which may have been convenient at the time of the general election but which does not bear rational scrutiny now.

The process whereby economic and monetary union is to be achieved is inherently one of convergence. Not just earlier this evening but in previous debates we have heard eloquent descriptions of how damaging that process of convergence has been for our own economy. It has been a shameful process. I simply do not understand how our Government could, with such equanimity, tolerate the wholly unnecessary imposition of the levels of unemployment and misery on our people which characterised the two years preceding our escape from the exchange rate mechanism on 16 September. Anyone with one grain—one iota—of economic nous knew that to perpetuate a regime of high interest rates at a time of world recession was to compound that recession virtually to the point of slump.

Mr. Budgen: Is not my hon. Friend being somewhat unkind to the Government? It might have been reasonable for the Government to say, before 16 September, "There have been only three or four attempts to fix our currency to an exchange rate mechanism: each time it has given rise either to a slump or to some other major economic disaster, but none the less we want to try this experiment once more to see whether, with the finesse for which we are renowned, we can defeat the forces of the markets and the law of averages." That is a perfectly respectable argument. Once we had the good fortune to be thrown out of the ERM on 16 September, what further evidence was necessary to persuade the Government that a fixed exchange rate did not work and that a common currency would not work? The Government say that they need further argument and further persuasion to make up their mind. My hon. Friend is very fair minded. Will he explain what the Government have to make up their mind about?

Mr. Wilkinson: I may have been naive, but I thought that the Government were all too ready to make up their mind on such matters, often flying in the face of the facts. As evidence of that, I adduce the remarks of my hon. Friend the Financial Secretary to the Treasury, who in the last debate that we had on EMU told me that the policy of Her Majesty's Government was to rejoin the ERM as soon as the circumstances were right—and he gave the impression that those circumstances would be right in the not too distant future.

When I said that I found it wholly irrational that the Government should embrace the mechanistic approach to EMU contained in the treaty, I did so with good reason. Eschewing independence in monetary policy, losing full control of indirect taxation and taking part in the cohesion fund, which would export jobs from the United Kingdom and create them in our competitor countries in the south of Europe and in Ireland, were in the past—and will be to an even greater extent in the future—manifestly against our national interest. The same would be true of our embracing the treaty's disciplines on budget deficit and Government debt which, certainly in the case of budget deficit for the time being and probably for the foreseeable future, are beyond the wildest dreams of fiscal probity and discipline.

Sir Ivan Lawrence (Burton): Is not my hon. Friend again being too harsh on the Government? Is he not aware that some very strong voices in the Government said that we should not join the ERM because they foresaw the very problems which materialised? However, British industry said that it needed stability and the advantages that it was sure that only the ERM could provide. The members of the Government who had strong doubts about the ERM agreed, saying that if that was what industry wanted, that was what they had better give it. The same voices in industry who spoke of the need to go into the ERM are now speaking of the need to ratify the treaty. Does my hon. Friend agree that they were wrong then and that they are wrong now?

Mr. Wilkinson: There is much in what my hon. and learned Friend says. I merely observe that I was struck by the Chancellor of the Exchequer's remarks in his Budget statement in which he seemed to take a perverse pride in our escape from the ERM on 16 September and virtually to claim that it was Government policy. To be candid, I do not think that the Government have received the condemnation that was rightly due. However, one could perhaps be more charitable and say that the Government held an understandable position and were seeking, once and for all, to stamp out the age old British problem of

inflation and to do so by means of the artificial discipline of our membership of the ERM. They almost did so, but, as the hon. Member for Newham, North-East said, the pain was eventually too great and the medicine was on the point of killing the patient.

Mr. Marlow: Has my hon. Friend had an opportunity to read the *Daily Mail* today? He said that the cohesion fund would take jobs from this country and create them in Italy, Greece and Ireland. If he had read the *Daily Mail* today, he might ask what evidence there is that the money would produce jobs anywhere and not go into the pockets of the Mafia, corrupt officials and the IRA.

Mr. Wilkinson: The derogation of the sovereignty of our Parliament and of the British nation through its traditional democratic institutions in favour of the centralised institutions of the Community is one of the most pernicious and damning aspects of the proposed treaty on European union. There have been some eloquent descriptions of it, most notably perhaps from Paul Johnson in *The Daily Telegraph* today. As is so often the case, my hon. Friend gets straight to the point.

Mr. Budgen: As to why the Government cannot make up their minds on monetary union, the Danes have done so and say that they do not want any form of monetary union. Do the Danes have information that is denied to our Government, or is it that our Government intend to slide into monetary union at some future stage and just want to play for time? I cannot believe that that is true.

Mr. Nicholas Winterton: My hon. Friend is naive.

Mr. Budgen: I hope that the truth is that the Danes know something that we have not been told.

Mr. Wilkinson: I am worried that the Danes may not adequately know what is known to us and of the admission by my right hon. Friend the Minister of State, Foreign and Commonwealth Office in Committee last week that the so-called opt-outs or further opt-outs that the Danes obtained at Edinburgh have no legal effect and are not justiciable. In other words, on 18 May the Danish people will be asked essentially the same question that they were asked in the previous referendum. They believe otherwise, but on this serious matter the Danish people are being misled.

We should not be misled. We have no excuse for being misled. Only last week, an eminent body of Eurocrats examining the fault lines in the exchange rate mechanism —with the careful scrutiny that those fault lines, which so suddenly appeared on 16 September, merit—and with the wisdom of hindsight, declared that there was inherently nothing wrong with the ERM process towards economic and monetary union and concluded that, notwithstanding what happened, the Community should press on regardless to the objective of economic and monetary union.

Mr. Salmond: I understand the hon. Gentleman's point about the virtue of floating and competitive exchange rates between countries, but could not the same argument apply equally within member states? Is it not the case that at various times in the fairly recent past areas such as the north of England, Wales and Scotland suffered from an over-valued exchange rate—the national exchange rate of sterling? Can the hon. Gentleman point to any occasion when he expressed in the House the same amount of sympathy for those areas in having to battle against an over-valued exchanged rate, or when he argued for a regional policy designed to combat the consequences and to provide compensation?

Mr. Wilkinson: Yes, I can. Long before the hon. Gentleman entered the House, I was making speeches as the Member of Parliament for Bradford, West in favour of the Industry Act 1972 introduced by my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath). With the benefit of hindsight, I would not make similar arguments today—not because I now represent a London constituency but because I believe that those policies were inherently wrongheaded. I take the hon. Gentleman's remarks with the pinch of salt that they deserve because he and his party sold their souls in earlier Divisions on the Bill, and his arguments do not carry now the weight which they might previously have done.

The loss of control of our economic policy contained in the treaty, notwithstanding the opt-out in clause 2, is such as to cause a fundamental change in the relationship between our people and their Government, as well as between the House and the Government represented in the House, and the institutions of Brussels—so much so that future generations will wonder how it came to be that the generation of 1992 in the House appeared to care so little for their nation's independence, sovereignty and pride. How was it? Were they blind? Were they stupid? Were they misled? Were they ignorant? What was it?

The reason, I believe, lies in the degeneration of our parliamentary processes. We have allowed our Parliament, our House of Commons, to become suborned. It is for this reason that I do not believe that the so-called opt-out in clause 2 is worth the paper on which it is written. If the Bill goes through and the treaty is ratified, I do not think that our people will ever be able to look to the House of Commons as the true custodian of their interests and as the guardian of their liberties.

12 midnight

Our people, if they are denied a referendum, will remember how the Whip was applied, how closures came down in mid-sentence, how closures came down before Front Benchers answered any of the arguments. They will also remember that patronage, intimidation, blackmail and the denial of votes on key amendments may have secured the acquis communautaire but that they will not have secured the proper scrutiny of key legislation for the management of this economy and for the democratic governance of our country. This is why I do not believe that the so-called opt-out from stage 3 counts for very much, unless we change or ways and unless we change our processes.

I shall not vote against the clause. [HON. MEMBERS: "Why not?"] Why should I? I hope for the best, as anybody would. I place my hope in a future Parliament. It is for those who are elected to it to make sure that it does its duty. I hope that it will. I am an optimist. It is not for me to make a judgment. I cannot say that I have great optimism, but I hope most sincerely that on this point I shall be proved wrong.

Mr. Rowlands: The powerful speech of the hon. Member for Ruislip-Northwood (Mr. Wilkinson) led to him carrying the Committee, until the last minute of it. I hope that at least he will consider voting against Third Reading, as opposed to clause 2.

Mr. Wilkinson *indicated assent.*

Mr. Rowlands: The hon. Gentleman made a powerful case for the way in which parliamentary power will be eroded by the Bill and for the way in which economic and democratic choice will be destroyed by it. At the centre of any democracy is political and economic debate. If we accept the principle, philosophy, objective and aim of economic and monetary union, where lies the diversity and plurality of economic choice which is at the heart of any form of democratic decision making and of any democratic process?

I notice that the rubic to the clause is "Economic and monetary union." I have not been sent here by the people of Merthyr Tydfil and Rhymney to back economic and monetary union and to back the monetarist policies that go with it which for generations have destroyed jobs in the communities that I represent. Over the years, Members of Parliament have come to this House of Commons from our communities to oppose such policies. I do not see why at this time we should support policies in treaty form which, if accepted and implemented, will be irrevocable for all time.

I was interested in the comparisons that were made. In one sense, the economic history was, I am afraid, slightly wrong. Comparison was made with the 1930s. The interesting point about the 1930s and the reason why we have drawn the wrong conclusion is that, oddly, it was Chamberlain, as Chancellor of the Exchequer, when driven off the gold standard—the 1920s equivalent of the exchange rate mechanism—who devalued the pound which led to a 2 per cent. interest rate and, for most of the country, rapid growth. Unemployment fell after Britain came off the gold standard in 1931 from 3 million to 1·5 million. The tragedy of the 1930s was that that growth and prosperity bypassed huge areas of Britain. The absence of any form of regional policy led to large-scale unemployment in regional terms.

The ironic point is that for most of the 1930s the slump was mild and short-lived for large parts of the country. The chief reason for that was that when in 1931 the Tory National Government were driven off the gold standard —the equivalent of the ERM—they were able to follow a policy of devaluation—like floating exchange rates—and interest rates were 2 per cent. That led to a sustained boom in many parts of the country. Alas, that was not the case for south Wales and for three or four other major areas. That, rather than the lesson that one or two hon. Members have drawn, is the lesson to draw, ironically, from the experience of the 1930s.

Sir Russell Johnston (Inverness, Nairn and Lochaber): Will the hon. Gentleman bring matters a little nearer to today and tell us whether he regards the Bretton Woods experience as a disaster?

Mr. Rowlands: The Bretton Woods experience was very different from the one that we are being asked to write into the treaty. It was a completely different set of principles and arrangements.

Mr. Denzil Davies: A different kind.

Mr. Rowlands: It was of a different kind. What we do know is that, when people have tried to fix exchange rates and have then driven monetarist policies to support them, those actions have led to high rates of unemployment, and to slump and depression. For the life of me I cannot see how, as my hon. Friend the Member for Newham, North-East (Mr. Leighton) forcefully put it, the Labour party, above all, can be endorsing or supporting such processes.

Mr. Salmond: Does the hon. Gentleman agree with Lady Thatcher that, in terms of exchange rates, one cannot buck the market?

Mr. Rowlands: I rarely agree with anything that Lady Thatcher and Lord Lawson say. However, once or twice they get it right. In the case of fixed exchange rates and the experience of the ERM, those who were critics of that arrangement—a number of hon. Members on both sides were critics—have been proved right. The point was put more than forcefully by my hon. Friend the Member for Newham, North-East. Why should we listen to those who got it hopelessly wrong in the past 18 months to two years, and why should we believe that they are any more likely to get it right next time?

Mr. Geoffrey Dickens (Littleborough and Saddleworth): How can the hon. Gentleman possibly compare the 1920s with today? We should remember that today we have automation and mechanisation. We do not see a conductor on a bus. To get out of a station, one puts in a ticket, and to get on to the train one gets a ticket out of a machine. So many jobs have been lost as a result of high technology. We do not have a labour-intensive economy—*[Interruption.]* My point has everything to do with monetary policy. The hon. Gentleman is trying to compare unemployment in the 1920s with unemployment today. He is simply not comparing like with like.

Mr. Rowlands: I do not know whether the hon. Gentleman was here when references were made to the nature of the depression of the interwar years. I was observing that the reason why unemployment fell after 1931 in many parts of the country but not, sadly, in the part that I represent was that Britain came off the gold standard—the equivalent of coming out of the ERM—in 1931. That was one of the lessons that it was worth while to draw. The other was the need for regional policy, with which Conservative Members still disagree. I do not think that the hon. Member for Wolverhampton, South-West (Mr. Budgen) will agree with us on regional policy, although he should because the other lesson to draw from the terrible experiences of the 1930s was the problem caused by the reluctance to apply a regional policy when the general prosperity bypassed whole areas.

When there was a change in the late 1930s as a result of parliamentary and public pressure, and when there was a nascent regional policy, we saw at last the possibility of that policy improving employment problems in areas such as mine. We shall not accept going back to concepts of monetarism and fixed exchange rates, which have destroyed and not enhanced jobs in communities such as mine, both historically and recently.

How are we to believe the assurances that have been given in respect of clause 2? Are we to believe that here are the belt and braces, the buttress, of parliamentary democracy? That is what the Government claimed as they waved their piece of paper—another parallel with the 1930s, saying, "We have secured parliamentary democracy in our time; it is to be found in clause 2". Why should we believe that, given that, in accepting clause 1, we are

writing into our domestic legislation here and now, irrespective of what we might do at some future date, a whole series of provisions connected with stage 3?

Let me remind the Committee of what we have written into our domestic legislation by passing that clause. Article 3a(2) states:

"Concurrently with the foregoing, and as provided in this Treaty . . . these activities shall include the irrevocable fixing of exchange rates leading to the introduction of a single currency, the ECU, and the definition and conduct of a single monetary policy and exchange rate policy".

If the Bill is passed, that provision will become part of our domestic legislation, as will articles 104c(1), 105(1) and 109j. We are writing into our domestic legislation here and now a whole series of articles and paragraphs containing provisions for the third stage of monetary union.

Mr. Cash: The hon. Gentleman went through the Lobby with me a little while ago. No doubt he will have noticed that we have this evening voted to ensure that we will not be able to veto the process of any member state —and that includes us—to the third stage by 1 January 1999. Has he also noted the crucial words in clause 2:

"unless a draft of the notification has first been approved by Act of Parliament"?

I hope that hon. Members will note that that in no way says that, when a Bill comes before Parliament at a future date, we will be able to challenge the question and the principle of economic and monetary union. It is merely a device, a con trick and a fraud. The clause does no more than to tell us that the Government will produce the draft of the notification and that the scope of the Bill will be so restricted that we shall be able to do damn all about it.

Mr. Rowlands: I was drawing the Committee's attention to the fact that, if we pass the Bill, we pass into our domestic legislation all the articles of stage 3 of monetary union. I have never understood why—unless it was a piece of political expediency designed to get the treaty through and to get agreement at Maastricht—it was necessary to introduce a Bill to incorporate the whole of the stage 3 legislation now, given that we are supposed to have the chance of opting out of it at some future date. Why in 1993 should we introduce provision after provision and detail after detail enshrining in our domestic legislation monetary union, a single currency, irrevocable exchange rates and all the rest and all the statutes of the European central bank and of the ESCB? If we pass the Bill, every article that is part of stage 3 becomes part of our domestic law.

We are being asked to believe that, at some time in the future, the Government of the day will abort the whole process. Will they suddenly say, "No" when the momentum will have carried into our domestic legislation every provision necessary to implement stage 3? Will they really pull the plug at the last minute?

We must bear in mind that the Government are arguing that they want to be at the heart of Europe. They claim that their European credit and badge of honour lie in passing the Bill and implementing the legislative requirements of the treaty. However, we are led to believe that the Government will not come before the House at some point in the future with a Bill to press the button to implement the stage 3 mechanism. If we buy that one, we are more naive than I thought we were.

12.15 am

Mr. Andrew Rowe (Mid-Kent): The hon. Gentleman is making a rhetorical point with great fervour. However, in this Parliament and under this system of Government of which the hon. Gentleman and his colleagues are so proud, there are endless examples of legislation that is not brought into effect when it is passed, and in many cases, as political circumstances change, is not brought into effect at all. Why is this the con trick that the hon. Gentleman makes out it is?

Mr. Rowlands: In the 25 years or more that I have been in this place, I have found that there is an enormous difference between the implementation of a commencement order in domestic legislation and writing into domestic legislation an international treaty, with all its liabilities and obligations. There is a world of difference between those two processes.

It has been said that, because it is unlikely that anyone will be able to sign up to stage 3 for monetary union, we should not worry about it. However, we have been conned in the past. Everyone thought that the Single European Act would simply pave the way for a Common Market and that it was not part of the process towards political and monetary union that we are being asked to approve now. As we have been conned in the past, I am not willing to buy the legislative safeguards and provisions on offer in clause 2.

Mr. Rowe: I thank the hon. Gentleman for giving way again. The history of the world is littered with treaties that have been abrogated, have fallen into disuse or have been ignored as time progresses and political circumstances change. If the prognosis for the policies enshrined in the Maastricht treaty are half as gloomy as the hon. Gentleman and his colleagues believe, there is no prospect of its coming into serious effect.

Mr. Rowlands: I am not sure of the hon. Gentleman's criteria or standards of integrity, but I will not support a Bill or a treaty if I believe that it does not mean something or that it should not be implemented. I will not support it if I believe that, with a bit of luck, things will change and it will become irrelevant. That is not the way to legislate or to sign treaties.

As I do not agree with the objectives of the treaty or the legislation seeking to implement the treaty, and as I do not believe in the reassurances offered on clause 2, I will oppose the Bill on Third Reading.

Mr. Budgen: The hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) doubted whether I would support his arguments about regional policy. However, arguments about regional policy are relevant to the discussion.

When we tell Scotland that it cannot have its own currency or devalue it or float it against the English pound and thereby put itself in a more competitive position in comparison to the English, and as we deprive Scotland of that control over its economy, we must say, "All right—we'll give you some compensation by way of a regional fund." That has a lesson for us as we consider the treaty. It is nonsense for the Government to say, "We are prepared to go into a single currency, but we are not prepared to allow a major extension of the regional and social fund".

Mr. Salmond: The hon. Gentleman, with his usual perception, has put his finger on the important point that regional policy is a compensation for our surrogate devaluation—for not having the ability to have a flexible exchange rate. Would it not be ironic if, in the review of regional policy which is under way at present, the Government were to tilt the balance even further by reorienting that regional policy towards areas which should not be looking for compensation from an overvalued exchange rate? Will the hon. Gentleman give a guarantee that he will oppose that when a measure providing for the concentration of regional policy on the south-west of England comes before the House in the next few months?

Mr. Budgen: As to the areas which require compensation, that depends simply on the question of which area might benefit from having an independent currency. For the sake of argument, it is logical and possible that, if Wales were independent, it might be the area with a strong exchange rate against the pound. Equally, it is possible that the south-east, with a freely floating pound, might be the area with an exchange range which floats downwards and becomes more competitive. I do not agree that the point made by the hon. Member for Banff and Buchan (Mr. Salmond) flows inexorably from what I am saying.

It is amazing that the Government say, "We might well go into a single currency, but we are not prepared to see the funds for the regional and social fund grow any more". The weaker economies of Europe, which have been denied the opportunity of pricing themselves into work, will inevitably ask for more money. If our Government are right in saying that the treaty is not a federal structure which will give the other countries some form of joint control over the way in which they regulate their economies and see that money which comes from central and public funds is properly administered, that will inevitably result in a great increase in the waste and fraud which is already a large feature of the life of the EEC. That may be only a small point in the argument about whether we should have a single currency.

The hon. Member for Merthyr Tydfil and Rhymney reviewed the way in which we have experimented over the past 60 years with various attempts at fixed exchange rates. He referred to the lessons which many people learnt in 1931. I suppose the next catastrophic lesson that was learnt from fixing exchange rates occurred in 1967. This Government learned a terrible lesson on 16 September. One must ask the question: what is the purpose of politics if it is not to give some form of intellectual leadership and choice to the nation?

For the sake of argument, if one goes into a pub and asks someone, "Are you in favour of the council tax?", it would be perfectly reasonable for that person to say, "I really do not know; I cannot tell—I shall have to think about it later." But if one asked the Prime Minister, "Are you in favour of the council tax?", it is not unreasonable for him to have a view about it. It is not unreasonable for him to say, "As a matter of fact, I am in favour of the council tax". Despite the occasional mistakes that we make, I suggest that an advantage of voting Conservative is that one gets the council tax.

Surely it is not a gross impertinence to say that someone who asks for guidance about the advantages of fixed exchange rates over floating exchange rates is entitled to say to the politicians, "Please could you tell me what is your view about this? I understand that there have been experiments about fixed exchange rates for some 62 years and clever people have drawn conflicting conclusions about them. But, o politician, don't we employ you to have a view about this?"

It is extraordinary that the Government's position is, "This is a frightfully difficult problem. We really do not know what our view will be about this. A lot of superior people in Europe are saying that they intend to move to a single currency. It would be grossly impertinent of us to offer a view about it. Could we please move as close as possible to a single currency? Then it is just possible that we may exercise intellectual and political leadership and tell the British people whether in our opinion entering a single currency would be to their advantage."

Mr. Cash: Does my hon. Friend accept that a book was written once upon a time on a theme similar to the one that my hon. Friend is developing? It was by a certain Samuel Smiles, who wrote about Mr. Nobody. Samuel Smiles' point of criticism was that this extraordinary person continually passed the buck because he could not make up his mind what policy he should pursue. As a result, he fell eventually into the trap of developing such a fit of political defeatism that government simply disintegrated. Does my hon. Friend agree that that could be the path on which we are now embarked?

Mr. Budgen: I find it all very difficult. We have a truly remarkable political debate in Britain. The two Front-Bench teams broadly agree that our economy should be run in subordination to the European Community. Yet marginal changes in taxation give rise to enormous certainties and a vast amount of inter-party abuse.

Mr. Marlow: Going back to where my hon. Friend was a few moments ago, I think that he has missed the point, wittily though he has put it. When one says to the Prime Minister, "Are you in favour of a fixed exchange rate or not?", the answer will not be whether he is in favour of it or not, but whether it brings us closer to the heart of Europe or not. It is not about the fixed exchange rate. Everything is related to how close it brings us to the heart of Europe.

Mr. Budgen: That may be so, but as I understand it —I may be wrong—the Danes have said that they do not want a single currency at any price. It may be that the Danes have been conned. Everyone knows how clever everyone in Europe is. The Danes have been brave enough to make it an issue of principle and to say that they do not want a single currency.

Mr. Spearing: The hon. Gentleman has mentioned two matters for which there is surely a sensible and understandable explanation. The first is the alleged difference between stages 2 and 3, which the Prime Minister suggests is a great victory for choice. Could not the two Front-Bench teams and the Cabinet be accused by the man in the street of political and constitutional fraud? Secondly, as the Minister of State, the right hon. Member for Watford (Mr. Garel-Jones), has made plain at the Dispatch Box and in written answers, there is no change in Denmark's obligations under the treaty. Nothing has been changed by the so-called decision that the Prime Minister

brought back from Edinburgh. He came back waving a second piece of paper, pretending that it changed something.

Mr. Budgen: The hon. Gentleman may be right to say that the Danes have been conned. That is the opinion of many of our academic and practising lawyers, such as Martin Howe. *[Interruption.]* He comes from a distinguished family who have a great deal of knowledge of the workings of the Community. Given that Martin Howe's uncle, as Attorney-General, was responsible for dealing with the European Communities Act 1972 and that we, as Tories, believe in inherited ability, we should be inclined to be respectful of that man's views. The man in the pub would say that Martin Howe says that the Danes are being conned. He is a high-class lawyer, however, and he would not put it in such crude terms, but he may or may not be right.

12.30 pm

Mr. Dickens: I do not know whether my hon. Friend was in the Chamber when the right hon. Member for Stepney and Bethnal Green (Mr. Shore) made a thoughtful contribution. He spoke about the grave and great difficulties for all the European currencies in achieving convergence so that they could proceed to a single currency. He said that new members of the Common Market complicated the formula.

I believe that those convergence difficulties mean that there is not a snowball's chance in hell of a single currency. If we were to vote clause 2 down, we would be making a decision to opt out from the treaty now rather than opting out at the time when we come to consider convergence. If one signs a treaty, it is common sense to stick with it until its proposals are up for consideration. Until then, one has taken a decision.

Mr. Budgen: I am grateful to my hon. Friend for the earlier part of his intervention, because he said—I hope that I have got it right—that the proposals for convergence could never be met and that if we attempted to do so it would gravely damage the British economy. He said that that disadvantage was so plain that the Prime Minister should explain to the British people that it could never be to their advantage to opt for a single currency.

There are various certainties in British politics. It is a matter of passionate and clear certainty that if one wants to raise a bit more tax, it is obvious that it should be done by raising value added tax on fuel. That, I understand, is the Tory party's position. That is a matter of certainty and principle which can be easily fought on. It is equally obvious that, for the Labour party, if one wants to raise a bit of extra taxation, it is better done by raising income tax. If such certainties can be expressed about marginal preferences as to whether one should get a bit of extra taxation from one group or another—I would have thought that that was not capable of quite such certainty and must be a matter of marginal preference for each party—surely it is the role of politicians to offer some leadership and some guidance on great issues such as whether we should have a single currency.

Whether we should have followed a policy of rearmament before the last war was another great issue. I do not remember politicians saying to the nation, "Well, we are not terribly sure about this. This is a very, very difficult subject."

Mr. Giles Radice (Durham, North): That is precisely what they said.

Mr. Budgen: Not all of them. The history books tell us that some of them suggested that rearmament was necessary. Some of them suggested that the balance of argument was plain and that we should do something about the problem. Some of them thought that political leadership was about doing the best that one could in evaluating the evidence, then offering some leadership.

As we have been experimenting with fixed exchange rate mechanisms for 62 years, I should not have thought that it would be asking the politicians too much to offer the nation some guidance and leadership. However, if the Tory party leadership is not prepared to offer that guidance and leadership, it inevitably leads one to the conclusion that perhaps it wants to enter the fixed exchange rate mechanism and, following that, a single currency. Otherwise, why should not the leadership offer the guidance?

Mr. Cash: Does my hon. Friend accept that one of the arguments continuously advanced in Government circles is that the whole process is unworkable? Therefore, the Government's way out is to tell us to go along with a modest treaty which does not add up to a row of beans. They forget that it takes 12 member states unanimously to ratify the treaty, and as six of them have their noses firmly in the subsidy trough, the unanimity to unravel the treaty afterwards will not exist. Does my hon. Friend agree that there is an element of deception in the way the argument is being advanced?

Mr. Budgen: I do not understand the Government's position. We understand, and have always been told, that we have a politically adroit Conservative Government who are superb at wrong-footing the Labour party. The Labour party has stood on its head 100 times and has finally reached the position where it is in favour of obtaining a single currency as soon as possible. It can now be portrayed as the great internationalist and European party.

The Whips sidle up to us saying, "Old boy, this will never come about; show some political sophistication and vote for a bit of nonsense as it will never come about; don't be so awkward and silly—for heaven's sake, learn a bit of political skill or you will never survive." I should have thought that such an adroit Government would appreciate that if the treaty was always going to be nonsense and never come about, there was no better way to make the Labour party unpopular than to play the patriotic card and say that the Labour party was now in the hands of the European enthusiasts while the Conservatives should say that theirs was a British policy, based on sound assessment of what was economically possible.

I find the position difficult to understand. I should have thought that if the Whips were right in saying that the treaty was nonsense, it was a good opportunity for the Government to say clearly that they would not have a single currency at any price at any time. They should say, "We understand the arguments; we made a terrible mistake which left us in an appallingly humiliating position on 16 September, but at least we have learnt from it." If they cannot say that, are we not left with the awful suspicion that they want to return to the ERM and a single currency as quickly as possible? And are we not left in the

[Mr. Budgen]

awful position in which the mistakes of 16 September will be repeated with horrifying consequences for the British people?

Mr. Timothy Kirkhope (Lords Commissioner to the Treasury) *rose in his place and claimed to move*, That the Question be now put.

Question put, That the Question be now put:—

The Committee proceeded to a Division—

Mr. Spearing *(seated and covered)*: On a point of order, Mr. Lofthouse. I do not like this headgear—it does not suit me—but I have no choice but to wear it. I believe that I am correct in saying that the spokesman for Her Majesty's Opposition did not contribute to the last debate.

The First Deputy Chairman of Ways and Means (Mr. Geoffrey Lofthouse): That is correct.

Mr. Spearing: Is it in order, Mr. Lofthouse, for a closure motion to be accepted when an important financial matter has not been spoken to by the Opposition spokesman—or did he not wish to speak?

The Chairman: It was certainly in order. I do not call Members who do not rise to speak.

Mr. Spearing: Thank you, Sir.

The Committee having divided: Ayes 284, Noes 248.

Division No. 239] **[12.39 am**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Alton, David
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Aspinwall, Jack
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beith, Rt Hon A. J.
Bellingham, Henry
Beresford, Sir Paul
Blackburn, Dr John G.
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Churchill, Mr
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Dafis, Cynog
Dalyell, Tam
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Gale, Roger
Gallie, Phil
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, John
Grant, Sir Anthony *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Johnson Smith, Sir Geoffrey
Johnston, Sir Russell
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles *(Ross,C&S)*
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Kirkwood, Archy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Llwyd, Elfyn
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
Madel, David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Milligan, Stephen
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pickles, Eric
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon. Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon. Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael

Stewart, Allan
Streeter, Gary
Sumberg, David
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Tyler, Paul
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. David Lightbown and
Mr. Sydney Chapman.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Dr. Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Budgen, Nicholas
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Cash, William
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cran, James
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Darling, Alistair
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
Gapes, Mike
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Gill, Christopher
Godman, Dr Norman A.
Godsiff, Roger
Gorman, Mrs Teresa
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Janner, Greville
Jessel, Toby
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Knapman, Roger
Lawrence, Sir Ivan
Leighton, Ron
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Lord, Michael
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marlow, Tony
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Oiner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Paisley, Rev Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Robertson, George *(Hamilton)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skeet, Sir Trevor
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Rt Hon John *(M'kl'ds E)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Spicer, Michael *(S Worcs)*
Steinberg, Gerry
Stevenson, George
Straw, Jack
Sweeney, Walter
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Sir Teddy *(Southend, E)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Walker, Bill *(N Tayside)*
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wilkinson, John
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'f'ld)*
Wise, Audrey
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Gordon McMaster and
Mr. Andrew Mackinlay.

Question accordingly agreed to.

Question put accordingly, That the clause, *as amended*, stand part of the Bill:—

The Committee divided: Ayes 271, Noes 55.

Division No. 240] **[12.55 am**

AYES

Adley, Robert
Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Alton, David
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Aspinwall, Jack
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Beresford, Sir Paul
Blackburn, Dr John G.
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Churchill, Mr
Clappison, James
Clarke, Rt Hon Kenneth *(Ruclif)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Gale, Roger
Gallie, Phil
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, John
Grant, Sir Anthony *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
Madel, David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Milligan, Stephen
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pickles, Eric
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon. Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. David Lightbown, and
Mr. Sydney Chapman.

NOES

Adams, Mrs Irene
Austin-Walker, John
Barnes, Harry
Beith, Rt Hon A. J.
Benn, Rt Hon Tony
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Cash, William
Clapham, Michael
Connarty, Michael
Corbyn, Jeremy
Cox, Tom
Cryer, Bob
Cummings, John
Cunningham, Jim *(Covy SE)*
Davidson, Ian
Foster, Don *(Bath)*
Galloway, George
Gerrard, Neil
Godman, Dr Norman A.
Graham, Thomas
Grant, Bernie *(Tottenham)*
Hall, Mike
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark)*
Johnston, Sir Russell
Jones, Nigel *(Cheltenham)*
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Killoyle, Peter
Lewis, Terry
Livingstone, Ken

Loyden, Eddie
McAllion, John
McKelvey, William
McWilliam, John
Madden, Max
Mahon, Alice
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Michie, Bill *(Sheffield Heeley)*
Pickthall, Colin
Pope, Greg
Redmond, Martin
Rooney, Terry
Salmond, Alex
Skinner, Dennis
Stevenson, George
Tyler, Paul
Wallace, James
Watson, Mike
Welsh, Andrew
Wise, Audrey

Tellers for the Noes:
Mr. Archy Kirkwood and
Mrs. Margaret Ewing.

Question accordingly agreed to.

Clause 2, as amended, ordered to stand part of the Bill.

Mr. Spearing: On a point of order, Mr. Lofthouse. You will recall that, during the previous Division, I raised a point of order about the closure motion and the conduct of the Opposition Front Bench spokesman. I pointed out that there had been no speech from a member of the Opposition Front Bench. I inquired about the propriety of accepting a closure motion in those circumstances. You informed me that, to your knowledge or to your sight, no member of the Opposition Front Bench rose to speak. As a result, I had a few words with my hon. Friend the Member for Oxford, East (Mr. Smith)——

The First Deputy Chairman: Order. I have already ruled on that point of order, and I have nothing further to add.

I must tell the Committee that, after the debate on clause 3 stand part, I am prepared to select for separate Divisions new clauses 1 and 2, tabled in the name of the Leader of the Opposition.

Clause 3 ordered to stand part of the Bill.

New clause 1

Annual Report by Bank of England

' .—In implementing Article 108 of Title II of the Treaty on European Union, and ensuring compatibility of the statutes of the national central bank, Her Majesty's Government shall, by order, make provision for the Governor of the Bank of England to make an annual report to Parliament, which shall be subject to approval by a Resolution of the Commons House of Parliament.'.—*[Mr. Andrew Smith.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 2

Information from Commission

'In implementing the provisions of Article 103(3) of Title II of the Treaty on European Union, information shall be submitted to the Commission from the United Kingdom indicating performance on economic growth, industrial investment, employment and balance of trade, together with comparisons with those items of performance from other member states.'.—*[Mr. George Robertson.]*

Brought up, read the First and Second time, and added to the Bill.

The First Deputy Chairman: I am prepared to allow after a debate on new clause 8 separate Divisions on new clauses 10 and 12, both in the name of the right hon. Member for Bethnal Green and Stepney (Mr. Shore).

New clause 8

Entry into force

'This Act shall come into force on a day appointed by the Secretary of State by order in a statutory instrument.'.—*[Mr. Shore.]*

Brought up, and read the First time.

Motion made and Question proposed, That the clause be read a Second time.

Mr. Dorrell: On a point of order, Mr. Lofthouse. The name of the right hon. Member for Bethnal Green and Stepney (Mr. Shore) does not appear among those shown in the amendment paper against new clause 8.

The First Deputy Chairman: I advise the Committee that any right hon. or hon. Member can move the motion.

To report progress and ask leave to sit again.—*[Mr. MacKay.]*

Committee report progress; to sit again this day.

Helicopter Safety (North Sea)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. MacKay.]*

1.13 am

Mr. George Robertson (Hamilton): On a point of order, Mr. Deputy Speaker. Can you help the House? I know that you have resumed the Chair and that that causes certain problems when describing what occurred when the House was sitting as a Committee of the whole House, but would it be possible for you to explain the slight confusion at the end of the Committee's proceedings? Can I take it that the moving of new clause 8 will occur at the beginning of the next sitting of the Committee and that the motion to report progress took place prior to any——

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. New clause 8 has been moved, but it can be debated at the next sitting.

1.14 am

Mr. Brian Wilson (Cunninghame, North): This debate arises directly out of the determination by Sheriff Alexander Jessop following the fatal accident inquiry into the deaths of 11 men in the North sea, after the tragic failure of a brief flight between the Cormorant Alpha platform and the accompanying safe supporter on 14 March last year. I wish to pay tribute to Sheriff Jessop for the depth and clarity of his report. I also want to place on record the sympathy of this House to the bereaved of that accident, which reminded us again of the high cost of North sea oil and gas, in terms of human life.

I do not have time to analyse in detail Sheriff Jessop's findings, and indeed I do not want to confine this debate to the specific circumstances of Cormorant Alpha. One of Sheriff Jessop's observations was:

"each and every witness was anxious to ensure that as much as possible could be learned from this tragic accident to ensure that future deaths might be prevented."

It is in that broader spirit that I approach tonight's debate, and raise relevant questions.

Central to what I am asking the Minister to respond to is a concern about the means which at present exist for enforcing and regulating helicopter safety in the North sea. Sheriff Jessop has asked the Civil Aviation Authority to carry out a wide-ranging review of helicopter safety. This is undoubtedly overdue. As things stand, the CAA is the appropriate body for him to call upon.

However, I am bound to express my own view, which is also the long-standing position of the Labour party, that we need an independent safety body, the sole concern of which is safety in all its forms. It should not be an agency with other governmental responsibilities. The nearest parallel which I can draw is with the National Transportation Safety Board in the United States. This is the kind of body which should now have—and, indeed, years ago should have had—overall responsibility for helicopter safety in the North sea, and much else besides.

I believe the record of the Civil Aviation Authority in these matters must be subjected to scrutiny. Sheriff Jessop commented upon their "reactive" role. Many who work in the North sea believe that even this term does not adequately reflect the CAA's reluctance to take a lead. The point was made to me that Shell had at least taken the initiative in introducing its own adverse weather regime as a form of self-regulation. It deserves credit for doing so, albeit after the Cormorant Alpha tragedy had occurred. No other oil company has yet followed suit, which is regrettable. But the even more serious point is that the Civil Aviation Authority has not obliged any oil company, including Shell, to introduce these precautions. Surely it should not be down to individual oil, or helicopter, companies to decide on such a fundamental safety issue. The regulations should come through the regulatory body, and at present that means the CAA.

Sheriff Jessop has asked the CAA itself to review the adverse weather issue, and a list of others. But the point has been made to me that this is a case of asking the poacher to investigate the poacher, because many of the worries about helicopter safety in the North sea stem directly from the perception that the CAA has been, at best, "reactive" and, at worst, inactive over a long period. Nobody questions its integrity or professional competence, but it does work under pressure as an agency of Government to take account of factors other than safety.

As for adverse weather, the contradiction is that the helicopters are designed to withstand conditions in which the safety apparatus may not function. Shell has now acknowledged that fast dinghies, which may be the only realistic means of effecting a rescue, may not be launched from safety vessels in conditions which give rise to waves of over 5·5 m. That is in line with the CAA specifications for these small craft.

However, the Super Puma helicopter, for instance, is thought to be able to float in 30-ft waves. There may be limited point in that admirable characteristic if nobody can get launched to rescue the people who are on board, because of the same fierce weather conditions.

Does it not make sense to bring these factors into line? It is not, in such circumstances, the performance of the helicopter which matters more but the performance of the means of rescue. If these means do not exist, then should the helicopter be flying?

The CAA knows that helicopters are less safe than fixed-wing aircraft. As one helicopter pilot said to me, the CAA dresses people up as if they were going to the moon to travel on board one. In spite of the recognition that there is a higher risk of men ending up in the sea, the CAA does not seek to guarantee, in so far as anything can be guaranteed, an environment in which that eventuality is survivable.

That is the key paradox. Quite simply, one should not have helicopters flying over 50-ft waves unless some realistic assurance exists that there will be means of survival if the helicopter ends up in the sea. At present, the safety regime seems to rely on the statistical probability that the helicopter will not ditch and that if it does, it will not be one of those nasty days. Sadly, reality does not always match statistical probability.

I shall touch quickly on some other points. It is clear that pilot fatigue can be a factor in helicopter accidents. The logic of that reality is surely that, in the interests of safety, we should be moving towards shorter flying hours for pilots, or at least retaining the status quo. The present flight time and duty hour limitations were introduced only in 1990, specifically in response to the concerns of aero-medical examiners serving the Aberdeen area about the high incidence of fatigue among helicopter pilots. Now it seems that the process is to be reversed.

The newly issued EC proposals for limitations, to take effect in 1995, represent a considerable liberalising of the position and are causing great concern in the industry.

They were drawn up, incidentally, with the involvement of non-EC countries where existing standards may be less rigid, which seems a little odd.

Under those proposals, there are no controls to prevent duty hours from being acquired in a short period. Some activities, such as standby at the place of work, may not count as duty. There are reduced provisions for rest days. In short, the British Air Line Pilots Association—BALPA—believes that the net effect of the current proposals could be a cumulative increase in flying hours of almost 40 per cent. over the maximum currently permitted in the United Kingdom over a three-day period. That, quite simply, is unacceptable, and must not be accepted by the Department of Transport.

I turn briefly to the carriage of safety equipment, which takes me back to the question of who should exercise a regulatory role. The question whether survival craft are best carried inside or outside the helicopter strikes me as fundamental. In all the years that helicopters have been operating in the North sea, one would have thought that an informed decision might have been made on which solution offers the better prospect of survival. One would then expect the CAA to regulate accordingly.

Not so. This, like so much else, is still a matter for the individual operator. Putting the craft outside the helicopter costs more money. Some operators, notably British International Helicopters, accept that commitment; others do not. In my view, it should be a matter not of choice but of regulation.

I shall say a word about search and rescue helicopters from mainland bases. My hon. Friend the Member for Dundee, West (Mr. Ross) wants to pursue the point with the leave of the House and with the agreement of the Minister. I asked a number of people involved in the North sea what they thought about recent cuts. In each case, they thought them regrettable and potentially dangerous. "We certainly didn't want to lose Leuchars," one pilot said to me. Frankly, if they—along with many others—did not want to lose Leuchars, they should not have lost it, and that cover should be restored.

I have one final point, which is not directly for the Minister, but which I hope he will draw to the attention of a colleague. Sheriff Jessop, having presided over this harrowing inquiry, specifically recommended that witnesses in such inquiries should have access to legal aid. I hope that his authoritative view will be accepted.

I am grateful to have had the opportunity to raise these important matters, and I am grateful to the Minister for being here at this time, and, because of the circumstances in which the debate was obtained, at slightly shorter notice than usual. As the tragedy of Cormorant Alpha demonstrated, like many tragedies before it, we are talking literally of matters of life and death. We owe the people working in the North sea a great deal. Indeed, we owe them nothing but the best, and that means nothing but the safest.

1.23 am

Mr. Ernie Ross (Dundee, West): I thank my hon. Friend the Member for Cunninghame, North (Mr. Wilson) and the Minister for allowing me a couple of minutes to speak on this issue. It is not just the fact that many hon. Members, if they had been aware that this debate was taking place, would have wanted to say something about the withdrawal of the search and rescue facilities, especially at Leuchars, which is not in my constituency, but in the constituency of the hon. and learned Member for Fife, North-East (Mr. Campbell) who, I am sure, would have wished to have made some comment.

The matter is of concern to those of us on the east coast of Scotland, not only because of the facility that was available to those who wanted to go climbing in and around Tayside but because of the part that it played in the many incidents that unfortunately occur offshore in the various east Neuk holiday resorts and in holiday resorts off the east coast of Scotland. Had the hon. and learned Member for Fife, North-East been here, he would have been able to put the case for the retention of that search and rescue facility more strongly than I can.

I am also concerned about the movement of search and rescue helicopters down the whole of the east coast. Some of the changes that are taking place—particularly the movement of the SAR helicopters from Coltishall to Wattisham—have put some grass platforms in the southern sector at least 20 more minutes beyond the limit that is normally acceptable, and that is bound to give us cause for concern.

Let me return to the Cormorant Alpha accident. As my hon. Friend explained, the concern over safety is that there is a gap between the regulatory responsibilities of the Health and Safety Executive and the Civil Aviation Authority. Similarly, as regards the decision whether to fly, there is a gap in responsibility between the offshore installation manager, who is responsible for everything on the installation, and the pilot, who is responsible for the helicopter and the passengers.

We know from anecdotal evidence that many of the unions, including my union, MSF, have gathered a great deal of evidence to suggest that, in the North sea, pilots are under pressure to fly in conditions that are bad enough to justify a decision not to fly. An unco-operative pilot could lose his employer the next contract.

Because the CAA says that the pilot is responsible, those commercial pressures are never revealed. If the pilot admitted that he had flown when he thought that the conditions were not correct, he could end up losing his licence, and that could lead to his dismissal. If he does not respond to the pressures put on him by his employer, his employer could lose the contract.

Even if the employer supported the pilot when he said that he believed that the conditions were not right for him to fly, there is the possibility that, when the contract review came along, the employer could lose. All those areas of concern needed to be answered by the Minister—if not tonight, on a later occasion.

We have plenty of hard evidence, which will be going to tribunals in the near future, to suggest that oil companies often tell the contractor who to keep and who to make redundant: often, the oil companies themselves do not deny it. Again, the pressure is on the pilots.

As my hon. Friend said, we are also worried that, given the conditions on arrival at the scene, an arrival time of two hours for night flights is not adequate. There is no way that many of those involved in incidents can survive during the period that it takes the helicopter to reach the scene.

The Norwegians base an SAR machine offshore to provide better cover. I hope that the Minister will be able to say what steps have been taken to base search and rescue helicopters offshore to take account of that concern. We are concerned that some of the changes that the

[Mr. Ernie Ross]

Ministry of Defence has made were on safety itself, and I hope that the Minister will be able to return to that matter at a later time.

One other element involved in the Cormorant accident was the use of cordless headsets in the helicopters. There has been some debate about whether the cordless headset is viable or makes sense. There is evidence that, unfortunately, during the Cormorant Alpha accident, someone was trapped when the cord was wrapped around his neck. There are clear signs that, in many cases, companies are resisting a move towards cordless headsets, simply because of finance. I hope that the Minister will say that the Government support the use of cordless headsets in helicopters, and that pressure will be placed on companies to introduce them as quickly as possible.

1.29 am

The Minister for Transport in London (Mr. Steve Norris): I congratulate the hon. Member for Cunninghame, North (Mr. Wilson) on securing this Adjournment debate on an important issue that affects the safety of thousands of workers in the often hostile environment of the North sea. It is useful for the House to have this opportunity to consider the matter, and the debate is also timely, as the hon. Gentleman said, given the recent publication of the sheriff's report in Aberdeen about the accident near the Cormorant Alpha platform last March. I hope that the hon. Gentleman will allow me to join him in expressing our sympathy to those who were bereaved in the accident, and to pay tribute to the work of Sheriff Jessop, who has produced a comprehensive and useful report.

I must tell the hon. Member for Cunninghame, North and the hon. Member for Dundee, West (Mr. Ross), whose interest in the matter is consistent, that I may not be able to answer all the technical points that have been raised, but I undertake to study the record and to respond to any of the points that I cannot answer this evening.

With regard to cordless headsets, I recall the evidence given to the sheriff about the sad circumstances of one of the fatalities, which appeared to show that the person concerned was unable to extricate himself from the head cord. However, I am unsure whether that is a situation that demands a position from the Government. If it is, it is one of the matters to which I hope to return.

North sea oil and gas are of vital importance to the economy, but we must ensure that safety is always the first priority in aviation or any other activity. In the United Kingdom, the regulation of civil aviation safety is a matter for the Civil Aviation Authority. The letter from my right hon. Friend the Secretary of State to Christopher Chataway setting out the CAA's objectives makes it very clear that safety is the responsibility of the CAA, and that the Government do not intend to interfere in the discharge of those duties.

Aircraft accidents in the United Kingdom are investigated by the air accidents investigation branch of the Department of Transport. That organisation is deliberately separate from the CAA, so that the regulators are not put in the position of having to judge the effectiveness of their rules and regulations. As the hon. Member for Cunninghame, North said, that would be a bit like asking poachers to judge other poachers.

The AAIB is very widely respected in the aviation community—for instance, its painstaking reconstruction and report of the Lockerbie disaster has drawn worldwide acclaim. The branch is, of course, preparing a very detailed report on the accident at Cormorant Alpha, and this will be published at the end of May. It would not be right for me to prejudge that report.

However, I can assure the House that the CAA will study the AAIB's report very carefully when it is published, as it does in all such cases. It will be for it, using its professional expertise, to decide on action to be taken in response to the safety recommendations in the report. I understand that the CAA is also studying the report on Sheriff Jessop's fatal accident inquiry. There is already a significant programme of work aimed at improving helicopter safety and I shall return to that shortly.

The principal use of helicopters in the United Kingdom for passenger and cargo transport is in the North sea, where, as was said, the extreme environmental hazards are well known. Some eight different types of multi-engined aircraft are used, more than half being the largest types, the Super Pumas and S-61s, each carrying up to 19 passengers. In 1992, the United Kingdom offshore helicopter operations involved some 256,000 flights by 122 helicopters, carrying nearly 2 million passengers.

Even those large figures show a reduction on recent years—in 1991, 137 aircraft on 323,000 flights carried nearly 2·4 million passengers. I give the House those figures simply to put the safety record into perspective vis-a-vis the great number of uneventful helicopter operations.

In the 12 years 1981 to 1992 inclusive, there have been six fatal helicopter crashes offshore, 72 passenger fatalities and the death of 10 crew, of whom more than half were lost in the 1986 accident, when 43 passengers and a pilot died in the Boeing Chinook near Sumburgh in Shetland. That sort of helicopter is no longer used. Sadly and unusually, there were two unprecedented accidents in 1992, in each of which a deck worker was killed by a helicopter rotor.

I must stress that we are looking at the statistics of rare events—six fatal accidents in more than 3 million flights—and one accident can have a marked influence on the apparent trends. If one takes a five-year moving average, the number of fatal accidents per million hours flown declined from more than five to less than two through the 1980s. However, one accident in 1990 and the one in 1992 have pushed the average back up to 3·5. The CAA and the industry know that continued efforts are needed to maintain an improvement in that record.

Mr. Ernie Ross: The statistical evidence which the Minister is producing would not normally be challenged. However, in the North sea, we are moving to not normally manned platforms, which will mean about 20,000 to 30,000 extra flying hours per employee, and, unfortunately, such incidents are more likely to occur. Although the statistics were relevant before, they will not be relevant once we move more towards not normally manned installations.

Mr. Norris: That is a fair point to make. I do not want to overdo the point on which I have been elaborating. It is merely to set the incidence of accidents in the context of a busy theatre of activity in which literally millions of passengers are being transported. It is always a difficult

thing to do, but in the short time available I am trying to place in context the sort of accident rate that we have had, wherein, for example, a single accident had a significant effect on the statistical averages because of the number of fatalities that have occurred over 12 years.

The oil industry, under the aegis of the United Kingdom Offshore Operators Association, has set up a helicopter safety steering group. The aim of that group is to co-ordinate progress towards improved helicopter safety. The CAA, the three principal helicopter operating companies—Bristow, Bond and British International Helicopters—and the British Helicopter Advisory Board, chaired by Lord Glenarthur, are represented on the group. Subjects already under study include improvements to lifejackets and the automatic inflation of emergency floats.

It is worth repeating that helicopter operations in the North sea take place in a wide range of weather conditions, but not beyond those approved by CAA in terms of the capability of aircraft and crew. Nonetheless, it is often a hostile environment. The oil companies generally have a wind-speed limit for working on helidecks, and require their employees to wear survival suits when flying. They also give their employees training in emergency procedures. The hon. Gentleman raised the question whether all companies in the North sea should operate adverse weather policies. Clearly, that is an important question.

In his report of the fatal accident inquiry into the Cormorant Alpha crash, the sheriff recommended that every operator and installation in the North sea should take into account the effect of adverse weather on the availability of rescue resources. The Health and Safety Executive is considering that matter in the context of planned new regulations on emergency response, on which it intends to issue a consultative document in the summer.

The new offshore safety case regulations, which come into force this year, require a demonstration that foreseeable risks to persons from a major accident have been fully assessed and measures in place to reduce risks to as low as is reasonably practicable. In that context, it would effectively impose what amounts to an adverse weather policy requirement on operators in the North sea under the new safety case regulations.

The hon. Member for Dundee, West referred to the adequacy of search and rescue facilities. During this debate, I do not want to go into the whole question of the deployment of individual helicopters. I hope that he will allow me to get back to him on that. Suffice it to say that we have search and rescue facilities in the United Kingdom which are the envy of most other countries.

Aeronautical search and rescue is co-ordinated by the rescue and co-ordination centres of the RAF. The centres can call on RAF, Royal Navy and coastguard helicopters as well as other ships and aircraft. In addition, Shell provides a helicopter station in the east Shetland basin which is available to assist with SAR. Helicopters are sometimes called up to operate SAR missions in sea states too hazardous for small surface vessels.

We should not overlook the fact that our neighbours in Norway and Denmark also have helicopter operations in the North sea, albeit on a smaller scale. It is heartening to observe that, in an emergency, the helicopters of each country can be used to help the others. Sadly, the hazards are common. The Norwegians suffered a fatal accident in 1991, with the loss of three lives.

On the matter of principles, it is worth noting that the rotary wing of the helicopter gives it well-known capabilities and manoeuvrability, which make it so important for oil industry support. However, the rotary wing and the machinery which drives and controls it make the helicopter a complex vehicle. That complexity and the uses to which the helicopter is put have made it difficult to achieve accident rates similar to comparable turbo-prop fixed-wing aeroplanes. However, it is the aim of the CAA to achieve comparable accident rates.

Mr. Wilson: Will the Minister give way?

Mr. Norris: I have only four minutes, but I give way to the hon. Gentleman.

Mr. Wilson: I realise that the Minister has only four minutes, but will he comment on pilots' hours? If he cannot respond in detail and give me the Government's view tonight, perhaps he will undertake to write to me.

Mr. Norris: I did not intend to elaborate on the subject of pilots' hours. However, the hon. Gentleman referred to it in his speech and I shall write to him specifically on it.

In the early 1980s, the CAA and the oil industry established the helicopter airworthiness review panel, which reported in 1984 with some 15 detailed recommendations. In response to the HARP recommendations, a comprehensive programme of research was defined. The cost was borne jointly by CAA, the Departments of Transport and Energy and the oil industry—the UK Offshore Operators Association. Some £1·6 million was spent in the period 1987 to 1990.

A follow-on programme costing £1·7 million is currently in progress, with the Health and Safety Executive now contributing to it. It is a tribute to all involved that the fruits of this work will soon come into service in the form of systems to monitor the technical condition of the helicopter and to provide pilots and engineers with timely warnings.

In addition to making technical improvements to helicopers, the programme includes such items as the development of visual approach guidance lights, improved helideck markings and friction surfaces.

The Health and Safety Executive has responsibility for all aspects of safety on offshore installations, whereas the CAA is responsible for flight safety. The HSE has contracted the CAA to assist with a major inspection programme of helidecks, concentrating initially on the more difficult cases. The work is now in its second year; some 95 decks have been inspected so far, with a further 60 in the current phase. The remaining, less restricted, decks will be considered later. In addition to this, the national air traffic services have worked closely with the industry to improve radio communications and radar cover for North sea operations.

The safety of helicopter operations in the North sea is generally good, considering the environmental conditions experienced. However, there is no room for complacency and the reports from the sheriff of Grampian, Highlands and Islands and the air accident investigation branch will be carefully considered.

[Mr. Norris]

There are naturally calls for a review of North sea helicopter safety. As I have told the House, much work is in hand, and I would be cautious about diverting expert staff from the established programme, or of duplicating effort. It is, however, a most important subject, and I am glad that we have had the opportunity to debate it. I reiterate that I undertake to cover in writing any items which hon. Members raised which I have not covered in my speech.

Question put and agreed to.

Adjourned accordingly at seventeen minutes to Two o'clock.

House of Commons

Tuesday 20 April 1993

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CROYDON TRAMLINK BILL *[Lords]*
Order for Second Reading read.
To be read a Second time on Thursday 29 April 1993.

Oral Answers to Questions

DEFENCE

Yugoslavia

1. **Mr. Churchill:** To ask the Secretary of State for Defence what plans he has for strengthening the British military contigent in former Yugoslavia.

The Secretary of State for Defence (Mr. Malcolm Rifkind): The size and composition of the British contribution to United Nations deployments to the former Yugoslavia are kept under continuous review. I am at present satisfied that the 2,300-strong British contingent serving in Bosnia is of the right size and properly equipped for the important humanitarian tasks assigned to it. We are, however, discussing with the United Nations the future of the British Field Ambulance unit deployed in Croatia since last May, because we are concerned about whether its capacity is being fully utilised.

Mr. Churchill: Will my right hon. and learned Friend convey to the Cheshires and all the other British military units in Bosnia the warmest congratulations of all quarters of the House on the superb job that they have done in the winter months this year in bringing humanitarian aid and relief supplies to the hard-pressed population of Bosnia?

Does my right hon. and learned Friend accept that sanctions alone would never have got Saddam Hussein out of Kuwait and sanctions alone will not bring the Serbs to heel on this issue? I hope that my right hon. and learned Friend will in no way consider the involvement of ground forces in a Balkan civil war, but will he, none the less, together with his colleagues, not rule out the possibility of air strikes as recommended by Lord Owen?

Mr. Rifkind: I thank my hon. Friend for his earlier remarks. He chose to make a comparison with the situation in Iraq, but I am sure that he would be the first to recollect that the massive aerial bombardment of Saddam Hussein's troops in Kuwait did not lead to their departure from Kuwait, and that it was the use of ground forces on a massive scale, which my hon. Friend is ruling out in the case of Bosnia, that was required to expel Iraqi forces. Therefore, my hon. Friend must consider the implications of the Iraqi example that he has chosen to put before the House.

Mr. John D. Taylor: Will the Secretary of State assure the House that if United Kingdom air or naval forces take sides in the fighting in Bosnia, by a form of aggression against some of the participants in the terrible fighting that is taking place there, the United Kingdom land forces will be withdrawn immediately from Bosnia?

Mr. Rifkind: We attach the highest priority to the safety and security of British forces, and it is clear that, even in their current humanitarian role, they suffer exposure to some considerable risk. For example, today a British helicopter in the Vitez area may have been hit by some sniper fire. Fortunately, there appear not to have been any consequences from that incident. But if United Nations forces were to be used in a combatant role, clearly the risks to British forces would be immeasurably higher.

Dr. Goodson-Wickes: Having been one of those with initial reservations about the deployment of British troops in Bosnia at all, I have reluctantly come to the conclusion that diplomacy, backed by embargoes and sanctions against some and sustenance for others, is no longer adequate. Given our leadership of the Rapid Reaction Corps, Britain is uniquely well placed to give moral and military leadership in this tragic situation. Will my right hon. and learned Friend urge NATO to deploy elements of that corps so that British troops can work alongside our European allies without our bearing a disproportionate amount of the financial and human costs?

Mr. Rifkind: If my hon. Friend is envisaging what role might be played by the United Nations in the event of a ceasefire, clearly a contribution could be made by the Rapid Reaction Corps in helping to provide the necessary infrastructure of a United Nations operation. It is in that context that the possibility to which my hon. Friend has referred would be most relevant.

Mr. McWilliam: Does the Secretary of State accept that, if air strikes to interdict Serbian supply lines were introduced, the rules of engagement for our forces presently stationed in Bosnia, particularly at Vitez, would have to be changed, because our forces would have to go into the mountains to take the Serb guns—otherwise, they would be blown to pieces?

Mr. Rifkind: The hon. Gentleman makes an important point. An additional consideration must be taken into account by those who advocate the use of armed force by the United Nations. As we have seen in the last couple of days, there is a substantial increase in the conflict between Croat and Muslim forces—particularly in the Vitez area, where the British forces are concentrated. It is incredibly difficult to imagine a scenario in which the United Nations is required to use military force against some combatants but not others, when the bloodshed, loss of life and possibly even the atrocities committed can be found to be the responsibility of the different communities in Bosnia at present.

Mr. Viggers: Does my right hon. and learned Friend agree that it is completely unrealistic to imagine that a externally imposed military solution will be found? If there were to be increased military pressure—whatever the

merits of that—from Britain, the United Nations or NATO, would that not be inconsistent with the widely praised humanitarian aid?

Mr. Rifkind: My hon. Friend makes a powerful point. The Government's extreme reservations about the use of military power in a combat role are partly because we have the gravest doubts that it would have the practical effect recommended for it by its adherents. We are substantially influenced also by the almost certain consequences for the humanitarian operations, which have been a great success and led to the saving of literally hundreds of thousands of lives in Bosnia over the last few months. That work would almost certainly have to be terminated, which would be a heavy price to pay. That aspect should influence the proper moral debate about the proper policy to pursue in Bosnia.

Dr. David Clark: When a ceasefire is finally signed and the United Nations calls on countries to provide troops to enforce it, will Britain play her full part in maintaining that ceasefire? Is the Secretary of State confident that we have sufficient troops, and sufficient helicopters in particular, to play our full part?

Mr. Rifkind: If a ceasefire were signed by the three parties to the dispute, and we were satisfied that that represented a genuine qualitative change in the situation, of course there would be an obligation on the international community, through the United Nations, to do what it could to make the ceasefire a continuing reality and to achieve a permanent peace. The United Kingdom will of course want to ascertain its contribution in those circumstances, in the way suggested. I am satisfied that we could make a significant and substantial contribution, if we chose to do so.

Training Areas (Public Access)

2. **Mr. Bowis:** To ask the Secretary of State for Defence what steps he plans to take to improve public access to his Department's training areas.

The Minister of State for the Armed Forces (Mr. Archie Hamilton): Ministry of Defence training land is required primarily for military purposes. So far as it is consistent with operational, safety and security considerations and the interests of our tenants, however, we continue to encourage public access and seek actively to improve access arrangements, providing additional facilities and information wherever there is opportunity to do so.

Mr. Bowis: Does my right hon. Friend accept that the British people have lost access through closures? Closures made this century in particular have been the result of land taken, rightly, for defence training purposes. Will my right hon. Friend keep a vigorous watch on such land, to ascertain how quickly it can be restored to the public—and meanwhile ensure that access can be enabled according to the needs of British defence interests?

Mr. Hamilton: I assure my hon. Friend that we keep that aspect constantly under review. I recommend to him the pamphlet, "Walks on Ministry of Defence land"—*[Laughter.]* I assure Opposition Members who are laughing that a copy is also in the Library. It points out the excellent walks the public can enjoy across training areas.

Mr. Cohen: Will the Minister consider the training grounds near the village of Imber and the surrounding area on Salisbury plain? The MOD keeps that land closed to the general public, bar a few days each year—yet only a fortnight ago, a car rally was allowed, at which people could wander around freely over the land. Surely it is time to return that land to the village of Imber, as was promised when that land was appropriated in the war.

Mr. Hamilton: Imber is an integral part of our training area. It is difficult for us to allow perpetual public access to it, but, as the hon. Gentleman has acknowledged, we allow such access whenever possible. I will look into the matter, and write to him.

Medium Surface-to-air Missile

3. **Mr. Kirkwood:** To ask the Secretary of State for Defence what progress is being made on the development and deployment of the medium surface-to-air missile.

The Minister of State for Defence Procurement (Mr. Jonathan Aitken): Work on the evaluation of medium surface-to-air missile tenders has now been completed and we are assessing the options in the context of our overall defence requirements. No decision has yet been made.

Mr. Kirkwood: Will the Minister acknowledge that, since the withdrawal of the Bloodhound missile in 1991, the United Kingdom has become one of the few NATO countries without access to medium surface-to-air missiles? He has said that Ministers have now completed their examination of the long-term costs of the development of new systems to replace the Bloodhound over the next 15 years. When will he be able to make an announcement? Does he accept that, if we do not secure a replacement within 15 years, it would be very foolish to deploy the Eurofighter without being able to protect it effectively with a missile system?

Mr. Aitken: I should point out that MSAM is not a replacement for the Bloodhound. It would provide part of a layered air defence for the United Kingdom, together with Rapiers and air defence fighters. I take account of the hon. Gentleman's point about the need for a next generation of missiles to protect the Eurofighter in certain circumstances. An announcement can be expected within the next few weeks.

Mr. Mans: Given that the RAF now has its full complement of air defence variant Tornados, is my hon. Friend satisfied with the state of British air defences?

Mr. Aitken: Yes, I confirm that we are satisfied with the state of Britain's air defences. We have made a continuing commitment to invest heavily in the United Kingdom's air defence capability in recent years: so far, we have spent well over £7 billion at 1992 prices, with more than £1 billion to come. We have well over 100 fighter aircraft and three Rapier squadrons, and we believe that they are more than adequate to meet the foreseeable threat of air attacks on the United Kingdom.

Mr. Foulkes: Will the Minister turn his attention to the proposed tactical air-to-surface missile? It would cost £3 billion and is an unnecessary addition to our nuclear capability. Will the Minister confirm last week's press reports that the Government have at last taken the Opposition's advice and rightly decided to cancel TSAM?

Mr. Aitken: Far from relying on the Opposition as a source of wisdom and advice, we regard many of their questions as coming from over-enthusiastic plumbers who race after every leak that appears in the press. The question is about MSAM; I will not be drawn into the issue of TASM, beyond saying that no decision has yet been made.

Bramcote Barracks, Nuneaton

4. **Mr. Olner:** To ask the Secretary of State for Defence what steps he has taken to continue the use of Bramcote barracks in the Nuneaton constituency.

Mr. Archie Hamilton: Further defence uses for the site are being examined. I will, of course, keep the hon. Gentleman advised of developments.

Mr. Olner: Does not the Minister remember my bringing a deputation of civilian workers from Bramcote to see him three or four months ago? It is crucial to the local economy that Bramcote is retained in service use. I hope that the Minister will examine the matter seriously, especially when troops must be redeployed from Germany.

Mr. Hamilton: I do not want the hon. Gentleman to become over-enthusiastic, but I can tell him that we are looking very seriously at alternative Army use for the site. I hope that we shall be able to make an announcement within the next few weeks.

Volunteer Reserve Forces

5. **Mr. Brazier:** To ask the Secretary of State for Defence if he will make a statement on the future of the volunteer reserve forces.

Mr. Rifkind: The volunteer reserves will continue to provide a highly valued contribution to our defence capability. I am sure the House will join me in expressing admiration for the dedication and enthusiasm of all who serve in them. Work is continuing on the future role of the reserves, and proposals will be announced to the House later in the year.

Mr. Brazier: Does my right hon. and learned Friend agree that, when we are planning the smallest Regular Army since the Napoleonic era in a very dangerous world, this is profoundly the wrong time to consider a second possible round of cuts in our already very full defence programme? Can I put it to my right hon. and learned Friend that the real debate should be about enhancing the quality of our reserves and that that should start from the top by appointing a reservist to direct the reserves, as is the case in every other major English-speaking country?

Mr. Rifkind: I note my hon. Friend's interesting latter suggestion, which may indeed be worthy of consideration. It clearly is important to ensure not only that we have the number of reserves that is thought to be suitable to our requirements, but that we continue to look at the role of the reserves, because in a changed international strategic situation it would clearly be unwise and, I think, contrary to the interests of the reserves themselves, to assume that somehow their role, which might have been suitable during the cold war, would necessarily be the most appropriate in the circumstances of today. It may be that there will be a need, for example, for changed legislation to enable the reserves to be used more ably and flexibly for a multiplicity of roles, which would have been difficult, if not impossible, in the past.

Mr. Wigley: Will the Secretary of State address himself to the fact that a number of his Department's premises in Wales are now becoming vacant? Could they be used in the context of the training of the volunteer reserves to help to provide sustenance for the local economy, which has been so devastated by certain cuts in his Department?

Mr. Rifkind: We shall naturally be willing to consider any proposal that is put to us by the hon. Gentleman or by any other hon. Member about the use of surplus assets, either for the reserves or, indeed, for any other relevant and useful role.

Sir Anthony Grant: Will my right hon. and learned Friend bear in mind the fact that not only has the Territorial Army contributed massively and valiantly this century to the defence of the nation in two world wars, but that it also has a most valuable social contribution to make? Will he therefore resist any Treasury blandishments to cut it further and do all he can to urge young people in particular to join the Territorial Army, since we shall all be the better for it?

Mr. Rifkind: I am sure that my hon. Friend's assessment is correct. I think the best contribution that we can make, both to the morale of the reserves and to the ability of the reserves to attract suitable people to their ranks is to ensure that they have a role in our defence thinking which is clearly relevant and appropriate to the needs of the 1990s.

Dr. Reid: I know that the Secretary of State remains alert, even during recesses. Did he therefore have the opportunity to read the report in *The Sunday Times* of 4 April, which affirmed that the Government were some £4 billion out in their three-year costing and that, as a result, they were considering further cuts, which included 12 battalions of the Territorial Army—9,600 men, bringing the number down to 52,000—and another round of compulsory redundancies, as well as five frigates? Will he therefore take this opportunity to deny that any of these are under consideration by the Government at present?

Mr. Rifkind: If the hon. Gentleman had read not only that report in *The Sunday Times* but the article that I wrote which *The Sunday Times* was good enough to publish a couple of days ago, he would have seen that I said in that article that, whenever proposals were put to Ministers, they were considered not only for their financial implications but as to whether they produced a coherent and sensible defence policy and that if they were not justified on defence grounds, the proposals would not be accepted. Therefore, these are the criteria which we shall apply not only to the reserves but to any other proposals affecting the defence programme at the present time.

Mr. Bill Walker: Is my right hon. and learned Friend aware that many active volunteer reservists will be delighted that today he said that we are looking at and giving consideration to changing the law with regard to calling up reservists? That, I believe, was one of the lessons that we learned from the Gulf. Does he also recognise that another lesson from the Gulf was how effective it was to

call up individual volunteer reservists in individual categories, who were able to make such an important impact on activities during that operation?

Mr. Rifkind: Yes, I think that there is no doubt that the current regulations and legislation governing the use of reserves are unnecessarily bureaucratic and complicated. For example, some weeks ago, when we wished to send one individual reservist who was fluent in Serb-Croat to Bosnia and that reservist was keen to go, it was nevertheless necessary to go through a complicated procedure, including a special report tabled before the House, before the legal power existed to carry out that relatively minor act with the volunteer who was anxious to be of service. I think that that illustrates the need for early reform in this area.

Battle of the Atlantic

6. **Mr. Loyden:** To ask the Secretary of State for Defence how his Department has been involved in commemorating the battle of the Atlantic and the western approaches.

Mr. Archie Hamilton: My Department is responsible for the organisation of the military aspects of the commemoration. It is also working closely with the Chamber of Shipping, the Merseyside local authorities and other interested organisations to ensure that all those who took part in the battle, including members of the Merchant Navy, are properly commemorated in the events which are to take place in the Merseyside area during the last week of May.

Mr. Loyden: Does the Minister recognise that the country and, therefore the Government owe a great debt to the merchant seafarers who during the war carried our troops and military hardware to every theatre of war, at a cost of 30,189 lives and 11·5 million tonnes of British shipping? I welcome recognition, even at this late stage, of the role played by merchant seamen during the war, but does not the Minister agree that the best way of repaying the men and women who sail our ships would be to revive our Merchant Navy and get our shipyards moving? That Government activity would be welcomed both by the Merchant Navy and by our shipyard workers.

Mr. Hamilton: As the hon. Gentleman knows, the reasons for the decline in the Merchant Navy are complex, involving taxation and the high cost to shipowners of employing British labour. We are certainly ensuring that the commemoration will include members of the Merchant Navy and that their organisations will be represented. When the commemoration takes place, it will be a great fillip for Merseyside; I gather that the local authorities are catering for about 2 million visitors who are expected to attend.

Mr. Hunter: Bearing in mind the small but significant role played by South Africans in the battle of the Atlantic and the western approaches, would it not be appropriate if representatives of South Africa took part in the commemoration?

Mr. Hamilton: Yes indeed. My hon. Friend describes that role as small but significant; actually, about 10,000 South Africans served under the white ensign both in royal naval ships and in South African ships. Many more were involved in the Merchant Navy. We will ensure that an invitation goes to the South Africans, so that a South African ship may take part in the general commemoration. That invitation will go out this afternoon.

Dr. David Clark: We note, and indeed join in, the Minister's tribute to Merchant Navy and Royal Navy personnel in days past, but why does he treat the Royal Navy and the Merchant Navy of today so shamefully? Does he recall, just before Easter, sneaking out a parliamentary answer revealing that 2,300 Royal Navy personnel were to be made redundant? Will he explain to the House why, later the same evening, his Ministry revealed that the figure was really 5,000 rather than 2,300? Will he apologise to the House for withholding that information?

Mr. Hamilton: No, but I will put the record straight. There is never an ideal moment to announce another phase of redundancies, but the Royal Navy considered it important that the announcement be made before the Easter recess, so that the people concerned would know what was happening. The figure of 5,000 merely denoted forward plans for Royal Navy manpower levels; it was a purely theoretical figure based on estimates and has as much to do with contractorisation and market testing, which, as the hon. Gentleman must realise, involves replacing people in uniform with civilians, and thus does not affect the front line in any way. I am not sure that it is not a mistake to judge the efficiency of the Royal Air Force or the Royal Navy by their manpower. We should judge them on the equipments they have. The number of ships and aircraft is more significant than the number of men.

Bosnia (No-fly Zone)

7. **Mr. Butler:** To ask the Secretary of State for Defence what recent representations he has received regarding the enforcement of the no-fly zone over Bosnia.

Mr. Rifkind: I have received a number of representations from hon. Members and from members of the public.

Mr. Butler: Does my right hon. and learned Friend accept that although I welcome our involvement in the imposition of the no-fly zone, what we seek in Bosnia is a no-war zone, a no-killing zone and a no-starvation zone? Bearing in mind the excellent efforts in humanitarian aid made by British men and women, will my right hon. and learned Friend continue to resist the siren calls for token military action, which has no achievable military objective, but which would be certain to destroy the humanitarian efforts?

Mr. Rifkind: We will certainly judge any proposals for military action by the twin criteria of whether they would be likely to achieve the purpose for which they were designed and what implications they would have, as my hon. Friend rightly says, for the continuation of the humanitarian effort.

Mr. Menzies Campbell: Does the Secretary of State recall that after the no-fly zone was declared and before it was implemented, the Government resisted calls for implementation on the ground that to do so might put at risk British forces and the humanitarian efforts in which they were engaged? Yet shortly before Easter, the

Government acceded to the United Nations proposals for the implementation of the no-fly zone. Does not experience since then demonstrate that the no-fly zone could and should have been implemented much earlier, not least to show the resolve of the international community?

Mr. Rifkind: I do not agree with the hon. and learned Gentleman. The Government's reservations about enforcing the no-fly zone were a result of the fact that, until a few weeks ago, the Bosnian Serbs had made no attempt to breach it with combat aircraft. It seemed premature, therefore, and largely pointless to take such unnecessary action. When the Bosnian Serbs breached the zone on two occasions by the use of combat aircraft for bombing missions, it clearly became necessary for the United Nations to enforce its resolution and that is what the United Kingdom voted for.

Mr. Faber: Is not there a certain irony in the fact that we now have six RAF Tornados patrolling the skies over Bosnia, presumably ready to take unilateral aggressive action at a moment's notice, while on the ground below our troops depend for their very success and continued safety on their perceived neutrality? What steps has my right hon. and learned Friend taken to ensure that there will be no potential accident involving our air force which might jeopardise the security of our troops on the ground?

Mr. Rifkind: The Tornados that have been allocated to the enforcement of the no-fly zone are Tornado F-3s which are suitable for an air defence role and would not be used in ground attack missions. Therefore, the scenario to which my hon. Friend refers is unlikely to occur. There must, of course, always be a risk for all United Nations forces on the ground if other United Nations forces, whether British or from other countries, are carrying out missions in the air. That factor must be borne in mind through proper communications between the various United Nations units serving in Bosnia at present.

Redundancies

9. **Mr. Davidson:** To ask the Secretary of State for Defence how many service personnel have been issued with compulsory redundancy notices since the beginning of 1993.

Mr. Archie Hamilton: Since the beginning of 1993, 628 Army officers have been selected for compulsory redundancy.

Mr. Davidson: How many redundant officers does the Minister expect will find work elsewhere in the present circumstances of mass unemployment? Does he accept that the existing training and resettlement package is completely inadequate and does he agree that Ministry of Defence money should be used to create jobs rather than destroy them? Will he bring forward the announcement that the new Army personnel centre is being moved to the borders of my constituency in Glasgow?

Mr. Hamilton: I totally reject everything that the hon. Gentleman says. Our figures show that 70 per cent. of officers who left on redundancy during 1992-93 have either found jobs or moved overseas. That is a great mark of the efficiency of our resettlement schemes and of the suitability of the service men who leave to find jobs outside the Army. They are offering a tremendous amount to civilian life.

There is still work to be done on the Army personnel centre, but we are moving towards a decision and we will make one as soon as we can.

Mr. David Evans: Does the Minister agree that it is a bit rich for Opposition Members to talk about redundancies in Army personnel when their defence policy talks of a 25 per cent. reduction? How many thousands of people would that policy make redundant? After all, as the Minister knows, that lot over there know about redundancies because they have been redundant for 14 years.

Mr. Hamilton: There is not much that I can add to my hon. Friend's remarks: he put it extremely well. There is no doubt whatever that at some stage the Labour party must shake off its resolution, which seems to be passed annually by its conference, that defence expenditure should be cut by the large percentages that Labour Members are always talking about.

Mr. Martlew: During the Army debate on 24 February this year, my hon. Friend the Member for East Lothian (Mr. Home Robertson) brought to the attention of the House the fact that a number of soldiers serving with the Cheshire regiment in Bosnia had applied for redundancy only because their regiment was to be amalgamated. They wished to withdraw those applications when it was decided that the Cheshire regiment should be saved. The Minister refused to allow them to withdraw their notices, but said that they could appeal against them. He also said that he would take a personal interest in the matter. How many appeals were made and were any of them turned down?

Mr. Hamilton: I do not have that information at my fingertips. I made it clear that the soldiers were in a position to appeal and that their appeals would be sympathetically considered. I will check on the position and write to the hon. Gentleman.

Mr. John Greenway: Will my right hon. Friend confirm that the issue of the integrated Army personnel centre is still not resolved and that he is still considering York as a possible location for the centre? Does he acknowledge the attraction of York, both in terms of its location in the centre of the United Kingdom and the excellent MOD personnel who are already employed there?

Mr. Hamilton: Yes, indeed. One of the important criteria that we have used is that there should be core numbers of employed people already working in an Army personnel centre and that is one of the advantages that York gives us. Having said that, there is also the consideration, which militates against York, that we may decide in favour of an existing building rather than go for building a new one on a green-field site. Certainly, York is still within the frame and has not been ruled out.

Western European Union (Operations)

10. **Mr. Jim Marshall:** To ask the Secretary of State for Defence which units of the British armed forces are available for operations undertaken by the Western European Union.

Mr. Rikfind: In principle, all the United Kingdom's conventional armed forces are available for military operations conducted under the auspices of the Western European Union. Military units for WEU operations

would be drawn on a case-by-case basis from forces with national and NATO roles—in the latter case, after consultation with our NATO allies.

Mr. Marshall: Does the Secretary of State accept that there is a serious possibility that our resources may be overstretched in the light of our existing commitments to NATO, the United Nations, Northern Ireland and now the enhanced Western European Union? In the specific case of the Western European Union, can he give a guarantee that if the new planning cell in Brussels provides new commitments, they will be made publicly known so that the House will be able to judge whether we have sufficient resources to meet any new commitments?

Mr. Rifkind: Yes, of course, any new commitments for our armed forces must become publicly known. The new arrangements involving the Western European Union do not imply additional commitments: they simply suggest that in certain circumstances it may be more appropriate for the WEU, rather than NATO, to sponsor certain operations. That would largely depend on whether the United States and Canada were likely to be involved in a specific matter, so that is the sort of circumstance which we envisage as potentially arising.

Sir Dudley Smith: Does my right hon. and learned Friend agree that it would be unwise for western nations to become involved in a civil war unless that specific civil war posed a threat to the integrity of one of the union's number?

Mr. Rifkind: That is indeed the case. At present, the WEU is making a useful contribution with regard to the monitoring of shipping in the Adriatic. It is also suggested that the WEU might have a contribution to make in monitoring sanctions-breaking on the Danube. Clearly, those are the sorts of roles in which the WEU could be usefully employed as part of a wider international operation.

Mr. Macdonald: Will the Secretary of State confirm that if the full capacity of the Western European Union together with NATO, acting under the auspices of the United Nations, were deployed in Bosnia, an effective ceasefire could be imposed within a relatively short period? It is not a question of capacity that deters the Secretary of State; it is a calculation that the effort would not be worth the saving of the civilian population in Bosnia.

Mr. Rifkind: The hon. Gentleman is labouring under a misunderstanding. The WEU has no assets of its own. Any assets that might be made available to the WEU are assets which would otherwise be available to NATO. The hon. Gentleman should not try to add one on top of the other and imply that there is some massive force available only if requested.

Defence Expenditure

11. **Mr. Oppenheim:** To ask the Secretary of State for Defence what representations he has received on defence expenditure levels.

Mr. Rifkind: I have received several representations on defence expenditure levels from hon. Members and members of the public. I am keen that, in this important area, we should be able to inform the public debate better than we have done in the past. I therefore commissioned some months ago, in the context of our annual long-term costing exercise, a detailed analysis of how and what resources are taken up in meeting our various commitments around the world. A great deal of work has already been done on this. I expect to report the results in the statement on the defence estimates 1993.

Mr. Oppenheim: What logic is there in consistently calling for massive defence cuts of 25 per cent.—equivalent to more than the Royal Air Force—as Labour conferences still do, supported by many of their Front-Bench Members of Parliament, and then complaining every time that the Government, as a result of their much smaller cuts, have to close a depot or merge a regiment? Most ludicrous of all, the Leader of the Opposition struts and postures as the tough guy, Bomber Smith, demanding action in Bosnia.

Madam Speaker: Order. The hon. Gentleman must relate his question to the question on the Order Paper and not concern himself with Opposition policies. Does the Secretary of State wish to make a response?

Mr. Rifkind *rose*——

Madam Speaker: I am sure that the Secretary of State's response will be perfectly in order.

Mr. Rifkind: Of course, Madam Speaker, that goes without saying. In the debate about defence expenditure levels, it is crucial that the Opposition follow the views of the Government and do not call for expenditure cuts, yet complain if difficult decisions have to be taken.

Mr. Mackinlay: When contemplating the expenditure of Her Majesty's armed forces and participating in the debate to which he has just referred, will the Secretary of State explain to the House why there has been a massive overspend in the construction, equipping and commissioning of HMS Fort Victoria? It is a scandalous case over which he has presided as Secretary of State for Defence. Why is there delay, why has there been an overspend, and whose heads will roll?

Mr. Rifkind: I assure the hon. Gentleman that in this project, as in any other, there will be the most rigorous analysis of the causes of the overspending to ensure that it does not recur.

Service Legal Departments

12. **Mr. Cyril D. Townsend:** To ask the Secretary of State for Defence what plans he has to bring together the legal departments of the three services.

Mr. Archie Hamilton: There are no such plans at present.

Mr. Townsend: I hope that my right hon. Friend might have a look at the matter. Is he aware that the numbers involved are small these days? After a serious cut in the number of regiments, squadrons and ships, should not we look for savings in the tail of the defence services?

Mr. Hamilton: Yes. Since my hon. Friend raised the matter, I have had a look at it. As he said, the only area in which an amalgamation could be effected would be between the Army and RAF legal departments, which employ 50 and 25 people respectively. That possibility has been considered, but it has been found that no appreciable

savings could be made. Economies of scale can be achieved from the incorporation of the Army legal department in the Adjutant General's Corps.

Mr. Dalyell: How come that the Ministry of Defence apparently cannot make savings when the Lord Chancellor is asking the rest of legal aid to do so?

Mr. Hamilton: The savings that we seek are obviously in terms of reducing overheads. There are no overheads to be reduced in the small legal departments. As I have said already, the Army legal department has been incorporated in the Adjutant General's Corps. That will give all the advantages of savings in overheads.

As I am sure that the hon. Gentleman knows, the Lord Chancellor was worried about the level of legal aid paid, which is a rather different question altogether.

Damaged Fishing Gear (Isle of Wight)

13. **Mr. Barry Field:** To ask the Secretary of State for Defence what representations he has made to the Belgian Navy about compensating Isle of Wight fishermen for damaged gear.

Mr. Archie Hamilton: Several representations have been made by my Department to the Belgian navy, via its defence attaché in London, in respect of one fisherman's claim for damaged gear.

Mr. Field: Will my hon. Friend review the arrangements for all NATO navies that operate inside United Kingdom territorial waters to compensate fishermen for damage to gear? The arrangements should be the same as for the Royal Navy. It came as a complete surprise to me and my constituents that a navy that is a member of NATO and operating in our home waters was not liable to pay compensation for damage to the gear of British fishermen.

Mr. Hamilton: I assure my hon. Friend that if the navy had been on a NATO exercise, the claim would have been settled by the Ministry of Defence and a subsequent claim for 75 per cent. of the total would have been made to the Belgians. In the case to which my hon. Friend refers, it was not a NATO exercise. The Belgian navy was operating on its own. As my hon. Friend knows, the accident happened in March last year. It is for the Belgians to settle this claim, which has been going on for much too long. My Department will do everything that it can to hasten the settlement of this claim.

Bosnia

14. **Mr. Macdonald:** To ask the Secretary of State for Defence if he will make a statement on the situation in Bosnia.

Mr. Rifkind: British forces continue to play a major part in supporting the United Nations in the former Yugoslavia. They operate in difficult and frequently dangerous conditions with the superb professionalism that we have come to expect. I am sure that the House will join me in paying tribute to all those involved in this important work.

Mr. Macdonald: Will the Defence Secretary have another go at answering the question that I asked earlier? If NATO forces were to be fully deployed in Bosnia under United Nations auspices, would not they have the capability of imposing an effective ceasefire within a relatively short period of time?

Mr. Rifkind: The hon. Gentleman's question implies that military involvement by NATO would be a short, sharp exercise. He has to accept that very few would agree with that judgment. He might reflect on the fact that the United Nations operation in Cyprus, an infinitely less difficult operation, has continued for over 28 years. The hon. Gentleman should consider whether that might apply in the case of Bosnia.

PRIME MINISTER

Engagements

Q1. **Mr. Parry:** To ask the Prime Minister if he will list his official engagements for Tuesday 20 April.

The Prime Minister (Mr. John Major): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Parry: Will the Prime Minister today decide when he intends to visit Liverpool, where he can meet local trade union leaders to discuss the very high level of unemployment? Incidentally, he might visit Liverpool, Riverside, which has the highest level of unemployment in England, Scotland and Wales—32 per cent. Will he also consider visiting Liverpool next month for the commemoration of the battle of the Atlantic and western approaches? Her Majesty the Queen is coming and, in 1940, Mr. Winston Churchill, the then Prime Minister, came several times, as did King George VI. Will the Prime Minister consider coming there?

The Prime Minister: I have indeed received an invitation to attend the 50th anniversary of the battle of the Atlantic, in which Liverpool and its people played such a significant part. I have accepted that invitation and I look forward to that event very much indeed.

I am aware of the very high level of unemployment in the hon. Gentleman's constituency. It has fallen over recent years, but it is still far higher than in many areas in the United Kingdom and is one of the worst pockets of unemployment anywhere in the country. I will not be able to visit Riverside on this occasion, but I understand the particular problems faced by the hon. Gentleman and if he, with a small delegation of his constituents, wishes to come to see me to discuss the problem, I will be happy to meet them.

Mr. Ottaway: Is my right hon. Friend aware that one of Norway's largest ship owners, Gearbulk, has recently decided to relocate to London, giving as its reason that it wants to be at the centre of things? Does my right hon. Friend agree that this demonstrates that Britain, with a low corporate tax structure and a Conservative Government, remains the best place in the world in which to do business?

The Prime Minister: I was not aware of that piece of welcome news and I am delighted to hear what my hon. Friend has said. We very much welcome inward investment from both within and beyond the European Community. We are determined to maintain in this

country the economic circumstances and the relatively low on-costs to employment which will continue to attract inward investment.

Mr. John Smith: While it is essential that the sanctions against Serbia be intensified and properly enforced, as indeed they should have been months ago, is it not now necessary for a clear ultimatum to be issued to the Serbs that they will not be allowed to continue their aggression unchecked and that, if they continue that aggression, their lines of supply within Bosnia will be subject to air attack?

The Prime Minister: We had a lengthy statement by my right hon. Friend the Secretary of State for Foreign Affairs yesterday in which he set out the present position and the discussions we are having with our partners in the United Nations. The House recognised yesterday that the road to further action, particularly if it leads to military action, which is what the right hon. and learned Gentleman's question implied, is fraught with peril. Once one goes down it, there is no turning back. We must first be confident that that is the right direction.

Mr. John Smith: While there are risks in any course of action, and I would not seek to minimise them, do not they have to be weighed carefully against the possibly greater risks of non-action? Surely what is badly needed is a demonstration of United Nations determination. How will the Government respond, for example, if the Serbs proceed to take the crucial towns of Gorazde and Zepa? Should not they be warned now that such action on their part will not be tolerated?

The Prime Minister: As the right hon. and learned Gentleman heard my right hon. Friend say again yesterday, we are not excluding those options; we are considering them seriously and discussing them with our allies. I have spoken recently with both the French and American Presidents, but we have not yet reached a decision about the balance of advantage in those particular courses. They could cause fighting to escalate, civilian casualties to rise and an end to the humanitarian operation.

On that last point, I remind the House that it was the expectation in the House some months ago that over the winter hundreds of thousands of Bosnians would die of starvation and lack of medicine. That has not happened because we have managed to sustain the humanitarian operation. Neither my right hon. Friend nor I would willingly throw that away.

Mr. Dickens: Following the tragic circumstances surrounding the death of many British citizens who were members of a cult in the United States of America, will my right hon. Friend have conversations with the Home Secretary with a view to setting up a working party to see how we can best limit the recruitment of British citizens into those evil cults?

The Prime Minister: There are a number of undesirable cults and I share my hon. Friend's concern. It would be difficult to focus legislation to restrict the establishment of cults or religious movements because it would be difficult to determine what groups should be included in the legislation and what groups should be excluded. However, we have powers under the criminal law and we are prepared and willing to use them to regulate the behaviour of individuals when they may infringe the rights of other people. We also have powers under the immigration laws to prohibit the entry of people who may wish to establish such cults, if it is thought that they would be damaging to our interests.

Mr. Ashdown: In the Prime Minister's previous answer, he rightly referred to the importance of humanitarian aid. Has he noticed that today the United Nations High Commissioner for Refugees has called for the establishment of a United Nations protected safe haven in Zepa and Gorazde? How will he respond to that question?

The Prime Minister: The right hon. Gentleman will know that the UNHCR wants to set up safe areas by agreement with the parties in those areas and does not want the United Nations to be an active participant in the conflict. To that extent, it differs quite radically from the proposals that the right hon. Gentleman was kind enough to write to me about some days ago.

Sir Geoffrey Johnson Smith: Does my right hon. Friend agree that if there has to be further military intervention in Bosnia, it should be done under NATO command with American participation, backed by United Nations resolutions supported by Russia?

The Prime Minister: I see no other circumstances in which it would be practicable to expect any military authority to be there and to succeed. Anything short of action in the circumstances set out by my hon. Friend would be unacceptable and would be unlikely to be agreed. Those are only the circumstances, but I stress that that would be a very grave step and it is not yet the policy of any of the major Governments in the United Nations.

Q2. **Mr. Ernie Ross:** To ask the Prime Minister if he will list his official engagements for Tuesday 20 April.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Ross: Has the Prime Minister had a chance to study the public sector borrowing requirement figure announced today? Does he realise that £9·5 billion is the highest recorded figure of any Government for any one month? It is £1 million more than the Chancellor announced in his Budget last month. Does the Prime Minister share the concern of many forecasters, who believe that that points to a real underlying problem about our economy? What is he going to do about it?

The Prime Minister: It is an interesting question from the hon. Gentleman. I hope I can assume from it that the hon. Gentleman is so concerned about borrowing that he will support our new controls on public spending. I hope that the hon. Gentleman will support us in imposing limits on public sector pay and on keeping caps on council spending. Perhaps the hon. Gentleman will explain why he supported the Delors proposals for Community spending which would have cost us millions. He might explain why his hon. Friend the shadow Chancellor said that he was prepared to debate with the Community over our rebate. All those matters relate to our borrowing requirement; upon none of them have we ever had the support of the hon. Gentleman or any right hon. or hon. Member in his party. Words from him about restraints on public spending are very hollow indeed.

Q3. **Mr. Harry Greenway:** To ask the Prime Minister if he will list his official engagements for Tuesday 20 April.

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Greenway: Does my right hon. Friend agree that teachers have a moral duty to do their very best for their pupils and that that means carrying out testing this summer? Is my right hon. Friend aware that Britain spends a higher percentage of its GDP on education than Germany and Japan, but that in Germany children are taught and tested over 1,260 hours per year, whereas children in Britain are taught for as little as 850 hours per year and would remain untested if some teacher unions have their way, supported by the disruptive attitude of the Labour party?

The Prime Minister: As a former head teacher, my hon. Friend speaks with particular authority on this matter. A boycott of testing would certainly not be in the interests of our children. We need tests—and need them this year—as Sir Ron Dearing, among others, has made clear. My hon. Friend is right that our principal competitors have national curricula and regular testing. Any attempt to sabotage our reforms could damage our long-term ability to compete and damage the education of our children.

Q5. **Mr. Llwyd:** To ask the Prime Minister if he will list his official engagements for Tuesday 20 April.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Llwyd: The Prime Minister will be aware of the recent integrated administration control system forms which have been issued at the behest of the European Community. These are a great headache to the farming community because they are time limited; they have to be in by 15 May. Farmers also have to have plans mapped out in hectares. In my constituency, for example, only two thirds of land has been surveyed for that purpose. I urge the Prime Minister and his colleagues to ask the EC to extend the time limit and to consider defraying the expenses of those who have spent on survey fees privately for this purpose.

The Prime Minister: There are difficulties with this and I sympathise with what the hon. Gentleman has said. Although I doubt whether it is feasible to extend the time limit, my right hon. Friend the Minister for Agriculture is seeking to help farmers in that situation within the rules of the terms of the scheme. Maps that can be used are available, but we have always recognised that some farmers may have difficulty getting maps of the right scale. Where maps cannot be obtained, farmers should provide the best alternative that they can.

South Africa

Q6. **Mr. Hunter:** To ask the Prime Minister what representations he has recently made to, or received from, the South African Government regarding political change in South Africa.

The Prime Minister: We are in regular contact at all levels with the South African Government and other parties involved in the current constitutional negotiations. I shall be seeing Mr. Mandela and Chief Buthelezi in the next few weeks. I am also in touch with President de Klerk.

Mr. Hunter: As the tragedy of South Africa unfolds and, for the time being, the men of violence have their way, will my right hon. Friend urge President de Klerk not to give ground to the enemies of democracy or mob rule, but, rather, to continue negotiations, especially with moderate black leaders, so that the new South Africa may be better than the old?

The Prime Minister: My hon. Friend knows South Africa well and I agree with him that negotiations are the only way to reach the goal of a non-racial, democratic South Africa. The concessions that the ANC is seeking, covering both the election date and the establishment of a transitional executive council, are matters for the constitutional negotiations. I urge all parties to address issues in that forum.

Engagements

Q7. **Mr. Connarty:** To ask the Prime Minister if he will list his official engagements for Tuesday 20 April.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Connarty: Has the Prime Minister had, as I have, the shared joy of being present at the birth of his children? Does he share with me and the Royal College of Midwives deep concern at the massive increase in the use of Caesarian sections in all parts of the United Kingdom? Is he aware that I have been told in parliamentary replies that the rate has risen from 5·3 to 13 per cent. in England and to 14 per cent. in Scotland and that women are now threatened in one out of eight cases with surgery in what should be the pleasant experience of childbirth? Does he think that it is time that we had a childbirth charter to protect women from the scalpel when they should have a normal childbirth?

The Prime Minister: The answer to the first part of the question is yes, on two occasions. The second part is essentially a matter for the individual mother and her surgeon and doctor. I confess that I was not aware of the growth of Caesarian section births and it is a matter which, in the light of the hon. Gentleman's remarks, I shall refer to my right hon. Friend the Secretary of State.

Business of the House

3.31 pm

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): With permission, Madam Speaker, I shall make a short business statement.

The business already announced for tomorrow will now be preceded by a debate on early-day motion 1782.

[That this House regrets that the Chairman of Ways and Means, having selected Amendment 27 to the European Communities (Amendment) Bill, which has support from honourable Members on both sides of the House, having called a Right honourable Member to speak on that amendment, and having allowed a debate upon it to take place, should then have decided, contrary to normal practice, not to permit a division to take place upon that amendment, thus denying the House an opportunity to reach a decision on an issue relating to the applicability of the Protocol on Social Policy contained in the Maastricht Treaty, a protocol which Her Majesty's Government held to be so important that it sought and obtained a special opt-out from it for the United Kingdom; and, in the light of these considerations, and the long term significance of this ruling for parliamentary debates on all future legislation, calls upon the Chairman of Ways and Means to re-consider his ruling forthwith, and to permit the Committee to reach a decision on that amendment.]

Mrs. Margaret Beckett (Derby, South): I thank the Leader of the House for that statement. Are there any major implications for the timing of the rest of tomorrow's debates? More important, can he confirm my understanding that, although hon. Members in all parts of the House, and in particular my hon. Friends on the Front Bench who deal with foreign affairs, will continue to argue for the House to have an opportunity on Report to decide on amendment No. 27, even if the motion for debate tomorrow were passed, no vote in Committee on that amendment would procedurally now be possible?

Mr. Newton: The answer to the latter point raised by the right hon. Lady is that the point in the Bill at which amendment No. 27 would have been voted on, had it been chosen in that way, occurred at about 10 o'clock last night and has now passed.

The answer to the first part of the question about the implications for the timing of further proceedings is that that is in the hands of the Committee because it will be determined by the amount of time that hon. Members wish to take in debating the early-day motion to which I referred.

Mr. Tom King (Bridgwater): Is my right hon. Friend aware that I suspect that many hon. Members deeply regret that some right hon. and hon. Members decided to table the motion—[HON. MEMBERS: "Hear, hear."]—and is it not an extremely dangerous precedent if the rulings of the Chair in deciding what amendments shall be selected or what votes shall be taken are to be determined by a majority vote in the House?

Does that not also have serious implications, as we shall have to return to the matter on Report, if the motion is approved? That would put the Chair in an impossible position. Either it will have acceded to pressure coming from those tabling the motion or find that the Chair, and Madam Speaker, could face a similar motion. Is it not highly unfair to the Chairman of Ways and Means, whom many of us feel has been placed in an almost impossible position when he has been carrying out his duties with great good humour and tolerance?

Madam Speaker: Before I call the Leader of the House to reply to that question, I ask hon. Members not to anticipate tomorrow's debate. This is a very narrow statement indeed and questions should be confined to its content. Let us not anticipate what will take place tomorrow.

Mr. Newton: Madam Speaker, obviously I am grateful for that guidance, but I think it was clear from the reaction of the House that my right hon. Friend's regret will be widely shared. I express the hope that right hon. and hon. Members on both sides of the House will wish tomorrow to reaffirm something which I believe to be very important for the whole of our proceedings and for all groups in the House—support for the authority of the Chair.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Does the Leader of the House accept that the motion is a de facto motion of no confidence in the Chair, and, as such, is a gratuitous move? Since it has been tabled in the names of right hon. and hon. Members who are predominantly members of the official Opposition, why is the time for the debate not being taken out of time set aside today for the official Opposition?

Mr. Newton: I note the point that the hon. Gentleman raises. It was felt right, as we considered these matters, to provide an opportunity for reflection and for the motion to appear on the Order Paper, and then for it to be debated if it was maintained. That is the position that we have adopted. I think that was right. I am grateful for the implicit support that the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) expressed for the position that I put a moment ago.

Mr. Michael Jopling (Westmorland and Lonsdale): In view of the fact that the indications from the Opposition Front Bench are that they will not support the motion, will the Leader of the House make renewed efforts to get those who have tabled the motion to withdraw it? Does he agree that the House usually does itself considerable damage when it seeks not to trust and support the Speaker and those who have the extremely difficult task of selecting amendments and making other judgments? Does he agree that in such cases we nearly always get into situations which put the House at a huge disadvantage? In this case, is it not particularly inappropriate when we can revert to the matter on Report?

Mr. Newton: I agree with every word that my right hon. Friend has said. I hope that his request—perhaps it could be described as a plea—will be heeded by those who have chosen to table the motion. I add my voice to those seeking further reconsideration even now.

Mr. Tony Benn (Chesterfield): I thank the Leader of the House for following the precedents of the House in finding time to debate a motion of this character, last moved, as he will know, by a former Lord Chancellor, Sir Elwyn Jones, during the passage of the European Communities Act 1972, and supported by all Opposition Members.

Will the right hon. Gentleman confirm that it is a House of Commons matter since the motion tabled by 10 per cent. or more of the total membership of the House

touches upon the future proceedings of the House in respect of all legislation and not only the European Communities (Amendment) Bill? Will he give the House an assurance that this will be seen, contrary to practice, not as a party matter but as a House of Commons matter on which every hon. Member must reach his or her own conclusion?

Mr. Newton: It is certainly a House of Commons matter. The reaction of many right hon. and hon. Members on both sides of the House shows that, as it is a House of Commons matter, they wish that the right hon. Gentleman would reconsider his action.

As for the right hon. Gentleman's reference to debates on earlier occasions, I think that he will find that there is no clear parallel for the motion which he has tabled in the example which he has chosen from 1972, when the motion was presented specifically as an attack on the Government rather than on the Chairman of Ways and Means. There is no doubt that the right hon. Gentleman's motion is intended as an attack on the Chairman of Ways and Means.

Mr. Peter Bottomley (Eltham): My right hon. Friend will probably tell me that, because of the terms of the motion which has been selected, early-day motion 1792, which I have tabled, will fall because it is on the same subject.

[That this House would wish it to be understood that Tories opposing the European Communities (Amendment) Bill, opposed to the Social Chapter, have wished to vote for the Chapter with socialists approving the Chapter and in support of the Bill and that it should be understood that the upset caused by the declaration by Government that Parliament would be recommended to accept the new clause that would give a clear opportunity to vote for or against the Social Chapter, after approval of the Bill, is because those for and against the Chapter, and those against and for the Bill will be able to vote against each other rather than together; and that it will be understood that this simple way forward should have support from all who desire clarity in politics and separation between people with opposite views.]

Will it be possible in the debate to discuss early-day motions 1790 and 1791, which point out that the opponents——

Madam Speaker: Order. That question has nothing to do with the Leader of the House. I said earlier that this is a confined statement. It is a supplementary statement. It concerns only the change of business and not early-day motions tabled by the hon. Gentleman.

Mr. Bottomley *rose——*

Madam Speaker: Is the hon. Gentleman asking the Leader of the House a question that he can answer and that he has the authority to answer?

Mr. Bottomley: I am grateful to you, Madam Speaker. In essence, I am asking whether an amendment may be tabled to the motion that has been selected stating that the House expresses confidence in the impartial way in which the Chairman has conducted our proceedings up to now.

Mr. Newton: Madam Speaker, you will probably agree that the issue of amendment and selection is certainly one for you.

Madam Speaker: Leave it to me.

Mr. Alex Salmond (Banff and Buchan): My question relates to the implications of the statement for the rest of tomorrow's business. We were expecting a full day's debate on the subject of the referendum and a vote at 10 pm. Will the Leader of the House guarantee that the debate and vote on a vital matter such as the referendum will not be truncated and shunted into the early hours of the morning? However inconvenient it might be for the two Front Bench teams, we must have a legitimate debate and vote on the vital matter of the referendum.

Mr. Newton: The hon. Gentleman must understand that I cannot sensibly add to what I said—I think to the right hon. Member for Derby, South (Mrs. Beckett)—earlier. Ultimately, it is for the House to determine how long the debate proceeds.

Mr. Bill Walker (Tayside, North): Will my right hon. Friend confirm that during tomorrow's debate it will be in order to refer to comments made by the Chairman of Ways and Means on a Scottish television programme at the weekend when he said, in effect, that any amendment tabled that was judged to be a wrecking amendment would not be selected or voted on?

Mr. Newton: I did not have the opportunity of seeing the interview to which my hon. Friend has referred, but, subject to your approval, Madam Speaker, it is possible that it will be in order in tomorrow's debate to refer to an interview of that sort.

Mr. Dennis Skinner (Bolsover): Is the Leader of the House aware that some of us believe that there should not be any fuss or bother about the fact that some of us think that the Chairman of Ways and Means was the one who set the dangerous precedent, not my right hon. Friend the Member for Chesterfield (Mr. Benn) and other hon. Members who signed the motion? The Chairman decided to ignore the wishes of the Leader of the Opposition about a vote on amendment No. 27. In doing so, he made a rod for his own back——

Madam Speaker: Order. That does not relate to tomorrow's business.

Mr. Skinner *rose——*

Madam Speaker: Order. If the hon. Gentleman will contain himself, he may well be called in tomorrow's debate.

Several hon. Members *rose——*

Madam Speaker: I shall now move on.

Points of Order

3.43 pm

Mr. Tony Benn (Chesterfield): On a point of order, Madam Speaker. A few minutes ago the deputy leader of the Labour party, my right hon. Friend the Member for Derby, South (Mrs. Beckett), said that, even if the motion were passed tomorrow, there would be no possibility of a vote in the Committee stage.

I know that this is a difficult question, and I would have posed it to you earlier had I known that the matter would arise, but would you consider overnight whether the House could defy a decision taken in the House that amendment No. 27 should be put forthwith? If the motion is carried tomorrow, the House will have said that it is to be put forthwith. Therefore, will you, Madam Speaker, consider overnight whether the deputy leader of the Labour party inadvertently made a serious error when asking her question?

Madam Speaker: I cannot anticipate what is likely to happen tomorrow.

Mr. Bob Cryer (Bradford, South): On a point of order, Madam Speaker. During the exchanges on the business statement, it was suggested that the issue was a House of Commons matter. Unfortunately, the Leader of the House did not have an opportunity to make clear whether there will be a Government three-line Whip on Tory Members to vote against the motion in order to defend the original decision not to call a vote on amendment No. 27.

Madam Speaker: That is a serious issue, but not one that relates to the change of business. I shall move on. I think that Mr. Banks has a point of order. Is that right?

Mr. Tony Banks (Newham, North-West): Yes, Madam Speaker.

Madam Speaker: As usual.

Mr. Banks: Yes, Madam Speaker; but this one might actually be a point of order. You will be aware that questions tabled to the Prime Minister on the cost of security provision for the Prime Minister are always given the ministerial response that, on security grounds, it is not policy to divulge security costs, which people can understand. However, in today's edition of *The Guardian*, in the diary column of all places, is an item that says that the cost of protecting the Prime Minister's home at Great Stukeley was £1·2 million in the year to 31 March 1993.

Dame Peggy Fenner (Medway): That is less than the cost of protecting Salman Rushdie.

Mr. Banks: Yes. Some might think that to be a high cost and that Group 4 could provide the service more cheaply; but it would probably supply tea and biscuits to those trying to break in.

If that information can be provided to a county council, surely it should be made available to hon. Members when they make such inquiries.

Madam Speaker: I advise the hon. Gentleman not to believe everything that he reads in the press. On the more serious point, that is entirely a matter for Ministers who have to take responsibility for any refusal to answer certain categories of question.

Mr. David Winnick (Walsall, North): On a point of order, Madam Speaker. A few moments ago you said that the point made by my hon. Friend the Member for Bradford, South (Mr. Cryer) was important, but that it was not a matter for business questions. The motion to be debated on Wednesday, tabled by my right hon. Friend the Member for Chesterfield (Mr. Benn) and supported by a number of us—we do not believe that it can be personalised in the way that some are trying to do today—should be subject to a free vote. Therefore, would it not be unfortunate, to say the least, if there were any impression inside or outside the House that the vote at the conclusion of tomorrow's debate will be subject to whipping, be it by the Government or the Opposition Front Bench? It should be a free vote, and I hope that that will be confirmed by all concerned.

Madam Speaker: The hon. Gentleman is a member of the Procedure Committee and should well know that whether there is a free vote or otherwise is nothing to do with the Speaker.

Mr. John McAllion (Dundee, East): On a point of order, Madam Speaker. I refer you to the transcript of the interview that the Chairman of Ways and Means gave to the BBC television programme "Scottish Lobby" last Sunday in which he explained that his decision not to allow a vote on amendment No. 27 was based upon his judgment that two other Opposition amendments, new clauses 74 and 75, were slightly more workable. Will you therefore confirm that, if those new clauses were withdrawn by the Opposition, a vote could be taken on amendment No. 27, so that there would be no necessity for tomorrow's debate on early-day motion 1782?

Madam Speaker: I cannot comment on proceedings in Committee.

Criminal Justice (Amendment)

3.46 pm

Mr. Julian Brazier (Canterbury): I beg to move,

That leave be given to bring in a Bill to restore to the courts the power to take full account of a criminal's previous convictions, sentence and response thereto in determining sentences.

In a recent case in London a man was convicted by magistrates of his fifth offence of driving while disqualified and he was, rightly, sent to prison for six months. When the Court of Appeal quashed the sentence, one of the judges sadly remarked:

"The Act"—

the Criminal Justice Act 1991—

"may not make sense but it has to be obeyed."

Similarly, in a recent case in Surrey, a burglar who had just completed a four-year prison sentence for burglary came before the court for four further offences. On examining the Act, the court found that the only sentence that could be imposed was a 75-hour community service order.

As a result of such cases, some hon. Members may feel that the Act is not working well and requires some modification. That is not my view. I take the view that it is wrong in principle to interfere with the right of the courts to take account of previous offences.

The problem to which I have been referring relates to section 29 of the Criminal Justice Act 1991. Less well known is section 1(2), which provides:

"the court shall not pass a custodial offence on the offender unless it is of the opinion—

(a) that the offence, or the combination of the offence and one other offence associated with it"—

in other words, the court can look at only two offences before it—

"was so serious that only such a sentence can be justified for the offence; or

(b) where the offence is a violent or sexual offence . . ."

In Winchester recently, a Department of Social Security fraud case involved a man who had stolen more than £20,000. Because each week's payment was considered a separate offence, in deciding whether the man should go to prison, the court could only take into account two weeks' fraud involving a relatively small sum, which resulted in a small fine.

The difficulty originated in two perverse Court of Appeal rulings—the first in 1981—that, because a person could be sentenced only once for any one offence, it followed that previous offences could not be regarded as aggravating features of a crime except in the limited sense of diminishing mitigating factors. That doctrine is so completely daft that it could have been devised only by exceptionally clever people. Nevertheless, it found its way into section 29 of the 1991 Act, and the House passed that portion of the legislation with virtually no objection, except from my hon. and learned Friend the Member for Burton (Sir I. Lawrence)—though there were many debates and several votes on other parts of the Bill.

It is a serious matter that the courts cannot take account of previous offences or of more than two offences in a particular batch. The interplay of those two sets of provisions magnifies the problem. If a man is given a community service order and fails while under it to be a good citizen, committing a crime every night, because he agreed to honour the order, he cannot be taken back to court and be told, "You are not observing the order properly because you are continuing to commit crimes." He cannot be sent to prison for the original offence.

Section 29 of the 1991 Act does not usually allow the court, in sentencing the offender for any subsequent crimes, to take account of the fact that the individual was continually breaching the order by committing those crimes. In other words, it is now virtually impossible to send a person to prison for most crimes against property.

Recently, the Lord Chief Justice said:

"However forward thinking the penologists, criminologists and bureaucrats in Government Departments may be, their views should not be allowed to prevail so as to impose a sentencing regime which is incomprehensible or unacceptable to right-thinking people. If that happens, there will be a real risk of aggrieved parties taking the law into their own hands."

That view has been backed by the Magistrates Association, a number of chief constables, and the Police Federation.

At a time of great obsession with a small number of wrongful convictions—and, sadly, that obsession seems to have extended to the Royal Commission on criminal justice—my constituents are far more worried about the large number of criminals who are getting off without a conviction or with a derisory sentence. Today, only 3 per cent. of recorded crime results in a court conviction. As the result of the two provisions of the 1991 Act in question, in most cases, if no violence is involved, it is no longer possible to send the offender to prison.

The Lord Chief Justice's warning is already reaching fruition. In Canterbury high street, a group of vigilantes broke into a squat that was a notorious centre of crime and, in a violent incident, burnt out the squatters. In a village in my constituency, a known burglar who had committed a string of burglaries against elderly people but who had to be released each time by the court was beaten up in broad daylight.

In the celebrated Taylor-Owen case, a jury of 12 people unanimously endorsed a serious crime by finding Mr. Owen not guilty. The House will remember that Mr. Owen took a shotgun to Mr. Taylor, who had run down and killed Mr. Owen's 14-year-old son. The jury was comprised of local people who were familiar with the activities of the Taylor family, and in effect they endorsed a serious crime of retaliation by finding Mr. Owen not guilty, not just of attempted murder but even of possessing a firearm, which was an offence to which Mr. Owen had confessed. *[Laughter.]* It would be funny if it were not so tragic.

The truth is that offences against property, particularly burglaries, strike at the very heart of family and community. To those of us who live in comfortable middle-class areas, a burglary simply means a hassle with the insurance company in most cases; to a poor family who cannot afford insurance and may have been burgled five or six times, it can mean the destruction of their way of life. They may stop going out in the evening because they do not want to leave their houses unattended.

If the law is not seen to address this vital need—if it is not seen to be preventing crimes against property—the ugly fact is that people will take the law into their own hands. It is utterly pointless for us to wring our hands and condemn them for doing so. We shall see a growth in the ugly vigilante retaliation that is a feature of American society.

[Mr. Julian Brazier]

Let me end where I began. I should like two modifications to be made to the Criminal Justice Act 1991—much of which I support; it contains some sensible provisions relating to violent crime. First, I should like to strike out section 29 so that courts can take full account of previous offences. Secondly, I should like to modify the wording of section 1(2)(a) so that a court with a batch of offences before it can look at them all together, not just at two of them.

I ask hon. Members on both sides of the House to vote for the Bill.

Question put and agreed to.

Bill ordered to be brought in by Mr. Julian Brazier, Mr. Andrew Rowe, Mr. Edward Garnier, Mr. David Tredinnick, Mr. Roger Gale, Mr. Graham Riddick, Mr. Ian Taylor, Mr. Bob Dunn, Mr. Keith Mans, Mr. John Marshall, Mr. Michael Brown and Mr. John Sykes.

Criminal Justice (Amendment)

Mr. Julian Brazier accordingly presented a Bill to restore to the courts the power to take full account of a criminal's previous convictions, sentence and response thereto in determining sentences: And the same was read the First time; and ordered to be read a Second time upon Friday 7 May, and to be printed. [Bill 181.]

Opposition Day

[11TH ALLOTTED DAY]

Schools

Madam Speaker: Before we start the debate, I must announce that I must limit speeches to 10 minutes between 6 pm and 8 pm, and that I have selected the amendment in the name of the Prime Minister.

3.56 pm

Mrs. Ann Taylor (Dewsbury): I beg to move,

That this House believes that there is an urgent need for stability in the nation's schools with decision-making in education based on developing a consensus rather than centralising power in the hands of the Secretary of State for Education, and that the current difficulties and instability associated with Key Stage testing are caused by the Secretary of State refusing to listen to parents, governors and teachers; and calls on the Secretary of State to withdraw the compulsion on schools to carry out the Key Stage 3 tests in English and Technology and to follow the Key Stage model introduced by Government Ministers in Scotland, pending a genuine consultative review.

It is customary in our debates to declare any interests. As the House knows, I—along with members of other parties—act as a parliamentary consultant to the Association of Teachers and Lecturers, although I do not speak on its behalf today, any more than have Conservative Members when they have acted in the same capacity. However, I have one particular and important interest: I have two children at primary school. I therefore have a vested interest in ensuring that the quality of education on offer in our schools is the best possible, and that we make a reality of the opportunities that should be provided for all our children.

Like other parents, I am alarmed by the pressures that are bearing down on our schools—not just the constant need for fund raising, but the amount of chopping and changing experienced by parents, and the weight of instruction that is coming into schools from the Department for Education on an almost daily basis. It is important to bear that in mind, because it provides the background for today's debate.

Mr. John Bowis (Battersea): The hon. Lady says that she is a parent, with children in primary school. Does she intend to support calls to parents not to let their children go into school on the day of the tests, or will she denounce the Socialist Education Association which made that call?

Mrs. Taylor: I shall have some interesting suggestions to make, which I hope the hon. Gentleman will be willing to consider, about what parents ought to do. I intend also to say a word about the experience of my own children with the standard assessment tasks. If the hon. Gentleman will wait, I shall certainly answer his question.

The problem is that parents see the pressures on our schools. They do not understand, any more than I do, why Ministers, who claim that they want to get the Government off our backs, are filling every shelf in every school with thousands of pieces of paper from the Department for Education. Parents know that teachers are the buffers—that they are absorbing the pressure in order to minimise disruption in the classroom caused by the constant instructions from Whitehall. Sometimes, the pace

of change has been so hectic that Ministers changed the instructions before the last set of changes could be implemented.

Governors also understand the consequences of the frenzied nature of the Government's approach to these changes in education. It is, I believe, fair to say that the build-up of pressure on our schools is clear for all to see. In the past 14 years, there have been 18 pieces of legislation. Yet another Bill is now in the other place, having been pushed through the House of Commons with the Government's usual contempt for democratic scrutiny.

The Opposition have chosen this subject for debate today precisely because this week sees the start of the school term for many thousands of children—a term which should see the culmination of the year's work.

Mr. Phillip Oppenheim (Amber Valley): Does the hon. Lady recall that last year's tests for seven-year-olds, which her party opposed strenuously, were a valuable exercise, in that they revealed serious shortcomings in reading and arithmetic in a significant proportion of pupils? Her party was wrong in opposing the tests then. Does she not think that it is just possible that she is also wrong in this instance?

Mrs. Taylor: The hon. Gentleman is downright wrong. My party did not oppose the tests. It was not those tests that showed up the lamentable lack of progress under 14 years of Conservative government. I sometimes wonder how Conservative Members can take any pride in their education record when they have to tell us of the dismal failures of our education system after 14 years of Conservative government.

Mr. Graham Riddick (Colne Valley): But the reality is that the National Union of Teachers is calling for the boycott of all tests, including those for seven-year-olds. The hon. Lady, it would appear, has just given her support to the tests for seven-year-olds. Will she therefore join me in condemning the NUT which wishes to boycott all tests, including those for seven-year-olds?

Mrs. Taylor: No, I shall not. I hope that the hon. Gentleman will read the motion on the Order Paper, which says exactly what should happen about the tests for seven-year-olds. I hope, too, that he supports the Scottish Office Ministers, who have already resolved this problem. I do not understand why Conservative Members, who have supported certain changes in Scotland, cannot accept that those changes should be introduced in England.

Mr. Rod Richards (Clwyd, North-West): Will the hon. Lady give way?

Mrs. Taylor: No. I have given way three times already, and I want to make a bit of progress. I assure the hon. Gentleman that I do not intend to leave this issue, and that there will be plenty of time for interventions.

The Opposition have chosen this subject for debate because we believe that the school term that has just started is important. It should see the culmination of the year's work and the normal assessment of children so that parents may receive a report on the progress of their children. That is what should happen during this school term.

However, if the Secretary of State gets his way, the normal teaching pattern that teachers have struggled to develop will be disrupted by tests in which no one—parents, governors or teachers—has confidence. Indeed, even the Secretary of State himself does not seem to have confidence in the tests. The significant aspect of the testing arrangements that he has imposed is that, the more that parents hear and learn of his proposals, the less confidence they have in him and in them.

Mr. James Pawsey (Rugby and Kenilworth): Despite what the hon. Lady says, does she not agree that the chairman of the School Curriculum and Assessment Authority has said that the tests should go forward this year so that experience can be gained which can be used in devising the tests that will take place next year and in the following years?

Mrs. Taylor: Many parents are fed up with their children being used as guinea pigs in the Secretary of State's experiments.

We must consider how the Government have got themselves into this position. The arguments surrounding this year's tests are the culmination of concern over the past few years about the increasing powers taken by the Secretary of State over what goes on in the classroom from day to day.

The national curriculum was introduced by the right hon. Member for Mole Valley (Mr. Baker), and the policy was initially welcomed by all political parties and interest groups, but Ministers have transformed it into an educational straitjacket which confines and dictates what can and cannot be taught. Perhaps that is why the Secretary of State's chief ally in all this, the former chairman of the National Curriculum Council, has just sent his daughter to an independent school, which does not have to follow the national curriculum that he has devised for other children.

Mr. Nigel Forman (Carshalton and Wallington): Am I right in recalling that the Labour party fought the general election at least in part on a pledge to modernise the national curriculum? Will the hon. Lady tell the House what was meant by that?

Mrs. Taylor: Yes, I confirm that, and I shall send the hon. Gentleman a copy of my article which appeared in *The Times Educational Supplement* some weeks ago, outlining exactly how we could have a framework for a national curriculum rather than the prescribed national syllabus that Ministers are imposing on us.

The most significant point, and the thing that Conservative Members need to understand above all else, is that the tests prescribed for the key stages are not an integral part of teaching but are too often superimposed on the normal work load not only of teachers but of pupils. The tests do not assess progress in the curriculum, nor do they diagnose the problems of any individual child. On that basis, I agree with teachers, and many parents and governors, that this year's tests should not go ahead.

Mr. Jack Thompson (Wansbeck): There is one further element to take into account. Some local education authorities, including mine in Northumberland, operate a three-tier system, which is seriously affected by the structure of the national curriculum, especially by the testing procedures. Children leave the middle school at 13 and will have been in the high school less than one year when they are tested.

Mrs. Taylor: My hon. Friend makes a valid point, which was discussed at some length when the original proposals were made. The present key stage ages cause difficulties for children who transfer through the middle school system. In general terms, however, I support the idea of some form of testing at 14, because I consider that an appropriate stage at which to assess a child's progress. None the less, I appreciate the problems that my hon. Friend raises concerning children in middle schools.

Mr. Harry Greenway (Ealing, North) *rose*——

Mrs. Taylor: I shall give way once more, and then I must make some progress.

Mr. Greenway: Does the hon. Lady acknowledge that, in 1979, one in 13 children went into higher education, whereas a year or two from now, one in three will do so? Does she not accept that that means that standards must be raised, and is not a properly tested sound curriculum the way in which to do that? What would she do?

Mrs. Taylor: The hon. Gentleman ought to reflect on what his right hon. Friend the Secretary of State said recently about international comparisons. I also suggest that he considers the importance of GCSEs in terms of raising standards, and especially in increasing motivation among young people. The GCSE is one of the reforms of the former Conservative Government that I support, and I welcome its impact. I therefore very much regret that the present Secretary of State seems to be undermining the very aspects of GCSEs that are most important.

Mr. Richards: Will the hon. Lady give way?

Mrs. Taylor: I will give way for the final time, for the moment, to the hon. Gentleman.

Mr. Richards: The hon. Lady says that she agrees with teachers that the tests should not go ahead. Does that mean that she supports the boycott?

Mrs. Taylor: How many times must I say it? I certainly support the professional and educational case that teachers are making. Their actions in pursuit of that case are and must be their decisions—*[Interruption.]* I do not intend to tell teachers what to do; one of the reasons that we are now in this situation is precisely because the Government spend too much time telling teachers what to do and refusing to respect them or to listen to their professional judgment.

I will not tell teachers what to do, but I am happy to tell the Secretary of State what he should do, because the responsibility for the overloaded and over-prescriptive curriculum rests with him, not with teachers. The responsibility for the inappropriate nature of the tests rests with the Secretary of State, not with teachers. But the responsibility for protecting the education of our children during this clearly rests with teachers, because the Secretary of State refuses to follow the logic of his own conclusions and call off those clearly flawed tests.

The Secretary of State has said that these tests are the way in which to identify problems and that they have a diagnostic function. They are supposed to let parents know of their child's progress. Standard assessment tasks simply do not do that very well at all. The Secretary of State is a simple chap. For him, any test is good; any criticism of any test has to be wrong.

Lady Olga Maitland (Sutton and Cheam): Will the hon. Lady give way?

Mrs. Taylor: No.

Indeed, it seems that the Secretary of State does not know his assessment from his elbow when it comes to testing. All he can do is repeat ad nauseam that anyone who criticises his tests is against testing and against raising standards. In fact, the opposite is true. Those opposed to his tests are in favour of good, useful methods of assessment as a means of raising standards, and are not in favour of tests that damage children's education.

If the Secretary of State ever bothered to read the research, he would know that standards are raised wherever good and appropriate tests are used, and that the information generated by those tests is used in the classroom every day by teachers and pupils alike as a basis for their testing and learning strategies.

Dame Angela Rumbold (Mitcham and Morden): I have listened very carefully to the hon. Lady's reasoning. The tests that she is discussing were originally devised by teachers and by the educational world simply to do the task of diagnostic testing and of looking into the abilities of children. Many Conservatives wanted to introduce a fairly simple pencil and paper test. We were told by many people in the education world, including some teachers, that that was quite impossible because it would be damaging. Could the hon. Lady tell the House what her tests would be?

Mrs. Taylor: Yes, I can. I have explained it in the motion which we have tabled. Conservative Members do not seem to be capable or reading the motion. I wish that they had done their homework before the debate. I should like to see introduced the model which exists in Scotland. It is the model which the right hon. Member for Mitcham and Morden (Dame A. Rumbold)—she should know better, because she was a Minister in the Department—must approve for her colleagues who introduced it in Scotland.

The Secretary of State has united parents and the education world against bad tests, not against testing itself. The right hon. Member for Mitcham and Morden asked about the different tests. Perhaps I need to give Conservative Members an education. I thought that someone who had been a Minister in the Department would have known the difference between, for example, summative tests and informative tests. The latter diagnose not only the fact that the problem exists but the nature of it.

I know that the Secretary of State would want parents to know not simply what their child could read but whether there was any problem as a result of a lack of comprehension, a limited vocabulary or some problem with word order. Good and appropriate testing which gives teachers and parents such information is essential to teaching. It is absolutely essential if we are to make the best use of our valuable resources, especially the time of teachers.

Dame Angela Rumbold: Will the hon. Lady give way?

Mrs. Taylor: No. Poor tests such as those suggested by the Secretary of State waste that valuable teaching resource and therefore detract from the opportunities of our children.

As a parent, I do not want to know simply how my children are getting on. I do not want a frozen picture at any one point: I want to know what difficulties or problems they may have and what can be done to help them to do better.

The hon. Member for Amber Valley (Mr. Oppenheim) asked what I thought parents should do. My daughter went through the key stage 1 standard assessment tests in the pilot year. At that time, I did not withdraw my daughter from those tests because they were new. Although I had reservations, I felt that that would not be the right thing to do. However, speaking from the experience of that occasion, I can say that the results of those standard assessment tests told the teacher nothing that she did not already know, and they told me nothing that I did not already know. The tests deprived my daughter and her classmates of the valuable teaching time of the teacher when the teacher was undertaking the test with all the other 30 children in the classroom over several weeks.

The key problem with the Secretary of State's tests is that they are high on administration and low on educational value.

Dr. Robert Spink (Castle Point): Is the hon. Lady aware that the pilot tests were diagnostic, in that they showed that, of the 14-year-olds who took them in English, three out of 10 had a reading age of between nine and 11 years? In that way, the tests were extremely helpful. Would the hon. Lady deny teachers the ability to diagnose the problem that those children have and to assist them to repair it?

Mrs. Taylor: I hope that someone on the Conservative Bench will explain a diagnostic test to the hon. Gentleman because it is certainly not what he is talking about. The hon. Gentleman is also wrong to say that the English standard assessment tests for 14-year-olds were on trial last year. Those tests were dumped by the Secretary of State. One of the reasons why we have so many difficulties at present is that the Secretary of State chose to change the examining body in midstream, yet again.

Conservative Members seem to think that only Labour Members are against the tests. I shall remind the House who is against the Secretary of State, because it is an impressive alliance, not an army of Luddites or neanderthals—the Secretary of State often uses such titles. For example, the Independent Girls Schools Association is against the tests. The president of that association was described as "ridiculous" by Baroness Blatch when she quietly expressed her misgivings about key stage 3 as long ago as November 1992.

Joan Clanchy, a head who was a member of the National Curriculum Council, resigned earlier this year, in her words because

"the dominant aim had become a curriculum designed for tests, a model which is barren and intellectual."

She is not a member of the Labour party. In an article in this week's *The Independent*, she said that, as a council member, she objected to

"being given Centre for Policy Studies pamphlets to read by way of homework."

That is the tone of what was happening at that time.

Mr. Patrick Thompson (Norwich, North): Will the hon. Lady give way?

Mrs. Taylor: Not at this stage.

Most of the independent schools say that they will use their discretion and will not introduce the tests for 14 year-olds this year. It is different for them. They have made their professional judgment and, by and large, they do not want anything to do with the tests.

The Chairman of the House of Commons Education Select Committee has called for a postponement of the tests. I am sure that he will explain his position later. Teachers from schools throughout Britain, who describe themselves as "anything other than loonie lefties"——

Lady Olga Maitland: Will the hon. Lady give way?

Mrs. Taylor: No. I must continue to talk about those who are not loonie lefties and whose credentials the hon. Lady might appreciate. I have received a letter from someone who describes herself as a member of MENSA, and someone whose children were educated entirely at traditional prep and public schools and has been vice-chair of the Birmingham Conservative advisory committee.

Mr. Tony Lloyd (Stretford): Not a member of the Labour party, then.

Mrs. Taylor: No, not a member of the Labour party. She described herself as "no trendy radical". She has said:

"Having wasted many hours on trying to determine exactly what is being required from teachers in terms of futile, punitive, pedantic, impossible-to-complete-honestly record-keeping, I have reached the conclusion that the demands of Key Stage 3 for the proliferation of bumf is a sort of mental equivalent to that emblem of certain Victorian values: the treadmill. Both inventions are designed to break the victim's spirit and exhaust her energies by a form of hard labour distinguished not only for its cruelty but also for the complete absence of any end product."

Lady Olga Maitland: Will the hon. Lady give way?

Mr. Richard Tracey (Surbiton): Will the hon. Lady give way?

Mrs. Taylor: I am sorry. I am quoting Conservative supporters. It would be well for Conservative Members to listen. [HON. MEMBERS: "Name them."] I will certainly send copies of the letters. I was quoting Alma Evers, who teaches at King Edward VI school in Handsworth, Birmingham, a school which may be familiar to some Conservative Members.

Lady Olga Maitland: Will the hon. Lady give way?

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. The hon. Lady has made it clear that she will not give way.

Mrs. Taylor: If I am to make progress, I cannot give way too many more times. But perhaps I should point out to Conservative Members that level 1 of key stage 1 recommends that pupils should listen attentively to others. *[Interruption.]* I can go on to quote levels 2 and 3, which tell pupils to listen carefully. But we shall leave that for the moment.

Another correspondent describes himself as a member of the Conservative party. He has also written to the Secretary of State. He says that he has been a member of the Conservative party since 1976, and adds:

"Decisions are simply being dumped on schools for teachers to try and sort out and make some sense of for their pupils."

This is the type of information and response that we are receiving to the Secretary of State's proposals from up and down the country.

Mr. Eric Pickles (Brentwood and Ongar): Will the hon. Lady give way?

Mrs. Taylor: No. I have quoted correspondence, and I am sure that many Conservative Members have been given similar information.

Mr. Pickles: Will the hon. Lady give way on this point?

Mrs. Taylor: I do not want to quote the document again, but I will send the hon. Gentleman a copy if he cannot listen carefully. It is for seven-year-olds. Perhaps Conservative Members could listen on that basis.

If the Secretary of State wishes to continue to call everybody who disagrees with him a neanderthal and to describe teachers as Luddites, perhaps he ought to take into account the fact that I have been quoting members of the Conservative party, independent girls schools and public schools—those who know what the situation is and are united in their opposition to these tests.

The Secretary of State may wish to dismiss all those people, but he must take into account the views of parents. The National Confederation of Parent Teacher Associations is against it; it agrees with us that the Scottish model should be introduced in this country. I know that the right hon. Gentleman the Minister has listened to some of those who are supporters of his party and who have told him that the tests are ridiculously flawed.

Lord Skidelsky has described the testing system as Byzantine. Donald Naismith, the director of education in Wandsworth—quite a topical place at the moment—has said:

"What we have now is not what was intended. Chickens are coming home to roost. . . . It is over-bureaucratic and unworkable. The sooner it is buried, the better."

And, as I say, more hon. Members opposite are now coming out in the same way.

Sir Paul Beresford (Croydon, Central): Is the hon. Lady also aware—I am speaking both as a Member for Croydon, Central, where that gentleman was a director, and as a Wandsworth councillor—that he still feels that these tests should go ahead this year as part of the review?

Mrs. Taylor: I am quoting what the director has said, not in private, but publicly—that the sooner they are buried, the better. I think that is good enough grounds for not making guinea pigs of our children yet again.

I will give an example of the kind of gibberish that is being sent out to teachers at the present time. The Secretary of State has sent out a circular about arrangements for testing this year, which says:

"For PC3 (Writing): First examine the constituent AT levels based on the NC Test levels and the TA level in the case of AT4/5: If the TA in AT4/5 (Presentation) is at level 7 and the NC Test level for AT3 (Writing) is at level 8, then the PC level is the AT3 NC Test level."

I am sure that hon. Gentlemen have every confidence in their ability to explain that to parents of children in the schools in their constituencies. [HON. MEMBERS: "Give way."] Of course I will give way to the Secretary of State, if he wishes to intervene to add extra clarity. Here we have yet again the Secretary of State turning to his junior Minister and asking for an explanation. Perhaps, if he had been on the Committee on the Education Bill, he would know more about some of these things.

All those who are opposed to the tests agree on many aspects. The first is that the tests are too prescriptive, too long and not properly prepared and piloted; that they are immensely bureaucratic and the administration is far too complex; and that teachers spend hours testing and recording when they should be teaching.

We believe that teaching time is especially critical for pupils aged 13 when they start to prepare for GCSE. These tests are a poor preparation for GCSE and are inferior to many of the tests that schools are already using. These tests, far from raising standards, have a damaging effect on children's learning, as teachers have less time to teach, and when they do teach, they are teaching to the test.

Perhaps, if he will not change his mind today and is intent on insisting that these tests go ahead, the Secretary of State would like to let parents have more say in what should happen. The Secretary of State says that he sets great store by the attitudes and views of parents, and he is very keen on ballots. May I suggest that he should encourage schools to ballot parents on testing? After all, we are talking about the future of their children. What is wrong with that? I hope the hon. Gentleman will support that suggestion.

Mr. Tracey: I speak as a parent of four children who have been through the state system. Will the hon. Lady take note that Ofsted said that the national curriculum and testing have driven up the standard of education? That is precisely what Conservative Members wanted and precisely the purpose of the Education Reform Act 1988 and the national curriculum and testing. Why did she not mention that when she was reading out her press cuttings?

Mrs. Taylor: The hon. Gentleman is lucky that his children have been through the system and are not being used as guinea pigs now. The Ofsted report said that the information and the results were very mixed. It was the Secretary of State who, yet again, put out a press release saying that everything was wonderful.

I return to my suggestion for a ballot of parents. I know that some schools are embarking on that course of action. I hope that the Secretary of State agrees that schools are entitled to do that, and that we should encourage greater parental involvement in that way. However, I have to tell him that the results of ballots that I have heard about have always shown that the tests should not go ahead.

We are asking only that the interests of our children should come first. The Secretary of State has admitted that the tests are flawed, first when he said that they would not be nationally reported and later when he accepted the need for a full review of the curriculum and testing arrangements. I hope that the Secretary of State will stop, think again and withdraw the tests.

This year's 14-year-olds could be the only ones that the Secretary of State is trying to get to take the tests. Last year's 14-year-olds did not, and by next year we may have a more sensible arrangement as a result of the review. Why should we make this year's 14-year-olds the guinea pigs?

The Secretary of State said that the tests should go ahead to help design future tests. In other words, the flawed tests should go ahead to find out just how flawed they are. I repeat that parents are absolutely fed up with their children being used as guinea pigs in the Secretary of State's experiments. It is change for change's sake.

The Secretary of State should follow the logic of his own conclusions. He has accepted that the tests are flawed and that there is need for review. He should therefore withdraw the compulsion for this year's tests and allow a proper and independent review.

I want to say a word about the review. At the Association of Teachers and Lecturers conference in Cardiff, the Secretary of State spoke about the membership of the School Curriculum and Assessment Authority. He announced, as if it were a great concession, that there would be one head teacher and one classroom teacher on the review body. Leaving aside the problem of who chooses the head teacher and the classroom teacher, that is hardly likely to win the confidence of the teaching profession. If SCAA is to gain the confidence of parents, governors and teachers—and I very much hope that it does—it is essential that it is not packed in the way that so many previous bodies were.

I hope that the Secretary of State will learn something from his colleagues in government. Ministers in the Northern Ireland Office have decided to delay statutory testing at least for a year. Ministers could follow the Scottish model and learn something from what has happened north of the border. Opposition to the nature of the tests in Scotland resulted in extensive consultation with parents and teachers. Most of the objections have been overcome because of those discussions and the fact that the issues have been talked through. In Scotland, there is no central collection or publication of test results. They are reported to parents and school boards. [HON. MEMBERS: "Disgraceful".] Hon. Members may say "Disgraceful," but their Government introduced the proposals.

Teachers in Scotland are trusted to judge when a pupil is ready to take the test and move from one stage of the curriculum to the next. Tests are informal and taken in small groups at all ages. Schools choose the tests that they want to use. I hope that the Secretary of State can explain why Scottish parents and children have come off so much better, and why the Government listen to Scottish parents and teachers but will not listen to those in England and Wales.

At the moment, the Secretary of State seems intent on pressing ahead as if nothing was wrong. Despite announcing that there is to be an overall review, he has announced yet more changes in the national curriculum for English.

Mr. Michael Fabricant (Mid-Staffordshire): Hear, hear.

Mrs. Taylor: The hon. Gentleman ought to tell the Secretary of State to make up his mind: either to have an overall review and look at all the information, or to go on meddling all the way through. The Secretary of State must stop meddling, or he will make a nonsense of the review before it starts. I hope that he will give an assurance this afternoon that he will not pack the committee in the usual way.

I have concentrated most of my remarks on the curriculum and testing, because that is the area where the meddling of Ministers is causing the greatest concern among parents at the present time. There are, however, other areas of instability caused by Government policy which it would be wrong of me to ignore, so I will briefly mention nursery education, the problems associated with section 11 funding, and the youth service.

One problem that is clearly causing concern to many parents is the squeeze on nursery education as a result of Government cuts. Our concerns about the future of nursery education are made much greater by the attitude of the Parliamentary Under-Secretary of State for Schools, who is supposed to be responsible for nursery provision. We believe that nursery education offers the best introduction to formal learning and social behaviour for our youngsters. Like many parents, I was keen for my children to have the benefit of nursery education at a time when they were developing rapidly, wanted external stimulation, and were keen to meet and mix with other children and learn new skills.

It was not only my instincts as a mother that gave me an interest in nursery education. Research in the United Kingdom, the rest of Europe and the United States shows that children who get the benefit of a nursery education perform better academically in later years. The report on SATs for seven-year-olds shows that those who had the benefit of a nursery education had a head start. Another benefit is the early identification of special needs, which can save money later. It has been estimated that £1 spent on nursery education can save £4 later in terms of savings on antisocial behaviour and, indeed, prison.

The anger and frustration of parents who know that their children could benefit from a nursery place but who are unable to obtain one is made more intense by the answer of the Minister to my parliamentary question on 30 March. I asked the Minister to confirm that parents who live in Labour-controlled county council areas have a three times greater chance of getting a nursery place for their children than those who live in a Conservative one—a point which, strangely enough, the Minister ignored and forgot to confirm. Perhaps he will confirm it today.

I also asked the Minister what he intended to do about Conservative-controlled councils who were not spending their standard spending assessment on nursery education as they should. I went on to ask him to agree that every three and four-year-old should have the right to the best start in education, which meant being able to take advantage of nursery provision. The Minister would not say that children should be entitled to that, and many outside the House will have noted with despair the fact that nursery provision will not improve so long as the Conservatives remain in office.

The Government are often keen on making international comparisons, but we are not told, for example, that in France, by the age of three, 96 per cent. of children are in state-provided nursery schools, ecoles maternelles. We in Britain should be aiming for that target, so enabling every three and four-year-old to have a chance of a place in nursery school. Parents want that——

Sir Paul Beresford *rose*——

Mrs. Taylor: I have given way once to the hon. Gentleman.

If the Minister is seriously interested in raising standards in the schools, he should persuade the Government to take one of the most important steps to that end, which is to spend more on pre-school provision.

Another crucial area in which chopping and changing by Ministers is bound to damage the quality of education concerns children from the new Commonwealth for whom English is a second language, whom the Government recognise need help but from whom they are withdrawing assistance. Last year, the Government made much of an announcement about section 11 money going to local authorities so that extra assistance could be given in schools to children for whom English is a second language.

Mr. Fabricant: Will the hon. Lady please precis her speech?

Mrs. Taylor: The hon. Gentleman may not like to hear me spell out the record of the Government, but he must learn to take it. Hopefully he will get a chance to speak in the debate. In the meantime, he must listen.

As I was saying, the Government were boasting last year that they were providing section 11 money to local authorities. That announcement and clear financial commitment enabled authorities to give contracts to teachers and language support workers. The money may not have been as much as those involved would have liked, but at least contracts were made and people thought they knew where they stood.

In November 1992, the Home Office issued a circular reneging on that agreement. That happened without warning or consultation, and despite the fact that contracts had been drawn up and teachers placed in schools—*[Interruption.]* If Conservative Members are interested in improving the quality of education, they shoult take more interest in the vital support that is necessary for many school children.

The shadow Home Secretary, my hon. Friend the Member for Sedgefield (Mr. Blair), wrote to the Home Secretary on the subject, and at least he had the courtesy of a reply, and an acknowledgement that the Home Secretary valued

"the important work that has been, and continues to be, performed by teachers and others"

supported by section 11 grants. He went on to say that he remained

"firmly committed to the need to tackle the causes of disadvantage"

and he mentioned the lack of English as a prime example of that.

I wrote at the same time to the Secretary of State for Education asking for his opinion, not least because of the contradiction caused by his claim that more money was needed for reading recovery programmes. I was anxious to ask him then—so I ask him now—how much greater will be the need for reading recovery efforts if we do not have the maintenance of language support teachers in schools that need them. I did not receive a reply from the right hon. Gentleman, so I can only assume that he is not interested in the problems faced by those with English as their second language.

Mr. Pickles *rose*——

Mrs. Taylor: I will not give way again. I am nearing the end of my speech—[HON. MEMBERS: "Hear, hear."]—and that response from Conservative Members will convince the hon. Member for Brentwood and Ongar (Mr. Pickles) that his hon. Friends would not be pleased if I gave way to him.

There are other areas of instability that should concern us. We hear much these days about increasing levels of truancy, the increasing problem of exclusions from school and the difficulties and cuts facing the youth service. At a time when there is probably greater social disintegration than we ever imagined, the Secretary of State must explain what he is doing to protect the youth service. With youngsters having many pressures on them to conform to a culture of violence and to disregard everyone but themselves, an absolute need exists for more investment to counter such problems. Yet Ministers are not fighting on behalf of the youth service, which could provide an alternative culture and support.

After 14 years of Conservative rule, too many children have far too many problems in their classrooms, and many of them are under-achieving, despite the claims of the Government. We are debating what happens in the classroom at a time when teachers have never been more alarmed about the implications of Government policies for the children they are teaching and for the hopes that parents have in the education system.

After 14 years of one experiment after another, there is a feeling of despair about whether the Conservatives will ever get anything right. The Secretary of State has announced a review. We hope that it will be used by the Government to make a fresh start. They must try to work with parents and teachers, and their first action should be to admit that their past policies have been wrong. We need the development of a new consensus for stability in education. The Labour party is willing to concentrate on that, because we believe in putting children first.

4.46 pm

The Secretary of State for Education (Mr. John Patten): I beg to move, to leave out from 'House' to the end of the Question and to add instead thereof:

'welcomes the commitment of Her Majesty's Government to the National Curriculum and its associated regular tests; notes that the new independent inspectorate, the Office for Standards in Education (OFSTED), recently reported that the National Curriculum and regular tests were already helping to drive up standards in schools; believes that the progress made in the implementation of the Government's education reforms is due to the hard work and dedication of professional teachers and welcomes the review established by the Secretary of State for Education into the National Curriculum and testing; believes that a boycott of this summer's tests would disrupt children's education, cause unnecessary concern to parents and damage the professional standing of teachers; and looks forward to a definitive statement from Her Majesty's Opposition as to whether or not it supports a boycott of this summer's tests.'.

I relish the opportunity to affirm to the House yet again the Government's commitment to the better education of all our children, our commitment to the national curriculum, our commitment to the regular testing of children and our commitment to the reporting of results to parents. There should be nothing to hide in our schools. I confirm our commitment to the publication of more and better information about how different schools are performing.

Those are the firm principles on which many of our education reforms are based. They are principles from which Her Majesty's Government will not be deflected. I believe that those principles are in tune with the aspirations of the vast majority of parents and most of the nation's hard-working professional teachers, to whom hon. Members in all parts of the House are grateful for implementing the reforms so far, since the process of reform began in 1989, following the landmark Education Reform Act 1988 introduced by my right hon. Friend the Member for Mole Valley (Mr. Baker), who is in his place this afternoon.

They are certainly principles which set us a long way apart from the Labour party, as the hon. Member for Dewsbury (Mrs. Taylor) demonstrated graphically today. She had the opportunity to make a positive and constructive contribution to the current debate about the implementation of education reforms, but she blew it. She rehearsed blowing it this morning on the "Today" programme when my hon. Friend the Under-Secretary of

State for Schools comprehensively demolished her arguments, getting us off to a good start over our breakfast eggs. The hon. Lady's rantings this afternoon showed that, despite 14 long years in opposition, the Labour party remains absolutely devoid of any credible alternative policy on education. That view is held by left-wing commentators in the *New Statesman and Society* and *The Guardian* as much as by my right hon. and hon. Friends. That is because the Labour party remains as out of touch as ever with the wishes of ordinary people for higher standards.

Mr. Bob Dunn (Dartford): The Secretary of State will have noticed that the hon. Member for Dewsbury (Mrs. Taylor) did not answer a single question today. She has not done so in the past. Does my right hon. Friend know that the hon. Lady is a member of the Socialist Education Association? Is he also aware that that association has advised parents that they should keep their children at home on testing days? Will my right hon. Friend therefore invite the hon. Lady to answer the question that was put to her earlier and will he give her time to do so? *[Interruption.]* Perhaps the hon. Lady would do me the courtesy of listening, which she never does.

Mr. Patten: My hon. Friend is right. The hon. Lady is taking her orders from that organisation which is trying to stir up as much trouble as it can in the nation's classrooms. As she made clear in her answer to the intervention of my hon. Friend the Member for Colne Valley (Mr. Riddick), she, like her hon. Friend the hon. Member for Kingston upon Hull, East (Mr. Prescott), is in favour of strikes, of industrial action and certainly of boycotting, as she has made clear to the House this afternoon.

Mrs. Ann Taylor: I thank the hon. Member for Dartford (Mr. Dunn) for reminding me that I have not paid my subscription to the SEA for some time, but I shall do so forthwith. On the point that the Secretary of State has just made, I hope that he will withdraw the word "strike", because I do not know of any teacher who is suggesting strike action on the issue.

Mr. Patten: I was simply comparing the hon. Lady's approach—[HON. MEMBERS: "Withdraw."]—to the approach of the hon. Member for Kingston upon Hull, East, who supports strike action by the railways. There is nothing for me to withdraw. The hon. Lady has avoided the question yet again—wriggle, wriggle, wriggle. It is easy in the heat of the hon. Lady's earlier rantings to forget about the endemic feebleness of Labour. I am grateful to the hon. Lady for providing the opportunity for a serious debate at least in the second half of the afternoon because it is easy to lose sight of the background against which our reforms were introduced five years ago.

First, let me make it absolutely clear that, despite our differences with the leaders of some of the teaching unions, we have nothing but admiration for the overwhelming majority of teachers. They are hard-working and dedicated professionals who have risen magnificently to the challenges posed by the introduction of some of the most fundamental and far-reaching education reforms ever seen in Europe.

Lady Olga Maitland: Does my right hon. Friend agree that it is a great insult for truly professional teachers to hear members at the conference of the National Union of Teachers making such statements as

"This isn't the end of the campaign. It's the beginning—a springboard to fight the Tories on all the other issues."?

In other words, it is an attempt to politicise at the expense of children.

Mr. Patten: We all know that the agenda of bodies such as the National Union of Teachers is to use proper professional debate over curriculum and testing reform as an opportunity to begin an attack not only on issues which concern some teachers, but on the nature, rate and pace of education reform, because they do not like the way in which we have begun to expose the serious problems with educational standards in some schools in some parts of the country. I am determined not to hide that and I tell my hon. Friend that I will not hide it.

Mr. John Sykes (Scarborough): Has my right hon. Friend seen an election leaflet which has been circulating in my constituency, produced by a teacher training college for three Opposition candidates? It contains six minor political points but also six major grammatical and spelling errors. Does my right hon. Friend agree that it is usual in the English language to start a sentence with a capital letter? Does he agree that there are two Ps in "support" and only two Cs in "economic"? Does he agree that "advocate" has a D in it? Is not it right that "reasonably" has two As? Finally, is not it time that people like——

Mr. Deputy Speaker (Mr. Michael Morris): Order. Too long.

Mr. Patten: It may have been too long, but it was a jolly good question as far as it got. My answers to the first six questions are yes, yes, yes, yes, yes and yes. I have seen the leaflet, circulated by the Liberal Democrat party in the Scarborough constituency and, mysteriously, printed by a teacher training college. That is an issue which I shall have to look into later.

Mr. Gerry Steinberg (City of Durham) *rose*——

Mr. Patten: Ah, the voice of the NUT on earth.

Mr. Steinberg: Will the Secretary of State spell for us the word "sincerely"? Apparently when he wrote to a school in Cleveland he failed to spell it correctly. Will he please spell it for us now?

Mr. Patten: S-i-n-c-e-r-e-l-y. I hope that that is the last spell check for this afternoon. I utterly refute any suggestion of spelling errors on the part of my Department at any stage.

If anyone is the parent of a bright child in this country, the chances are that that child will do well at school. Most bright children do. They always have done. We still need to do more to help the particularly gifted child, but at the upper end of the academic scale we have a record which is every bit as good, if not better, as any of the advanced industrial nations which are our competitors, whether in Europe, on the Pacific rim or in north America. It is a record of which schools, further education colleges and universities can rightly be proud. The new vocational qualifications that are being introduced are helping to give new opportunities to those in the middle ability range as well.

It is at the other end of the scale—the 30 per cent. of the less able—that we do particularly badly. That tail of under-performance has been there for decades. The problem started back in the 1960s. It puts us at a distinct

[Mr. Patten]

competitive disadvantage with our competitors. More importantly, it blights the prospects of many of our young people and it causes unnecessary unhappiness and a lack of personal fulfilment.

It is to those children that our reforms will bring most benefit whereas the reforms of the 1960s and the 1970s only did harm and lasting damage to a generation of children. We cannot ignore reality.

Mr. Nigel Spearing (Newham, South) *rose*——

Mr. Patten: I will give way in a moment because I know the hon. Gentleman was a teacher and I respect his views. We have to confront the problem and we have to tackle it. Our reforms can, and will, put a halt to the years since the 1960s of under-performance and under-achievement of the three and sometimes four out of 10 children who, after 11 years of being taught, still leave school grappling with the English language.

Mr. Spearing: In 13 years in the classroom I spent much time dealing with the very problems which the Secretary of State is describing. I believed in testing regularly and was an Ordinary level examiner. Can the Secretary of State tell me, because of his professional background, whether he believes in the efficacy of field work? If so, can he tell the House which secondary schools he has been to, where he has perhaps sat down for a couple of hours with the staff and talked about the efficacy of the mechanisms which he is imposing upon them? Can he also tell us what the teachers have said to him? Can he give us the name of such a school and say whether it was independent or private?

Mr. Patten: In our first 12 months at the Department for Education, my right hon. Friend the Minister of State, my hon. Friend the Parliamentary Under-Secretary of State for Schools and I visited more than 110 schools in this country. The list of schools is recorded in *Hansard* —as I answered a question on the subject just before Easter—to which the hon. Member for Newham, South (Mr. Spearing) should refer. My next visit to a school will take place tomorrow morning, when I am visiting a primary school in Chingford. I very much look forward to that visit. I am determined not to hide any of the problems in our schools as it does the Government no good at all to do so. For the sake of thousands of young people and the competitiveness of the economy, the reforms, which are vital to the national interest, will continue.

Let us consider the Labour party's view as set out by the hon. Member for Dewsbury in her speech. She made much of the need for stability and frequently used the "S" word. I shall translate from Labour speak into plain English the definition of stability. In Labour speak, stability equals complacency and inertia. In Opposition speak, stability is code for orderly management of decline and for abandoning the reforms in our schools. That is the hon. Lady's agenda; she wishes to abandon our education reforms, as do the National Union of Teachers and the National Association of Schoolmasters/Union of Women Teachers. Stability is a code for returning to the failed policies of the 1960s and 1970s, when high standards were subordinated, above all else, to the pursuit of equality, which did much harm to generations of children.

Mr. Derek Enright (Hemsworth) *rose*——

Mr. Patten: I shall give way later to a deputy head teacher.

Stability is code for returning the running of our schools to the producer interests and for putting up the shutters against the measurement and publication of a school's performance and letting parents and the local community know about it. Stability is code for denying parents choice and for concealing results.

Mr. Enright *rose*——

Mr. Patten: I shall give way to the hon. Gentleman, but I hope that his intervention will be in English, not Latin like last time.

Mr. Enright: In view of the Secretary of State's comments about the NUT and the NAS/UWT, I merely wanted to ask what he thought of the decisions of the union to which I am proud to belong, the LTA—*[Interruption.]* Sorry, the ATL—*[Laughter.]*

Mr. Patten: The hon. Gentleman cannot even remember the name of his own union. What is the modern Labour party coming to? The deputy headmaster should go to the back of the class.

Mr. Patrick Thompson *rose*——

Mr. Patten: Here is an ex-head teacher.

Mr. Thompson: An ex-classroom teacher who is proud of that fact. I know that my right hon. Friend supports good classroom teaching. Many classroom teachers are opposed to a boycott as the best means of proceeding. What does my right hon. Friend say to the hon. Member for Dewsbury (Mrs. Taylor) and her hon. Friends who are failing to support those moderate and responsible teachers who believe that a boycott is not the best way of obtaining change in the national curriculum?

Mr. Patten: The hon. Member for Dewsbury is a boycotter and is in favour of industrial action in our classrooms—as parents are beginning to realise more and more. I tell my hon. Friend the Member for Norwich, North (Mr. Thompson), who is a distinguished classroom teacher, that I have received many letters from individual teachers who take a completely different view about boycotting tests from that which the hon. Lady attempted to put to the House.

I have a letter dated 12 April from a woman teacher of 19 years' standing from Ilford—*[Interruption.]* The Opposition should listen to and respect the views of a member of the teaching profession, not jeer at them. How dare Opposition Members jeer at a practising teacher—it shows the contempt that they have for teachers. The teacher wrote:

"I welcomed the advent of the national curriculum. None of us is infallible; and it gave me the confidence to know I was not omitting anything vital in my planning. It also gave structure and continuity . . . I am now discovering how my children have progressed and how ably they are acquitting themselves under test conditions. They have enjoyed their assessment tasks . . . and the results have pinpointed strengths and weaknesses in each individual which may not necessarily have been picked up in less specific testing. The SATS workload is demanding . . . However, the exercise is proving worthwhile.

I am aware that many teachers share my feeling."

The views of that classroom teacher are much more typical of the comments that parents want to hear than are some of the scenes that we saw on our television screens over the Easter period.

The hon. Lady's speech was a clarion call to duck the issues and desert the nation's children. Today we have heard the authentic voice of Labour after 14 years in the Opposition wilderness. The Labour party is fleeing, with full speed, back to the past. It summons us back to toleration of mediocrity and a blissful unawareness of what is being achieved in our schools. The Labour party's message to parents, the community and the taxpayer is that as long as there is no sound and publicly available information about standards, and no information on rigorous and manageable tests, everything will be all right.

Mr. Anthony Coombs (Wyre Forest): My right hon. Friend the Secretary of State mentioned the Labour party's record on mediocrity. May I remind the House of Labour's mediocre record on rewarding teachers and attracting them to the profession? Under the Conservative Government, teachers' wages have risen almost two and a half times faster than they did under the last Labour Government and in the past three years the average classroom teacher has seen his wages increased from £15,000 to £20,000 a year—a record rise. This year, 32,000 people want to enter the teaching profession—the best record in the country for 30 years.

Mr. Patten: Since I have become Secretary of State, teaching has become an extremely appealing profession and people are entering it in record numbers. My hon. Friend the Member for Wyre Forest (Mr. Coombs) is right —since 1979, teachers have enjoyed an overall salary increase ahead of inflation of 46 per cent. I confirm what my hon. Friend said.

Mr. John McFall (Dumbarton): The Secretary of State has been talking about mediocre records. I could refer to the mediocre record of his predecessor, the right hon. Member for Mole Valley (Mr. Baker), on finding out the true state of the national curriculum. I consulted the book of Duncan Graham, the chief executive and chairman of the National Curriculum Council, which said in the second paragraph of page 21 that the right hon. Member for Mole Valley signed a letter that could have had fatal consequences for the national curriculum. The two had a furtive meeting in north Wales, where the right hon. Gentleman was running a half marathon. The right hon. Gentleman looked at the letter and asked Mr. Graham whether he had signed it because he could not believe it. Does not that show the incompetence of the previous Secretary of State? The neanderthals are not the parents and the teachers, but those running our education system, and that is why parents and teachers have no confidence in Education Ministers.

Mr. Patten: I think that educational historians and political historians will look back at the Education Reform Act 1988 of my right hon. Friend the Member for Mole Valley as a bench mark in national achievement. My right hon. Friend deserves the thanks of all parents and children for what he did.

I do not think that I, as Secretary of State, should ever duck an issue. I do not believe that education policy is best made by insulating myself from reality or information on what is happening in schools, which is why I have gone on so many school visits. That is why I also believe that the Labour party's complacency is entirely misplaced. The National Institute of Economic and Social Research recently found that, although we spend a greater proportion of gross domestic product on state education than do Germany and Japan, the standards achieved by those in the lower to middle ability range is considerably lower than in France, Germany and Japan. The problem seems to date back to the 1960s. That was the problem that led my right hon. Friends the Members for Mole Valley and for Mitcham and Morden (Dame A. Rumbold) and their hon. Friends to set about the process of reform.

It is not nice to be presented with a report, as I was a few months ago, showing that of those entering further education colleges last year after 11 years of state schooling about one third lacked an adequate command of English to make a good fist of their courses. That is the problem that we face. That is why the national curriculum and testing are so important.

It is not acceptable that, before the introduction of the national curriculum and its associated tests from 1989 onwards, parents should have had no solid information about pupils' progress until they reached O-level, as it was then, at the age of 16. They had no comparable information. It is only recently that the Government have introduced proper standardised written reports for all parents, which I, as a parent, value very much. Parents had no opportunity to judge the performance of their children against the performance of other children in other schools in other parts of the country.

Mr. Stephen Byers (Wallsend): I am grateful to the Secretary of State for giving way to a non-classroom teacher. Will he depart briefly from his prepared speech and address the excellent suggestion made by my hon. Friend the Member for Dewsbury (Mrs. Taylor) that he should ballot parents on whether their children should be tested this summer? The right hon. Gentleman is keen to talk about parental involvement. Will he put that rhetoric into reality and allow parents to be balloted on the crucial aspect of testing this summer?

Mr. Patten: I rather thought that we put our views to the electorate a year ago in a ballot where we won a splendid victory. The national curriculum and its associated testing regime were part of that.

Parents in our main competitor countries in Europe or the Pacific rim would be scandalised not to be given such information about educational performance. Yet that is what the Labour party [illegible]. It is in the pockets of the producer interest. It does not wish to see standards. As the hon. Member for Dewsbury herself declared, she has been in the pocket of the producer interest for many years as a trade union adviser.

Mrs. Ann Taylor: Will the Secretary of State please pause and think again about his decision with regard to encouraging schools to ballot parents? I said earlier that, as a parent, I wanted a say in the education of my children. I know, as a parent, the information that I want from schools and the kind of assessment that is appropriate for my children. I think that other parents share my views and would welcome an opportunity to be consulted about the appropriateness of the tests.

Mr. Patten: The hon. Lady wishes the introduction of the national curriculum to be brought to a halt. She has

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made it clear that she does not wish to see national testing or school performance tables. It is right that parents should have available to them information about the performance of their children and the performance of their schools compared with others in the vicinity and elsewhere in the country. The national curriculum is central to that.

Mr. Byers *rose*——

Mr. Patten: I have given way once to the hon. Gentleman, who described himself as not being a classroom teacher. He showed himself to be little more than a barrack-room lawyer. I shall not give way to him again.

The national curriculum, for the first time, establishes clear and challenging targets for pupils of all ages and abilities in the key subjects of the curriculum. Only last week I published proposals for the streamlining of those targets in English. My proposals reduce the number of requirements of the national curriculum, but give them much greater precision. They spell out the requirement that pupils must acquire a working knowledge of standard English, grammar and vocabulary. The contempt that poured from the Labour party last week about the need for children to speak standard English beggared belief.

The proposals ensure that pupils have a good knowledge of our literary heritage. Under them, pupils will no longer be able to leave school without a sound grasp of the basics. They will no longer be able to leave school without having their sights and spirits raised by our greatest writers.

Such reforms are fundamental in other countries. The National Institute of Economic and Social Research, to which I have already referred, found that the common factor in the higher standards achieved in France, Germany and Japan was the national curriculum that those countries have had for many years. Now, thanks to this Government, we are challenging our pupils to fulfil their potential as well.

Ms Estelle Morris (Birmingham, Yardley): The Secretary of State has just talked about new orders for the English curriculum, which were announced last week. Will the tests that are to take place, or may take place, in schools this term test the curriculum that he announced last week or the curriculum that has been taught for the past three years? If the latter, shall we have a new set of tests to test the curriculum that the right hon. Gentleman has announced for next year? If so, what is all the fuss about tests for one year that will cease to exist because he has changed the curriculum and so will have to change the tests again?

Mr. Patten: The hon. Lady should be putting that question to the hon. Member for Dewsbury. Each year the syllabuses for A-levels and GCSE change and each year the tests for them change. The hon. Lady is not neanderthal, she is positively paleolithic in her knowledge of the testing regime at GCSE. I cannot go back further. I must look at my prehistory.

It is an absurd idea that we should set in concrete a national curriculum and its tests and never alter them in the light of experience over the years as knowledge is pushed forwards.

Ms Estelle Morris *rose*——

Mr. Patten: No, I shall not give way to the hon. Lady again. It was a great mistake for me to give way the last time.

The national tests are an intrinsic part of the national curriculum. There is no point setting targets if pupils' progress is not measured against them. That is obvious to everyone except the Opposition. The national tests introduced by the Government, which happen on only four occasions during a pupil's 11-year school history, at seven, 11, 14 and 16, provide vital information for teachers about their pupils' strengths and weaknesses. They enable parents to hold schools to account for their children's progress. That is a right of every parent. They also enable the taxpayer—the Chief Secretary to the Treasury was on the Front Bench earlier—to make his judgment. They certainly enable me as Secretary of State for Education to see what is happening to education. How could I justify education expenditure to the Treasury in the forthcoming public expenditure round without evidence of improving standards? We cannot have it both ways. We cannot ask for the bill to be paid without demonstrating that it is worth paying. That is a message to which the education world should listen carefully.

Tests are the key to raising standards and they are already doing so. The inspectors of the independent inspectorate, Ofsted, have found in their first two years of operation that the tests for seven-year-olds have improved those pupils' attainments while showing—this is a cause for considerable concern—that one out of every three seven-year-olds have serious problems in dealing with the English language and simple arithmetical tasks. If that has all been put right in the past, as the hon. Member for Dewsbury was saying, why have the independent tests exposed that and why has the inspectorate said that the tests have raised teachers' expectations? I pay great tribute to primary school teachers in Britain who work hard, but the inspectorate has said that expectations have been raised.

There are striking gains and it is unreasonable for some in the teachers' unions now to seek to mount an attack on tests which have already taken place and which are already raising standards in Britain. It is typical of the hon. Member for Dewsbury that she should give comfort to that attack by the unions, to join in and encourage industrial action. Like it or not, that is what boycotting is. It is industrial action. We cannot mess around with words. The hon. Lady is aiding and abetting industrial action, just like her hon. Friend the Member for Kingston upon Hull, East.

The tests were written by GCSE examiners and by experienced educationists and devised under the direction of the School Examinations and Assessment Council, which had six teachers and six lecturers among its membership. The subject groups were largely staffed by individual, working classroom teachers and head teachers.

Mr. Win Griffiths (Bridgend): The Secretary of State mentioned working groups. Why, in the case of the English orders put out for consultation last week, did the right hon. Gentleman deliberately avoid the English working group and have the curriculum council itself produce the work?

Mr. Patten: Because I announced some time ago that to keep the national curriculum up to date, there would be a rolling, five-year review of all national curriculum subjects.

Knowledge moves on. It was not written down in a book the last time that Labour held power. Knowledge and interpretation advance. There are changes all the time. */Interruption./* Does my hon. Friend want me to give way?

Mr. Harry Greenway: I accept my right hon. Friend's invitation. I was simply excited by his remarks about the sheer dynamism of education—particularly in the way in which my right hon. Friend represents it. The Opposition should take this lesson: when education becomes static, standards collapse. That has always been Labour's problem in running schools or anything else.

Mr. Patten: My hon. Friend, who was a practising teacher, exposes the underlying fallacy in Labour's argument, which seems to be that a national curriculum should be written one day and remain exactly the same, not for years or decades, but for hundreds of years and never improved.

Mr. Pawsey: Written in tablets of stone.

Mr. Patten: My hon. Friend is right.

Last summer's science and maths tests for 14-year-olds were extremely successful. There was much debate and there were problems and concern about those tests—just as there were in respect of the tests for seven-year-olds when they were introduced in 1991. There were threats of boycotts then. Happily, they were withdrawn and the tests went ahead and were improved.

Exactly the same is true of last summer's mathematics and science tests. The inspectorate announced that it was extraordinary that not only were standards higher than it had expected, but that truancy levels plunged on the day that the tests were sat and children turned up in large numbers to take them. Ofsted's findings that the tests were well received and worked well are interesting. The fall in truancy shows that children enjoy being stretched—and it is a great mistake not to stretch and to challenge children.

Talk of boycotts is an absurd over-reaction to tests that have been much more carefully prepared over a longer period of time than the average GCSE new syllabus. It does no service to the reputation of the majority of hard-working teachers who have conscientiously implemented the national curriculum. I am glad to pay tribute again to their professionalism.

I do not believe that those committed and professional teachers will turn to their pupils this summer and say that a test required by law—and it is, under the Education Reform Act 1988—and for which a pupil aged 14 has been preparing for three years, should be torn up and tossed in the wastepaper bin. I do not believe either that those committed and professional teachers will look parents in the eye and tell them that they do not think that they will bother with the tests this year and will not give the evidence.

The hon. Member for Dewsbury wants that to happen. She made it clear that she is in favour of industrial action, boycott, and withdrawing co-operation. That is reinventing the 1970s. The hon. Lady's analysis is fundamentally flawed.

The sensible response to the genuine concerns of some teachers about the manageability of the existing curriculum and assessment arrangements—I say "some" because many other teachers have written to support our policy—is to feed those concerns into the review that I have asked Sir Ron Dearing, chairman-designate of the School Curriculum and Assessment Authority, to undertake.

That wide-ranging review will examine the curriculum and assessment framework in its totality—not just individual subjects. It will be taken forward urgently. Sir Ron has already spoken to head teachers, teachers and many organisations interested in education. Although head teachers, deputy head teachers and classroom teachers have a prime interest in education, so have many others. We are all concerned about state education—we are all shareholders in state education.

However, Sir Ron cannot make progress and identify ways of improving the current arrangements unless he has sound evidence. That involves this summer's tests going ahead—that is Sir Ron's opinion, not mine. I quote from the letter that Sir Ron wrote to me:

> I have to tell you that if I do not have information from tests this Summer, I am going to have difficulty in giving well-informed and convincing advice on what changes should be made to the testing arrangements."

Those are the words of someone of enormous distinction and a great independence of mind. In other words—in my words—a boycott would be self-defeating. It would damage children's education by depriving teachers, pupils and parents of important information about children's progress. A boycott would retard the evolution of the national curriculum and its testing arrangements and would undoubtedly rebound ultimately on public perception of the teachers themselves.

Mr. Nick Hawkins (Blackpool, South): Does my right hon. Friend agree that it is important not only for pupils and parents to see the results of the tests but for employers, in order to ensure that British commerce and industry has the best products of our education system in future? Employers as well as pupils and parents want the tests to continue.

Mr. Patten: I listen carefully to employers and I am sure that the major employers' organisations will feed their views into the review, and rightly.

If a child's performance in mathematics or English is not checked at 14, that child may leave school at 16 with a low or poor GCSE performance, by which time it will be too late.

Ms Estelle Morris: It is already too late.

Mr. Patten: It is never too late. The hon. Lady is arguing, then, that nothing can be done for a child who is under-performing at 14. That is complete rubbish. A lot of help can be given in two years.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): Is the Secretary of State under the illusion that the performance of pupils in mathematics and English at the age of 14 was not checked before the introduction of that examination?

Mr. Patten: The hon. Gentleman is on to a very good point. The evidence available from the inspectorate is one of the important things that we must look at. We must deliver to each child in England or Wales—my right hon. Friends the Secretary of State for Wales and the Minister of State are in their places on the Government Front Bench and are listening to the hon. Gentleman—*/Interruption./*—in whichever part of England or Wales for which we are responsible. That means giving each child

[Mr. Patten]

in England and Wales a chance in life—not a hit-or-miss chance over whether or not there is testing at a school in Wales or in the area in which I live.

The tests at ages 7 and 11 will therefore go ahead this summer. Just how self-defeating a boycott would be is well illustrated by the evolution of the tests for seven-year-olds. It is important to work through this example briefly. Since those tests were introduced in 1991, we have listened to teachers and streamlined the tests to meet their concerns.

I am told that the 1991 tests for seven-year-olds were problematical. They were modified and focused on the basics of reading, writing, spelling and arithmetic—and quite right, too. Ofsted reported that the 1992 tests were more manageable than the 1991 versions as a result.

The 1993 tests that are under way in schools throughout the country now are better still. It is perverse for some in the teacher unions to incite their members to boycott tests which those members have worked so hard over the past two years to establish. Those tests are fundamental to our reforms and will help to crystallise the standards that we expect our children to reach.

The review illustrates another facet of our reforms, which, although carefully thought out, have been implemented pragmatically since 1989 on the basis of experience. It was only in that year that the national curriculum began to be phased in; it will not be fully in place until 1997, nearly a decade later and not until 2001 will the first pupils who embarked on it as five-year-olds complete it as 16-year-olds. That is a very long time.

At each stage of the introduction of the testing and curricular arrangements, we have demonstrated our keenness to take the views of professional teachers into account. That is why the maths and science curriculum, and the first tests for seven-year-olds, were simplified. The way in which the School Examinations and Assessment Council has listened has provided a model, leading to an improvement in tests year after year. That is why I decided earlier this year that results should be included in performance tables only for the second year of their introduction nationally. Our record shows that we have taken careful notice of professional views.

I shall not go into all the many other matters mentioned by the hon. Member for Dewsbury, because I do not think that the House is in the right mood to debate the full range of education issues. Let me remind the hon. Lady, however, that the Education Bill—which she failed to mention—passed through the House of Commons undented by the Labour party, whose Front Bench was one of the weakest Opposition teams imaginable.

The education system—underpinned by the national curriculum, testing and the Education Bill, which is now in another place—will last well into the next century. It will be the basis of our over-achievement during the late 1990s, allowing us to catch up with our competitors on the Pacific rim, in Europe and in North America. The Government constantly seek to achieve a balance between preserving what is best in our education system and improving what is less good.

Our overriding aim is to improve standards, encourage diversity and increase the number of opportunities. The achievement of those aims—which the Opposition seem to have missed entirely—will mean continuing to take clear and concerted action to set higher standards by stretching children in the national curriculum. It will mean measuring pupils' progress by means of rigorous and manageable tests and securing the publication of results in school performance tables. In that way, we shall ensure that our education system is fit for the challenges that lie ahead in an increasingly competitive world and that our children are as well educated as any in the rest of the world.

5.32 pm

Mr. Gerry Steinberg (City of Durham): Thank you for calling me to speak in this important debate, Mr. Deputy Speaker. As it is my birthday, I am especially grateful.

As is customary, I declare my interest. I am one of the parliamentary consultants of the National Union of Teachers——

Mr. Patten: How much is the hon. Gentleman being paid?

Mr. Steinberg: That is between me and the National Union of Teachers. Let me record, however, that I fully support the action being taken by the NUT and other unions, which is backed by their members.

The Government's education policy is only one of the many policies that they have dreadfully mishandled. They are now universally mistrusted. None of their policies is more mistrusted than their education policy, and none of their spokesmen is more mistrusted than the Secretary of State for Education. What a way to run an education service! What a way to treat the country's children, parents and teachers!

During the Secretary of State's speech, the microphone went off for a moment. I fully expected the right hon. Gentleman to behave like the concert chairman of my local working men's club, and to say "Testing, testing" as he does before a performance. That is what I think of the right hon. Gentleman's ability.

We need stability in our schools, but all that we get from the Secretary of State are threats—threats that teachers may be fined if they boycott the tests; threats that school spending will be cut if teachers refuse to test pupils; threats that governors may be taken to court and personally surcharged if they sanction the boycotts. Even governors responsible for the running of our schools vehemently oppose the Government's reforms. Recently, the Northumberland School Governors Association wrote to me as follows:

> "Governors in Northumberland are opposed to tests currently being required by the government for children aged 7, 11, 14 and 16 . . . The Northumberland School Governors Association trusts its teachers to exercise their professional skills in assessing the academic progress of pupils in a sensitive and positive way. And they place reliance on the objectivity and standards of GCSE and 'A' level examinations as genuine measurements of schooling.
>
> In our view it is high time that ideology and rhetoric were banished from education. Parents and governors know what is needed for their children. And in Northumberland they have every confidence in their teachers to meet these needs."

It is a great pity that the Secretary of State has not the same confidence in his teachers.

If the Government cannot get away with threats, they use the courts to take legal action against teachers. They use their puppet and lackey, Wandsworth council, to try to force teachers to carry out flawed and damaging tests; and they lose in the courts. They use the tactic of division by virtually forcing schools to opt out of local education authority control. They are setting one school against another, and one local education authority against

another. They show contempt for those whom they most need if our education system is to succeed; they show contempt for parents, whom the Secretary of State describes as neanderthal. The right hon. Gentleman shows his contempt for teachers by rewarding their increased work load and dedication with a pay award of 0·5 per cent. —a miserly halfpenny in the pound.

The Government constantly use patronage to implement their right-wing dogma. They appoint Tory poodles to key posts. The chairman of the National Curriculum Council is David Pascall, a Tory hack; the chairman of SEAC is Lord Griffiths, another Tory hack; its vice-chairman is Ms Lawlor's husband, yet another Tory hack. The Government use bribery to implement their opt-out policy, giving opted-out schools vast amounts of capital expenditure as a reward. This year grant-maintained schools have received a 300 per cent. increase in capital expenditure, while LEA schools have received a 10 per cent. increase. If that is not bribery, what is?

Lady Olga Maitland: If, as the hon. Gentleman implies, he does not approve of tests, how could he possibly discover that some children are falling behind in their literacy and numeracy skills? How, without tests, could we discover that one third of school leavers going into higher education have a reading age of only 14? Is not the hon. Gentleman aware that the lack of literacy and numeracy skills is costing British industry £5 billion a year in mistakes? Surely that justifies proper testing.

Mr. Steinberg: Can the hon. Lady quote the part of my speech in which I said that I opposed tests? I shall give her a copy after the debate, and, if she can find the place where I said that I opposed tests, I shall take her out to dinner. I have not said that I oppose tests; I said that I supported the boycotting of flawed tests by the NUT.

Ms Estelle Morris: Does my hon. Friend agree that it was good practice on the part of most secondary schools to give the new intake of 11-year-olds reading tests so that the reading age of every child was known and it was not necessary to wait until the children were 14 to discover that eight out of 10 had a reading age below their chronological age? It is a travesty of the truth to imply that teachers did not know that children were failing in some instances.

Mr. Steinberg: That is absolutely right. I was the head teacher of a school for 10 years and, before that, a deputy head teacher for three years. I tested the children in my care every year for 13 years. I kept the test records and let the parents know at the end of each year the results of the tests. That is not new. It is an absolute load of rubbish to say that I oppose testing. We have been doing it for years and years.

The Government were convinced that schools in Labour-controlled authorities would opt out of the system. This Secretary of State, and previous Secretaries of State, said, stupidly, that opting out would provide schools with the opportunity to escape from bad, socialist-controlled local education authorities. But what happened? By far the majority of schools opted out of Conservative local education authority control. That proves just how out of touch this Government are. If they cannot get away with threats and bribery, they use deceit. A previous Secretary of State—not the right hon. Member for Mole Valley (Mr. Baker) who, history will prove, was a far superior Secretary of State under the Tory Administration of the past 14 years than anyone else who has followed him in that post——

Mr. Kenneth Baker (Mole Valley): Will the hon. Gentleman repeat that?

Mr. Steinberg: I never thought that I would say this, but when the right hon. Member for Mole Valley was Secretary of State he proved to be probably the best Secretary of State for Education that the Tories have ever had. To be quite honest, to say that takes the biscuit.

The Government have used deceit. During the debate on the teachers' pay Bill, the previous Secretary of State said that we had to trust him. I would not trust him any more than I would trust a second hand car dealer. He said, though, "Trust me." During the proceedings on that Bill he said that he could not override the new teachers' pay review body. This Secretary of State has done that in his first year in office. He has given the teachers a 0.5 per cent. pay increase—absolutely disgraceful when one remembers that the Government tell us how much they respect teachers and value the work that they do. The Government show so much respect for teachers that they give them a halfpenny in the pound pay increase.

I hope that those teachers who were conned and duped by the Government into accepting the pay review body now realise what this Government's words mean. The result of these appalling deeds has led to extreme dissatisfaction and instability in our schools. It is not surprising that 1 million days have been lost through industrial action in our schools since 1971.

Lady Olga Maitland: Whose fault is that?

Mr. Steinberg: Which party was in power when those 1 million days were lost? Tory Administrations have forced teachers into taking industrial action. Through their incompetence, 1 million days have been lost through industrial action.

Mr. Dunn: May I put a question to the hon. Gentleman, whom I like and respect, as he knows. Does he know whether more children of blue collar workers are in universities today than in the 1920s?

Mr. Steinberg: I do not know the answer to that question, but I suspect that there are. God help us if there are not. Since the 1920s there have been Labour Governments who have improved opportunities for children. We introduced comprehensive education which allowed the kids of blue collar workers to obtain the qualifications that they needed to go to university.

Mr. Dunn: The hon. Gentleman misunderstood my question. There were more children from blue collar worker families going to university in the 1920s than there are today. That shows the failure, not the success, of the comprehensive system.

Mr. Steinberg: I really cannot believe that. Perhaps the hon. Gentleman will show me the statistics later.

Mr. Dunn: Perhaps the hon. Gentleman will take me out to supper.

Mr. Steinberg: I do not really fancy that, though I owe the ex-education Minister a great debt, for it was he who kept my school open when the local education authority wanted to shut it.

[Mr. Steinberg]

The Government have managed almost the impossible: to alienate and unite the whole of the teaching profession. To make matters worse, the Education Bill, which is now in the other place, has nothing to do with raising standards in education—only with right-wing dogma, to get rid of local education authorities and place education eventually in the private sector. Education is not in the private sector now, it is not selective now, but the Bill that is now in the other place will encourage it to become both.

It is already moving in that direction in Penrith where, needless to say, the Secretary of State appaluded and supported the actions of that school in becoming grant maintained and selective. Although it was absolutely appalling, the Secretary of State agreed with and accepted what happened. Teachers fear that the Bill which is going through the other place has only one objective: to obliterate local education authorities, thus causing further instability in our schools.

The Government have said nothing about the statutory role of the teaching profession in improving the quality of education. The absence of a commitment to working in partnership with teachers reveals how little understanding the Government have of schools, how they are run and how they can be improved. Consequently, there is disquiet throughout education. The Government's attitude is exactly the opposite: one of confrontation, particularly as regards testing.

I shall quote from a letter that was sent to the Secretary of State—I noticed that he did not refer to it in his speech today, but a copy of it was sent to me—by the heads of English departments in 42 comprehensive schools in County Durham. They wrote:

"As Heads of English in Comprehensive schools across County Durham, we want to make clear our anger and professional disquiet at the way the tests in English for 14-year-olds are being implemented. We also feel that parents of Year 9 pupils should know the chaotic fashion in which these tests have been introduced.

As responsible English departments, we had properly planned schemes of work in response to the National Curriculum when these pupils entered Year 7. It was necessary to plan a three-year course in order to ensure that all required activities were covered. The information on the tests, which only started to come through officially last term, has meant that we have had to abandon our plans in order to cover specified texts and prepare our pupils for a very narrow form of examination . . .

This type of testing was not mentioned when we started the course, and we have had little time to prepare pupils. We were also asked to allot pupils to tiers within the tests before we had seen any sample questions. Contrary to reports, the new form of tests have not been tried out—or only in a very small number of schools, and with pupils of the wrong age.

We are very disturbed by these changes which are preventing us from working as we have planned. We have acted professionally from the start, in accordance with all the requirements in the National Curriculum, yet these changes are being forced through in a most unprofessional way that will be damaging to all our pupils, and to the concept of good English teaching."

It is incredible that the Secretary of State can be so stubborn and arrogant: all the professionals are wrong and he is right. For the life of me, I cannot understand how anybody can be so stubborn.

I make it clear to Conservative Members, particularly to the hon. Member for Sutton and Cheam (Lady Olga Maitland), that teachers are not opposed to tests, and never have been. Tests are part of an array of means to determine children's needs. The tests that the Secretary of State wishes to impose are fundamentally flawed. They will not benefit children; they will damage them.

I had intended to quote from a letter that I received from Mrs. Granville, the head teacher of a Cleveland school, Huntcliffe comprehensive. It is, however, a long leter, so I shall not do so. Instead, I will get on with my speech.

As if matters were not bad enough, the English orders, which were the most popular part of the national curriculum, are to be changed. Most professionals believe that major changes are not needed, and changes have been rejected in Wales and in Scotland, but not in England. Not only do teachers in England and Wales still have to operate flawed assessment and testing arrangements, in contrast to those that have been agreed in Scotland, but children in England are now to have a retrograde curriculum in comparison to that offered to children in Wales and Scotland, whose teachers have been heeded. It is a pity that the Secretary of State cannot listen to teachers in this country as the Secretaries of State for Wales and for Scotland have listened to their teachers.

That decision will further undermine the morale of teachers in England. They are being told what to teach and how to teach it. A teacher from Droitwich, Mr. Martyn Copus, recently wrote to me saying:

"Like many teachers I welcomed the bulk of the national curriculum provisions and the delegation of school budgets, but foolishly I assumed we would have some years to implement and assess the impact of these measures. It is now clear that the Government has decided on purely ideological grounds that we have failed and is determined to pursue its own agenda without any concern for the professionals."

Teachers who supported the Government now feel that they have been duped. They feel bitter about the Government's actions.

The Secretary of State stumbles on regardless. In all his rantings I have never heard him once mention the need for extra resources. Instead of threatening to cut education budgets, he should fight for the bare minimum standards of resourcing for education, especially with regard to staffing levels linked to class sizes, to curricular needs, to nursery provision and to books and equipment. If standards are falling, the Government are solely to blame. After all, they have dictated education policy for the past 14 years. They have under-resourced education throughout those years, and now they are using the excuse of falling standards to implement their right-wing dogma.

During the previous Parliament the Select Committee on Education investigated supposed declining reading standards. We found no evidence to substantiate that claim, which was made by a Mr. Turner, an education psychologist. Now—surprise, surprise—he has been rewarded for his unreliable report with a job as a member of the School Examinations and Assessment Council's English Committee.

It is with great sadness that I must tell the House that the Tory Members of the Select Committee connived last week to prevent the Secretary of State from being brought back to the Committee——

Lady Olga Maitland: Will the hon. Gentleman give way?

Mr. Steinberg: No.

Last week the Tory Members of the Committee connived to prevent the Secretary of State from being made to return to the Committee and answer further questions on the most topical current education issue.

Lady Olga Maitland: Will the hon. Gentleman give way?

Sir Malcolm Thornton (Crosby): Will the hon. Gentleman give way?

Mr. Steinberg: Yes.

Sir Malcolm Thornton *rose*——

Lady Olga Maitland: I am grateful to the hon. Gentleman for giving way.

Mr. Steinberg: The hon. Lady should not be grateful, because I am not giving way to her.

Sir Malcolm Thornton: I am grateful to the hon. Gentleman for giving way. May I put the record straight for the House? Before the meeting of the Select Committee, and without reference to any of my colleagues on either side of the Committee, I made it clear through the Press Association that my view as Chairman—clearly it had yet to be endorsed by my colleagues—was that it would be inappropriate and unhelpful to have an inquiry at this stage. That is the precise position. There was some brief discussion and then we proceeded to other business. What Members may do when they consider such matters is entirely up to them, but I have told the House what happened.

Hon. Members: Withdraw.

Mr. Steinberg: I shall certainly not withdraw. As far as I am concerned, the Tory members of the Committee connived to stop the Secretary of State returning to the Committee to answer questions. The cat was let out of the bag twice, once when a member of the Committee said that we should not call the Secretary of State back because we should not put any further pressure on him——

Lady Olga Maitland: Will the hon. Gentleman give way?

Mr. Steinberg: No. The other occasion was when the hon. Member for Croydon, Central (Sir P. Beresford) attended the meeting for the specific purpose of ensuring that the connivance was successful, then left and did not return.

Sir Paul Beresford: The hon. Gentleman is aware that he was in a minority of two, so connivance could hardly have taken place. The voice was rather weak on his side of the Committee. He should also recognise that what the Chairman of the Select Committee, my hon. Friend the Member for Crosby (Sir M. Thornton), said is absolutely true. The hon. Member for City of Durham (Mr. Steinberg) was so busy rushing off to tell the Press Association his version of events that it was suggested that I leave; because I had a chest infection at the time, which would have made it difficult for an interview to continue.

Mr. Steinberg *rose*——

Mr. Deputy Speaker: Order. It might help the House if we were to recognise that the statements referred to were apparently made in private during the Committee sitting, so there is no record of them. Perhaps we can move on.

Mr. Steinberg: If the Secretary of State is not prepared to come back to the Select Committee, he must be shell-shocked; he must be in a dreadful state if he is not prepared to come back to the Committee and discuss——

Mr. Pawsey: On a point of order, Mr. Deputy Speaker. Is it not the practice in this place that when allegations have been made and have been proved to be unfounded, as has just happened, those allegations are withdrawn?

Mr. Deputy Speaker: All hon. Members are honourable; they will have listened to what has been said and they should all recognise the point that I made about the events having taken place in private session. Perhaps we can now move on to more substantive matters.

Mr. Steinberg: Since 1979 education has received a declining share of the gross national product, despite what the Government may say. Education's share has fallen from 5·5 per cent. to 4·6 per cent., and central Government spending on education is 30 per cent. lower in real terms than it was in 1979. Figures recently provided to me by the Library reveal that, because of that, education lost the equivalent of £1·5 billion last year.

There will be stability in our schools only when the ludicrous so-called reforms are halted, and schools are better resourced to meet the needs of the national curriculum. I fully support the vast majority of teachers and the action that they are taking over the dreadful tests.

Mr. Deputy Speaker: Before I call the next hon. Member, may I remind hon. Members that Madam Speaker has imposed a 10-minute restriction from 6 o'clock, so whoever is called next will be asked to resume his seat at 6.10.

5.56 pm

Mr. Kenneth Baker (Mole Valley): Before the hon. Member for City of Durham (Mr. Steinberg) got into a procedural spat at the end of his speech, he had some kind things to say about me; may I tell him that I have always believed his judgment to be perceptive and distinguished?

I heard the speech by the hon. Member for Dewsbury (Mrs. Taylor), and I must tell her that I was disappointed by it. It reminded me of the speeches that I heard from the Labour Front Bench in 1986 and 1987. The Labour party has been in favour of the national curriculum. It did not vote against it during the passage of the Education Reform Act 1988, but Labour Members' attitude has always been one of hesitant support. They have always taken the line that they would like the national curriculum, but not just yet—a sort of secular version of St. Augustine. We have heard that line again from the hon. Member for Dewsbury.

I recognise that there is considerable consensus in the country about the need for the national curriculum.

Mrs. Ann Taylor *rose*——

Mr. Baker: I hope the hon. Lady will forgive me if I do not give way, because I am short of time, and she spoke for quite a long time. What I have said does not do her a disservice.

The more that one can cement an agreement across the House between the parties on the importance of the national curriculum and the need to consolidate it, the better. The debates that we have about the national curriculum are not now heard in France and Germany, for

[Mr. Baker]

the simple reason that in those countries the national curriculum has lasted for decades. Bismarck started the national curriculum in Germany, and in France it started at the beginning of the century. It has ceased, as it should have done, to be a matter of debate or dispute between politicians. The hon. Member for Dewsbury said that, in the revision of the national curriculum, politicians should step aside, and I echo that sentiment. I shall deal with that subject in a moment.

I must chide the Labour party, because, for all sorts of reasons, it has always been hesitant about going ahead with the national curriculum. In yesterday's edition of *The Times*, I read that Mr. Pascall, the outgoing chairman of the National Curriculum Council, has said:

"The 1988 Reform Act is our best chance to ensure that our children receive the education they need."

He said that there should be no slowing up in its implementation.

The process of getting the national curriculum on to the statute book has been long. It started with a speech by Jim Callaghan at Ruskin college in 1976. It is a matter of record that the education establishment, including the then Secretary of State, formed up against him. The establishment said, "Keep out of our garden. The curriculum is ours. It is the secret garden of our profession, so don't intervene." It took almost 10 years before I could introduce a Bill establishing a national curriculum. From some teachers—not by any means the majority—and certainly from some in the education establishment there has been hostility to the concept of the national curriculum.

If one has a national curriculum, one has to have detail and standards. The whole reason for our introducing a national curriculum was that we were disappointed by the education standards in our country over many years. Employers complained to us about the literacy and numeracy of 16-year-olds. We discovered that there were 6 million people who could be described as functionally illiterate. That was a disgrace to a country as civilised as ours was—or should have been. The whole purpose of the national curriculum was to elevate the standard of education for all our children.

When we fashioned the national curriculum, I was determined that it should be broad and balanced. One school argued strongly just for the three subjects: mathematics, science and English. I believed that that was a Victorian, Gradgrind curriculum, and I wanted a broad and balanced curriculum which contained not only science, mathematics and English at its heart, but history, geography and technology—the jobs of tomorrow. Now every child has to take technology up to 16, so that decision was a revolution. We are very bad at languages. I wanted to ensure that every child took a language up to the age of 16. That is now secure. I also included the cultural subjects: art, music and sport. The children in our schools must experience the pleasure and joys of those subjects as well.

It took a great deal to get that curriculum established. The question asked was, "How can all that be fitted in?" Much of the argument was that we should not be so prescriptive, that we should be more relaxed about the curriculum. I felt that we had to be prescriptive.

On the problem of fitting all the subjects in, one of the things that I most regret about my time as Secretary of State for Education and Science is that I did not open up the argument for extending the teaching day. If one could have one more lesson of 40 minutes a day in schools, all the pressures on the national curriculum could be eased, as could the pressures brought about by testing. I should have had open negotiations with the teacher unions again.

In schools in England and Wales, children are taught by someone standing in front of a class and teaching them for about 24 hours a week. In Scotland, the figure is 27 hours a week. In 1960 in England, the figure was 30 hours a week. In Japan, it is now more than 30 hours a week, and in France and Germany, it is between 27 and 28 hours a week. Those figures refer to teaching time. We must consider the structure of the school day and the use of teachers' time to ensure that there is more teaching in the classroom. That means reopening the settlement which I reached with the teachers in 1986.

I now come to the current point of great concern. As my right hon. Friend the Secretary of State said, there does not seem to be much dispute now about the mathematics and science curriculum. I remember the passionate debates when we had to fashion the mathematics curriculum. I thought that there would be no debate on mathematics. However, there were debates about whether there should be calculators, whether calculus should be taught to children under 16, and how the teaching of number was approached. Passions raged. Passions also raged on science. Should there be two or three sciences? Should we teach the old three sciences, which we all learned, of chemistry, physics and biology?

I knew that the passions would be greatest in English, and that is why I set up two committees, first under Sir John Kingman, to try to define what English was. I appointed Sir John Kingman because he was not an English scholar, but a distinguished scientist and engineer. I did not want him to get involved in the whole linguistic debate, the phonics debate and all the rest of it. His report was not very satisfactory, so I asked Professor Cox to fashion the first national curriculum. That was better, and it has formed the basis of the English curriculum since then.

I did not disguise from the world in those days the fact that I wanted a return to basics in English. The most important thing that one has to give our children today is a mastery of our language. Our language is one of the great enduring assets of our country, and it needs to be taught properly. That is why we went to great pains to try to establish a curriculum, and why the then old-fashioned concepts of punctuation, grammar and spelling were so important. Those matters are not a subject of debate in France. French children are taught to discuss the nature of the Franch language and French grammar; it is not so here.

I took the trouble to look at the document on English which came out only last week from the National Curriculum Council. It is a very good document, which is a development of the original English curriculum. It says sensible things about key stage 1 for children aged seven. It says:

"Communications. Pupils should be able to use accurate and simple vocabulary."

The document gives good examples on grammar. It says:

"Subject-verb agreement. 'We were late back from the trip' not 'We was late back from the trip.'"

Such documents help teachers, and I do not see why the teaching profession has anything against this document.

The document also deals with literature, which is very dear to my heart. It says of key stages 3 and 4:

"Response to literature. Discuss narrative techniques."

This is for 14 and 15-year-old children. It says:

"Discuss narrative techniques, character development, conflict, tension, and atmosphere in a novel or a play, for example"—

it is not prescriptive—

"'A Tale of Two Cities' by Dickens or 'An Inspector Calls' by J. B. Priestley."

Studded throughout the document is a range of access to literature, which is sensible. The document says broadly that children should have read by the age of 16 or have had experience of——

Mr. Mike Hall (Warrington, South): Will the right hon. Gentleman give way?

Mr. Baker: No; I hope that the hon. Gentleman will forgive me.

The document says that children should have read or have had experience of by the age of 16 two plays by Shakespeare, of five poets, one before 1900, and of works of fiction, one before 1900. The document is not prescriptive. I have heard some teachers say that it is narrowing and restrictive, but I do not believe that.

We never try to tell teachers how they should teach in classrooms. The national curriculum provides the essential framework, and I hope that my right hon. Friend will proceed with it.

I am glad that he has appointed Sir Ron Dearing, a distinguished public servant. I first came across him when he was chairman of the Post Office and I was Minister for Information Technology. I appointed Sir Ron Dearing to be the chairman of the Polytechnics Funding Council where he did an outstanding job. I am sure that he will do a very good job of looking at the national curriculum.

We never envisaged that the national curriculum should be set in tablets of stone for ever. As the hon. Member for Dewsbury said, it must be looked at from time to time and reviewed. That is sensible.

Part and parcel of the national curriculum are attainment levels, and part and parcel of those are tests. There has been much discussion about tests. I tried to have simple tests. I wanted pencil and paper tests, but the advice I received was that they had to be more complicated, so we set up an elaborate system which has become too complicated.

Now we want it to be simpler. However, I suspect that, when it becomes simpler, quite a few teachers will say that it is too simple and that they do not want to go back to pencil and paper tests. There is an element of pencil and paper in all tests.

The boycott is utterly wrong. I do not believe that teachers should take industrial action in any circumstances. I speak as a Secretary of State who had to deal with a strike that had lasted for three years. A strike or industrial action, whatever the semantics, in the classroom is wrong, because it sets a bad example to children. Teachers are people to whom children should look up, so I beg the various teaching unions not to proceed with the boycott.

When I was Secretary of State, I had to face a boycott of the GCSE, which was far more important than a boycott of the tests for 14-year-olds. If the GCSE had been boycotted, there would have been no certificates for a whole year, and we could not have caught up on that. I shamed the National Union of Teachers into abandoning its boycott, and I hope that the teacher unions will be shamed into abandoning their present boycott.

In 1989, at the north of England conference to which all Secretaries of State go from time to time——

Mr. Hall: This one did not go.

Mr. Baker: I said, "from time to time". I am sure that my right hon. Friend the Secretary of State will go in the fulness of time.

After the Education Reform Act 1988 was on the statute book, I said that the national curriculum should do five things:

"give a clear incentive for all schools to catch up with the best and the best will be challenged to do even better; provide teachers with detailed and precise objectives; provide parents with clear, accurate information; ensure continuity and progression from one year to another, from one school to another; help teachers concentrate on the task of getting the best possible results for each individual child."

That is the object of the national curriculum, and I believe that it has achieved it so far.

6.9 pm

Mr. Don Foster (Bath): The Secretary of State for Education began his speech by listing a number of firm principles which his party supports. Perhaps I shall surprise him and other Conservative Members by saying that I entirely agree with the principles of a national curriculum, the testing and assessment of that national curriculum and the provision of information to parents on the strengths and weaknesses of their children. It is easy to speak in slogans and headlines. This debate should be about the details that underpin those principles—the type of national curriculum, the type of testing and the type of information that should be provided to parents about those pupils.

In the few minutes available to me, I shall address my concerns about the approach to those matters. The Government's approach is leading to a crisis in our education service. That crisis is of the Government's making. They have created strife where once there was harmony. For decades since the Education Act 1944, an education partnership has built up in the United Kingdom among parents, teachers, governors, local education authorities, the local community and central Government. The Government's actions undermine that partnership and bring instability to the education system.

The Government's attacks on local education authorities and many within the education service, their abject failure to consult and their continuing lack of direction are leading to unprecedented and unnecessary chaos, division and strife, and a significant lowering of morale throughout the education service. They are interested only in forcing through their views—views which are the cause of much of the strife in the education service. The real disgrace is that they mask that behind the pretence of choice. In reality, the only choice is that there can be an education system of any colour, as long as it is Tory blue.

During the passage of the Education Bill, I proposed an amendment that would have allowed grant-maintained schools to opt out of that status and return to local education authority control. The Government refused to accept it.

Lady Olga Maitland: Will the hon. Gentleman give way?

Mr. Foster: If the hon. Lady will forgive me, I would prefer not to give way, because time is short.

The Government will accept the opportunity for people to vote only if they can be sure that the vote will go the way they want. That has been demonstrated today by their unwillingness to accede to the request of the hon. Member for Dewsbury (Mrs. Taylor) and other hon. Members that there be an opportunity for parents to ballot on their thoughts about the current testing procedures.

The problem is the approach of the Secretary of State and his Ministers. Perhaps it is not surprising that the Department for Education, under this new Secretary of State, has moved into new premises which are aptly called Sanctuary buildings. When the Secretary of State is closeted in that sanctuary—as he frequently is—he is unwilling to listen to the vast majority of views of the people in the education service. He prefers to listen only to the views of those who share his views.

Occasionally, the Secretary of State emerges from the sanctuary bunker and sadly undermines, by the things he does and says, the education partnership. We have seen a number of examples—the rubbishing of last year's GCSE examination results, the debacle over the league tables, the way in which he called the views of some parents' organisations "neanderthal", and the constant and piecemeal changes to different aspects of the national curriculum and the associated assessment procedures.

We have now seen the disorder that has been caused by the proposed key stage 3 tests this summer. With all those statements, the Government still fail to get it right, and the nation sadly suffers as a result. It is no wonder that, only six months into the reign of the Secretary of State, a Conservative party document—referring to the Secretary of State—talked about too much fire and brimstone, ill-defined attacks on education experts and not enough attempts to raise morale in the education profession.

As the motion before the House says, there is an urgent need for stability in our schools. The Secretary of State is in a curious position. He is largely responsible for the malaise that we are in, but he is about the only person who is capable of treating it. He could treat the malaise today —although I suspect that he will not—by accepting the motion, especially the part that refers to the key stage 3 tests.

On the issue of testing, the right hon. Gentleman has built, ranged against him, a most amazingly powerful coalition of people interested in the future of education. He has managed to unite parents, governors, teachers, local education authorities, directors of education, Conservative party organisations and, indeed, many leading Conservative politicians in the belief that the current curriculum testing arrangements are unworkable, unmanageable and likely to harm the education of children.

Many people would agree that it was an absolutely singular triumph for the Secretary of State to unite the traditionally moderate Association of Teachers and Lecturers in their vote on the boycott of the tests. It has certainly been a singular triumph to have so many traditional Tory supporters opposed to the tests. Indeed, the list of those who claim that the whole process is like a juggernaut careering to disaster reads like a "Who's Who" of previous fans of the Tory party education reforms.

The hon. Member for Crosby (Sir M. Thornton) and the right hon. Member for Brent, North (Sir R. Boyson), who are in their places, have made highly critical comments. That traditional Tory party newspaper, *The Daily Telegraph*, suggested that the only way out of the Secretary of State's current dilemma was unilaterally to scrap this year's tests. Of course, there are many other people to whom the hon. Member for Dewsbury referred.

To the voices of those Conservatives must be added —as anyone who has looked through the press recently will know—the views of a vast number of parents who oppose the Secretary of State on the issue of testing. Many governors, local education authorities and chief education officers oppose it. Of course, a huge number of teachers oppose, from a professional view, the testing procedure proposed by the Secretary of State. Incidentally, I must congratulate the investigative talents of *The Mail on Sunday* which, this weekend, managed to dig up two teachers who support the Secretary of State. Apart from those two people, the Secretary of State stands almost alone, deserted even by his traditional allies. He cannot rely on the support of the independent school sector.

With so many voices ranged against him, one might have expected the Secretary of State to reflect on the advice offered by Oliver Cromwell to the Church of Scotland:

"I beseech you, in the bowels of Christ, think it possible that you may be mistaken."

Sadly, the Secretary of State is mistaken about many things. Most importantly, he is mistaken in his claims that the vast majority of teachers are opposed to testing and assessment.

Those teachers are definitely not opposed to testing and assessment. Indeed, a teacher union leader said to me only yesterday that teachers do not need some Johnny-come-lately Secretary of State telling them about testing and assessment. The vast majority of teachers agree not only with testing and assessment but with the importance of some external moderation with national testing as part of the development of the education process.

The real anxiety of the vast majority of those in the education service is with the particular testing regime imposed by the Secretary of State. The Secretary of State has told us today that it is vital that that testing procedure be continued as a way of developing the procedure. But no one who tests any product even begins the testing procedure with real people, especially pupils in our schools, when all the professionals say that it is flawed. Until there have been major reforms——

Mr. Deputy Speaker (Mr. Michael Morris): Order. I call Dame Angela Rumbold.

6.19 pm

Dame Angela Rumbold (Mitcham and Morden): Little would have persuaded me to join in an education debate at this time, because I believe passionately that, when one has had time on a subject as I have had time on education, one should perhaps leave a decent interval before one returns to it, especially from the Back Benches. However, several reasons have made me decide to join in.

One of the most pointed reasons is that I have normally managed to shut up the clarion voices of people on radio and television who carry on at one stage or another about the introduction of the national curriculum, testing and all the other reforms introduced in the Education Reform Act 1988 of my right hon. Friend the Member for Mole Valley

(Mr. Baker). This time, I found it more difficult. The voices invaded my kitchen via the radio, and even invaded my television during the Easter weekend. I found that unforgivable, so I decided that I would say something about it.

The second, and much more serious and important, reason is that I felt strongly that I should state the principle of testing, which is critical to the national curriculum, the inception and implementation of which my right hon. Friend the Member for Mole Valley so eloquently described. The essence and success of the national curriculum depends on the principle of testing and its implementation throughout our schools.

The third reason was my sheer enjoyment of the speech of my right hon. Friend the Member for Mole Valley. I greatly enjoyed it, because it took me back to an extremely happy time when we were working together on the Education Reform Act 1988.

Many people on the Opposition Benches and in the country at large have asserted vigorously that they are, of course, in favour of testing. They say that they want to see children tested. Indeed, we are told by many teachers, who I believe are genuine, that they test their children regularly at every interval. However, that is not what we are talking about, and it is not what the national curriculum and the testing attached to it is about. Nor is the Education Reform Act 1988 about that.

Now, as in 1988, we are talking about the standardisation of tests at the ages of seven, 11, 14 and 16. We have not addressed that in the debate this afternoon. It is unfair to many good teachers throughout the country to pretend that testing by individual teachers of individual pupils at every point in their career in the classroom is the same thing as the standardisation of tests for seven, 11, 14 and 16-year-olds.

In our schools today, standard tests for seven-year-olds have been introduced. They were introduced over a period. I do not say that the early introduction of any of the testing was absolutely perfect. Indeed, my right hon. Friend the Secretary of State explained clearly that the system is one of evolution. The introduction and implementation of anything as large as the Education Reform Act 1988 cannot be arranged in two or three years.

The Education Reform Act was a 10, 12, 15 or perhaps 20-year programme to ensure that, throughout our schools, standards were raised, practices were introduced and education was inexorably lifted, so that teachers who came into a classroom knew what they were expected to teach and test on, and children knew what those tests involved. More importantly than ever before, parents receive the information that they want.

The ambition of parents when their children are tested at school is to know two things. The first is how their child is doing. They do not want to be told, "He is doing nicely. You will find that he is integrating well into the class." They want to know whether he is keeping up with the sums, whether he can spell and whether his essays and little offerings are as good as those of the other children in the class.

The second thing that parents want to know is whether their child's school is as good as the school down the road. They want to know whether their child's class is as good as the class at the other school. They want to know where their child stands. Not only middle-class parents who live in houses with pianos and books but all parents instinctively want to know that. Many parents who may not be able to articulate that desire want that information. To deny them that information and say that it is not possible to say exactly and precisely how the child is doing is fundamentally wrong. It is a serious matter for the country to consider. That is why the boycott is so dangerous.

The boycott undermines the principle, which has taken some five years to establish in the country and in schools, that testing is important. I remind the House that it is not so long ago that we introduced another reform in the education system. In the same Education Act, and in my time as Minister of State, we introduced local management of schools. I travelled around the country talking to primary and secondary school teachers. They told me that it was impossible to introduce LMS, that it would involve far too much administration, that they were not administrators, and that they were there not to manage anything so crude as money or consider budgets but to teach. They said that they did not want to be taken out of the classroom to administer the school's budget and that LMS would be a disaster. That was only three years ago.

I defy any Opposition Member, parent governor or anyone anywhere in the country to say that they would prefer that we took LMS away. The majority of schools are 100 per cent. in favour of it. I draw a parallel with the introduction of testing. I simply say to my right hon. Friend the Secretary of State that it may take longer for people to accept testing, but I know full well that his intention is right. It is entirely the rights of parents as well as children to have those tests introduced.

We are considering tests for 14-year-olds at present. My right hon. Friend the Member for Mole Valley described eloquently and directly those wonderful days when we began to introduce English as a subject and to set up what one should or should not ask teachers to consider teaching children at various ages. Of course it is a controversial subject, and of course people will argue, but eventually they will come back to the basics, as I believe that Sir Ron Dearing will quickly do after this year's experiment and testing. It is extremely important that the tests continue.

We shall see the programme evolve and develop. I remind the House that this is 1993. In 1994, we shall introduce tests for 11-year-olds. I can imagine the language that will be used. The phrases are resonant. I can hear it all. People will say that it is all about the 11-plus and selection of children. That is nonsense—it is old education-speak. We are going forward now. We shall take our children forward.

Many of the excellent teachers out there will be reluctant to boycott education practice in the way that has been suggested to them by some of the more militant unions. They will take education forward with the tests to ensure that their children—for they are parents, too—our children, my grandchildren and all the children of Britain can achieve the standards we need in our schools and universities for our ideas to materialise and continue to be as good as they always have been, so that Britain can export brilliance and success.

If the boycotts go ahead, they will be a devastating blow to the introduction of many of the reforms which have succeeded, although with difficulty, so far. I wish this reform success, and I hope that the clarion voices will no longer be heard.

6.29 pm

Ms Estelle Morris (Birmingham, Yardley): It has been customary in this debate for hon. Members to declare their interest at the beginning of their speeches. I declare an interest as a consultant to the National Union of Teachers and as having spent 16 or 17 years teaching in an inner city multiracial school and community college.

Those of us who have visited schools in the last year can be in no doubt that this term schools are in crisis. It is clear that teacher morale is at rock bottom, that schools are continuously and increasingly under-resourced and that, as a result, children's education is suffering. Anyone would think from the flurry of media interest in education in the last few weeks that this was something new, but those of us who are interested in education know that this crisis has been growing for some time and that this dissatisfaction with what is going on in education has been around for some years.

There is a feeling among parents and teachers that those who currently exercise political control over what goes on in our schools are removed from the reality of classroom practice. I sometimes think that the utterances that come these days from Sanctuary buildings have more to do with the posturing of the Secretary of State than with raising standards of education for the children for whom we have a responsibility.

One of the Secretary of State's infamous predecessors was the "I know best; I do not need to listen" type. It has been one of the saddest things in the past year that the present Secretary of State seems to rate her higher than he does some of his better predecessors. Nowhere can that be seen better than in the chaos of what has gone on in key stage 3 English testing in the last year. A year ago, schools were busy teaching the national curriculum key stage 3 English. As recently as last September, the Government commissioned its third attempt to get an acceptable form of testing English at that point. The pilots that were published last autumn were radically different from the two that had preceded them. When they had finished, the response was unanimous: the tests were bad. The teachers, the governors, all those who had looked at the tests were unanimous: the tests were ill prepared, they were prescriptive, they lowered expectations of our pupils and, most important of all, they were not based on the national curriculum that had been taught in schools for the previous three years.

How can the teachers have been teaching the books on which the children are to be tested when it is now only four months since the book list was published?

I listened carefully to what the right hon. Member for Mole Valley (Mr. Baker) said. It was a sensitive speech and one that I enjoyed. He talked about a variety of literature. He talked with some feeling about books, choosing them and giving access to them to the whole range of children. That is not what is being said by the Secretary of State. He is saying "Thou shalt read this, that and the other book that I have chosen".

The right hon. Member for Mole Valley talked about Shakespeare and the other great writers of our history. The Secretary of State's testing will prevent children in the lower ability range from reading and learning about Shakespeare, when in many schools they have been doing that for the past decade. The right hon. Member for Mole Valley said that it was not for us to tell teachers how to teach, but the effect of the testing introduced by the Secretary of State is to forbid strategies that have enabled teachers to teach Shakespeare and other great writers successfully to children in a wide ability range.

What were the results of those pilot tests? No results were published, we never saw what the teacher response was, and the Secretary of State refused to enter into discussions with those who had been involved with the tests. Instead, he used the opportunity to demonstrate some sort of political strength, some sort of growing opposition to teacher unions, and what seemed at that time to be a total disregard for the work that teachers were doing in schools.

Key stage 3 English testing is not about who runs schools, it is not about left and right, it is certainly not about whether children should be tested. What the key stage 3 English debate is about is whether Ministers want to work with teachers and parents to get the best for our children, or to carry on making changes in spite of the opinions of those important groups.

In the last few months the Secretary of State has turned an educational discussion into a political wrestling match. For that he cannot and must not be forgiven. Through December, January, February and into March, all we heard from him was that the tests were scrupulous and unflawed; they were unparalleled in their distinction. He refused to publish the evaluation of the results and he refused to talk to people.

By April he was beginning to see the light. He called for a review; he talked of genuine concern among teachers. His conversion on the road to Cardiff was exceptionally welcome to me, for one. But he still did not have the political courage to withdraw the tests. He seems to have spent the Easter recess looking for excuses not to accept the logic of his own statement to the conference in Cardiff. He went to Cardiff, Brighton, Bournemouth and back to Brighton looking for anything to distract our attention from the real issue.

Any statement by any union leader that could be interpreted as a political attack on the Government was seized on by him as a way of not discussing the real issue, which was testing. When one union leader talked about a campaign against the Government, that was it; gold had been struck. Baroness Blatch was dispatched to "Newsnight" and John Patten's picture appeared in every newspaper.

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. I know that the hon. Lady is among the last batch of hon. Members to come here and has probably not got used to our procedures. She must refer to the right hon. Member as the Secretary of State, not by his name.

Ms Morris: I apologise Mr. Deputy Speaker.

The same picture of the Secretary of State appeared in all the newspapers the next day. He was more intent on renewing his battle with the unions than on talking about testing.

Despite this, he has now said that the tests must go ahead, because he will not know how to improve the tests next year unless the pilot scheme is allowed to run this year. It is clear that the tests will go ahead this summer, not to test the children, but to test the tests. The children are being used as guinea pigs. There are pilots to test the tests, but nothing to test the children, because, as the Secretary of State has admitted, those tests are flawed.

The only people who seem to need the pilot tests to find out what is wrong with them are the Ministers on the Government Front Bench. Everybody else who has been involved in the tests knows what is wrong with them. Nobody needs to go through a pilot scheme this year to find out how they ought to be improved. We have an over-burdened curriculum and flawed tests piled on to an already creaking education system. For a decade now, financial cuts imposed on local authorities have meant that, as each academic year approaches and schools consider how to reorganise themselves, they tailor what goes on not to meet the needs of the pupils but to meet the demands of the Treasury.

We have seen special needs money siphoned off for other uses, fewer resources and larger classes. And piled on top of that is the greatest conflict and instability that has yet hit our schools—the balloting process over grant-maintained schools. It is a system designed to create conflict; a one-off opportunity for everybody to cast a vote to decide whether a local education authority should be allowed to continue to exist.

What would be lost by losing that battle is so important that all sides will play it for all it is worth. We have seen it happen already: bitter battles about ballots going on all over the country. The consequence of losing the ballot is great, because under the type of democracy introduced by the Secretary of State there is a one-off vote and one does not get another chance.

There are many areas of our education system at the moment in which there is instability: an unstable curriculum, an unstable testing system, an unstable structure imposed on us by the Government. Teachers need a structure that enables them to do their job, which is being in classrooms, raising the standards of education of our children and having the highest expectations of them. Under this Government, with the proposals that we have seen, we as politicians have not given them that. Let us take this opportunity to give them what they deserve.

6.39 pm

Sir Rhodes Boyson (Brent, North): I shall refer simply to the national curriculum and testing.

It is a mystery that people feel that we never had a national curriculum before, but we did. My first job was as head of English in a secondary modern school in Lancashire. When I was appointed I went to the headmaster and drew up a syllabus and we put it into operation. A week later I was visited by an HMI, and in those days HMIs were very wise. He gave me a book called, "Handbook of Suggestions for Teachers", which came out in June 1944. It was first published in 1890. It comprised 564 pages telling teachers what to do in every year with the bright, average and least bright pupils.

In 1979, when I became a Minister in the Department of Education, no one knew that there had ever been a national curriculum. It had collapsed and disappeared.

There was also a book on primary education entitled,

"Suggestions for the Consideration of Teachers and Others Concerned with the Work of Primary Schools".

It was last reprinted in 1963.

It was not that we never had a national curriculum. Until the cultural revolution of the 1960s we had a national curriculum and we also had testing. The testing was the dreaded 11-plus over which so many Labour Members committed suicide. If any of them wish to do so tonight, it would be preferable if they did not do it in the Chamber.

Some 50 per cent. of children sat the 11-plus. *[Interruption.]* I failed mine; the hon. Member for Ellesmere Port and Neston (Mr. Miller) probably passed his and that is why he joined the Labour party. Children took the 11-plus in English, mathematics and general knowledge, which was scripture, geography, history and civics. I had the most homework in the year when I sat my 11-plus. I failed it because of Blackburn Rovers. I left the examination early to see them playing a cup match and I did not finish the last half hour. Blackburn Rovers are doing very well now, although it took them a long time to get there. I failed the 11-plus and that was the only time my father ever hit me from one end of the room to the other, and I decided from then on that education was very important. I have believed in corporal punishment ever since.

Let me say a word about the English tests and the teaching of standard English. Children should be taught standard English, otherwise they will be handicapped for life. In the yard they will still speak their own language and it is no good having a teacher in the yard to tell them how to speak when they are playing games, but they must be taught standard English, otherwise they will be handicapped if they want mobility nationally or in their chosen work.

In the 1960s we had the cultural revolution; the resurrection of Rousseau from France and Dewey from America by long distance telephone. It was said that every child should develop at his own pace. We had the Plowden report, which should be burnt in Trafalgar square as it did so much harm.

We all know that it is better to find out than to be taught, but how can children discover by accident at the local library the theorems of Euclid or Faraday's electromagnetic laws or even the French subjunctive without going on a day trip to Boulogne? They cannot. It is the teachers' job to pass on the learning of the ages. If children could do it for themselves, we could save all the money we spend on education and put them in libraries and the teachers could go somewhere else and dig trenches or the potato crop.

The national curriculum was destroyed as was the idea that teachers had a body of knowledge to pass on. Similarly, we had reading readiness or real books in primary schools. Very clever children will learn from those, but the others must have phonics and must be taught bit by bit. My hon. Friend the Member for Dartford (Mr. Dunn) referred to illiteracy. He did so with his usual great wisdom. I am godfather to his son, so he is obviously a very wise man.

Comprehensive schools were introduced at that time. The Labour party was looking for a programmme. It is looking for a programme again, if anyone has one to offer. The Labour party became the driver of the train of comprehensive schools. The Conservative party did not know what to do about it and became the brake man at the end of the train. The Labour party rushed towards it and the Conservative party tried to slow it down. Nobody knew what it was and what it was doing. It is interesting that no other country in Europe went that way, but we are still landed with it as against specialist schools.

The Conservative party now has a national curriculum and testing, but we should think about the organisation of

[Sir Rhodes Boyson]

secondary schools. It is all very well having grant-maintained schools, but they cannot all go their own way, otherwise we shall have a strange patchwork quilt of education. There will have to be some guidance.

The Bennett report of 1976 contained some interesting findings about testing and checking. It was undoubtedly read by the then Prime Minister, Lord Callaghan, who referred to it in his Ruskin college speech which was destroyed by the then Shirley Williams, now a member of the other House. That speech was a benchmark and would have done great good for the Labour party had it been followed through at the time.

The destruction of the national curriculum and testing at that time led to a deterioration of standards. The Bennett report showed from a study of 700 infant schools in Lancashire in which there is the constituency of my distinguished hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman) that testing in schools and the 11-plus produced higher standards in mathematics and English and that the children were more at ease because they knew what they had to do. That report influenced what the then Labour Prime Minister said at the time.

I hope that my right hon. and hon. Friends agree that the testing of individual children helps to ensure that schools are doing their jobs. Good teachers carry out regular tests purely and simply to make sure that the school is living up to its standards.

Over the past 15 or 20 years, and certainly over the past 30 years, we have had some of the worst schools in Europe. Our good schools remain good and the average ones continue, but in the centre of our cities—I always taught in downtown areas—we have some of the worst schools in Europe. That is why we decided to introduce testing.

Let me say something about the national curriculum. I am in favour of the tests, and I believe that they will raise education standards in Britain. However, the education establishments have made it all far too complicated. It has been said, rightly, that teachers are also responsible for that. They did not want simple pencil and paper tests; they wanted assessment, but it takes up too much time. The national curriculum takes up some 85 per cent. of time in secondary schools and primary schools. I believe that it should take up no more than 50 per cent. of time in secondary schools and 75 per cent. in primary schools so that secondary schools could teach second and third languages and the classics as well as specialised subjects.

I hope that Sir Ron Dinsey—I mean Sir Ron Dearing. I have a friend called Ron Dinsey who is also very distinguished and perhaps will be knighted. I shall leave the Secretary of State a note on the Board.

The Secretary of State said that the committee of 15, under the chairmanship of Sir Ron Dearing, would have at least one head teacher and one teacher. I should like there to be a majority of head teachers and teachers as they recognise children in the classroom, instead of all those education theorists. If a child came into the Chamber, they would not recognise him: they would probably think it was a Manx cat or something. We should get down to the classroom teachers as they are the ones doing the jobs.

To sum up my rather rapid speech—I have not had time to write it totally in verse as is my usual way—I welcome entirely national tests. They will be a great advantage to parents, particularly in downtown areas, if they can guarantee good standards. The state has no right to impose compulsory education without compulsory minimum standards. I welcome that, and at the same time I hope that we can reduce pressure on individual teachers and schools. It is a great reform, and I back the Secretary of State totally in it. Undoubtedly, with the help of Conservative Members, it will go on to even greater things.

6.49 pm

Mr. Alan Simpson (Nottingham, South): I have no consultancies to declare in this debate, but I do have a more modest claim. I am still a member of the governing body of an imaginative, working-class, inner-city secondary school, which all of my children have had the privilege of attending. That school is not opposed in any way to a national curriculum or afraid of the notion of pupil assessments, but it does feel a huge sense of exasperation at the incompetence of the Government's current testing proposals. That exasperation is felt by parents, governors and teachers alike.

If the Secretary of State is allergic to the notion of listening to teachers' views, perhaps he would care to hear some of the views of head teachers in the city of Nottingham. I have spent a fair part of today speaking, by phone, to head teachers in Nottingham, asking them what views they would like passed on to the Secretary of State in this debate. It was a timely set of telephone calls, because all the head teachers of the city schools received a letter today from the Secretary of State—it was an SOS from the SoS—in which he said:

"If the test did not go ahead there would be no sound basis for an independent evaluation."

Yet that is precisely the basis on which head teachers are exasperated about his proposals, because the proposals themselves offer no sound basis for independent evaluation.

I have received a fax from the Nottinghamshire Association of Secondary Heads. This is not a trade union or a political organisation which would normally oppose, root and branch, the Government's policies. In the fax, the association has said publicly:

"Head Teachers are happy to implement the National Curriculum and believe that testing is an essential part of education. Such tests have always been used to measure pupil achievement. However, the Secondary Head Teachers of Nottinghamshire are very worried about the national tests, especially in English and Technology . . . Detailed information about courses and testing arrived late and in a piecemeal fashion.

The tests themselves have not been properly trialled nor validated."

The fax concludes with the following remarks:

"the way that testing is to be done this year is damaging to pupils' education."

When I rang around today, not a single head teacher would speak up in support of the Secretary of State's proposals.

When I spoke to individual head teachers, they were more forthcoming. The head teacher of one of the best performing schools in the city—one which one would expect to find to be most enthusiastic about the idea of assessments and stand to gain considerably from testing—was unequivocal in his condemnation of the approach of the Secretary of State. He said that the preparations for testing at key stage 3 had been

"detrimentally draining on the school's education programme"

and had

"seriously undermined staff morale."

The Secretary of State mentioned the notion of improved standards, but another head teacher said that the English tests will not allow really able pupils to show their ability, and that one-word answers are not a way of demonstrating creative writing ability.

Other head teachers went further. They said that, if only the Secretary of State had asked them and had been willing to listen, he would have heard that the argument used in his letter—that schools

"had had three years to prepare for the tests"

—was an absolute lie. The information about the English tests arrived at the schools in January. That is the period of real preparation within which schools have been asked to organise their testing.

As school after school pointed out, there has not been enough time given to preparation and the approach to English that the Secretary of State is advocating would wreck good English teaching and force teachers to teach to a test, not to a sense of excitement about English. One went as far as to say that this was the closest he had come to understanding the notion of Stalinism in education: that what the Secretary of State was offering was a prescribed reading list around which English would be taught, and presumably inspired!

At one stage, elsewhere I understand, the Secretary of State has cited "Treasure Island" as an example of the books he has described as "a good read". To comment on this I should declare that I feel myself singularly privileged in many ways, because when I retreat from the House and spend some time with my children at the weekend, one of the joys for me is to read to them and with them. I feel privileged that I have three teenage children who still enjoy and get excited about poetry and literature . . . and in sharing it.

I invite the Secretary of State to listen to the reading list that my children would recommend to him. It would include a wide range of contemporary literature, which breaks through prejudice and offers different, more productive and enhancing role models which challenge the out-of-date stereotypes of race and gender in some of our older literature. My children could provide a wonderful reading list. But it would be lost on the right hon. Gentleman.

If the Secretary of State looks at "Treasure Island", for example, he would see that it offers two role models for women: one is an old crone and the other is a barmaid. If he thinks that such role models would inspire young girls to get excited about literature, he should be sent back to start his education all over again.

If the Secretary of State is not happy to do that, perhaps he would go back to his own notion about the testing that he held last year. We have heard from some of my other colleagues that the results of last year's pilot testing have not been declared. Let me offer some information about some of the pilot testing done in Nottingham. It might be the litmus test against which the Government's education proposals should be measured.

One of the schools tested was an independent school —the Nottingham high school for boys—and my understanding of its reaction to those tests is that now it will not touch SATs. Although the school was part of the pilot, it rejected out of hand the notion of continued involvement in SATs. Why? It found them time-wasting, badly constructed and a poor way of showing what the school already knew. That is the litmus test against which the Ministers claim, that they 'were well received' and had a broad base of support. If the independent schools will not touch them, why should anyone else?

I put on record my unequivocal support for the action that teachers up and down the country are taking in boycotting these tests. I will explain why, in very personal terms. Not long ago, one of my sons submitted a written piece in English and tried to work a flanker. He had not bothered to do much work on it or much preparation. The work he handed in was somewhat shoddy and ill prepared. To her credit, the teacher looked at it and said to my son, "What do you call this? It's rubbish. You have not put any effort into this. How can you expect me to treat this as a serious piece of work and mark it seriously when you have neglected the duties and responsibilities which, at this stage of your education, I expect you to live up to?"—and she threw it back at him. I saw her a couple of days later and she said to me, "I hope that you were not offended about it." I said, "Offended? I was pleased that you did it, because you sent my lad scuttling back home, and he has worked like a beaver on it". He went back and rewrote it, and delivered it in the sort of terms that he had to in order to meet the standards of education the school expected.

Will the Secretary of State do the same—because that is precisely what teachers are saying about his own offering? Teachers are saying that the proposals are shoddy and ill thought out, and should be taken back to square one and completely rethought.

I do not for one moment believe that the Secretary of State will do that. One of the tragedies of this debate and of the Government's education policies in general is that the Secretary of State does not have a fraction of my son's understanding of what real learning is about. The right hon. Gentleman does not have my son's wisdom in knowing how to learn from his own mistakes. Nor does he have a fraction of my own gratitude to teachers who are prepared to stand up and confront such ill-prepared and incompetent acts of educational folly.

Mr. Deputy Speaker: Order.

7 pm

Sir Malcolm Thornton (Crosby): For nearly 30 years in elected office, at local and national level, I have been a passionate and vocal supporter of standards in education. I wish to make clear at the outset my support for the main principles of the reforms—for the national curriculum and for the absolute necessity of testing as an integral part of that curriculum. Without testing, we cannot be sure that the right measurement is being made.

I quote from two reports. One said:

"Things have improved within the last 30 years . . . But the educational opportunities offered in most of our towns, and in nearly all our country districts, to boys or girls who do not proceed to the universities, but leave school at 16, are still far behind the requirements of our time".

The second, referring to final examinations, stated:

"we feel that the schools themselves may become uncertain in their aim and vacillating in their methods, if they have no suggestion of a definite standard to guide their work . . . There is wisdom in the saying of Plato, that 'the life without examination is a life that can hardly be lived'".

Those reports were dated 1895 and 1924 respectively. The more things change, the more they stay the same. The debate has turned on statements such as "A return to the golden age." Those reports show clearly that the golden age, if it ever existed, exists largely in people's imagination.

[Sir Malcolm Thornton]

The progressive reforms that we put in place in the 1980s are vital. The Education Reform Act 1988 brought matters to a head, and we are now starting to see the benefits flow through. I agree with all of that. Recent reports, some of which have been attributed to me, would have one believe that I am opposed to the Secretary of State for Education's efforts. Not so. I am totally behind the principles of his stewardship in that Department.

It is vital for the success of our children that the reforms succeed, although I have found differences in the implementation of some of the reforms. I believe strongly in the sort of statements that have been made by Professor Alan Smithers, a member of the National Curriculum Council. For example, he said in a recent television broadcast that it was important to have a balance between external testing and internal assessment. If we can get that balance right, we shall get testing right and achieve the benefits that flow from a wide curriculum. We shall also have the rigour of external standard tests, enabling national assessments to be made, which in turn will benefit pupils, teachers and parents alike.

Comments have been made about the report of the Office for Standards in Education. The Ofsted report also says that a fine balance must be drawn and that the dangers of teaching to the test—if the tests are too prescriptive—must be avoided at all costs. It is important that that is taken on board in any future review.

The teacher unions have made many statements in recent weeks. I believe the boycott to be totally wrong. I appreciate the frustrations and understand many of the points that moderate teachers have made when writing to me over the months, but the boycott can do nothing but harm to the children and to the case of moderate teachers who wish to bring about change, and I condemn it unequivocally. It would take us back to the bad old days and allow a handful of militants in trade unions to use this focused debate to destroy the whole essence of the reform programme. That cannot be right, and I would not wish to be associated with it in any respect.

But to deny that there is frustration is to misunderstand the huge volume of feeling that exists in many schools about the implementation of what is proposed and the way in which it is impacting on teaching practice. It is also important to consider whether it will work and deliver what the Secretary of State and I wish to achieve, which is improved standards.

My right hon. Friend might consider the possibility of a way forward, and it can be no more than that. The threat of a boycott and its consequent disruption hangs over the schools. It would be in no one's interest and might be against the law. We shall have to wait and see. It would cause enormous problems for head teachers and governing bodies. I am married to one and am a chairman of governors, so I speak with feeling on the subject.

The Secretary of State has made two concessions. He said that there would be no reporting of the tests. The fundamental point made in the early correspondence was that they should be piloted and unreported. That concession has been made. He has promised a review of the national curriculum, and Sir Ron Dearing has, I hope, our full support in the work that lies ahead for him. He has a major job, and should be given a chance to get on with it. I was encouraged earlier when I think I saw the Secretary of State nod in assent at the suggestion that politicians should back away a little.

Although I have made no secret of my belief that an abandonment of, or making voluntary, the tests for this year is perhaps a way forward, if that is not to be, a shift in the way that teacher opinion is sought could do much to persuade the majority of teachers, who are moderate, who support testing and assessment and who want to make the national curriculum work, that their views will be heeded.

It is no use having the odd head teacher or teacher sitting on a working party or national body. However experienced, such people represent no one's views but their own. My right hon. Friend should seriously consider setting up opportunities by which groups of practising teachers and head teachers, perhaps regionally or at LEA level, have the chance to comment in detail on the way in which the principles of the reforms are implemented and on their practicability. That would be a significant and welcome move.

Moderate teacher opinion would be more likely to turn away from confrontation if those teachers felt that their voices would be heard and that their professionalism and expertise would be put to good use. It would be a challenge to the teacher unions to show clearly whether their rhetoric of support for testing is matched by their willingness to allow their members to co-operate. Education for our children—for the future of the nation—works best when a genuine partnership exists.

Mr. Patten: I have been listening with care to my hon. Friend, the Chairman of the Select Committee, and I assure him that it goes without saying that the Government welcome the possibility of groups of teachers, along the lines that my hon. Friend suggested, making their views known, regionally and locally, to the review that Sir Ron Dearing is starting. That is exactly what Sir Ron wishes to happen. That is important, and I welcome my hon. Friend's suggestion. I am sure that Sir Ron Dearing will also welcome it.

Sir Malcolm Thornton: I thank my right hon. Friend for that intervention.

As I was saying, education works best when a genuine partnership exists in which the views and experience of all are taken into account in the evolutionary development of the education system. Consensus is not a dirty word. While Government must clearly set the framework, those who work in the schools must be allowed to exercise their professional judgment and the benefits of their practical experience if they are to feel that sense of ownership that is vital.

Whatever the outcome of the current dispute, my right hon. Friend's most urgent task is to use his good offices, as only he can, to bring about that genuine partnership. That would be a signal achievement. It is the way forward to restore the belief which most parents and all moderate teachers, who are the vast majority, have in the need——

Mr. Deputy Speaker: Order. Time up.

7.10 pm

Miss Joan Lestor (Eccles): It is so long since I taught that I would not use that as a qualification for speaking in the debate. When one has been a Member for a long time, like the previous Secretary of State for Education, and has

lived through arguments about setting, streaming, banding, comprehensive education and the great debate on education which was launched by the present Lord Callaghan, that is a qualification for making a contribution. Memory is very important in the House. I remember the statistics which showed that a previous Conservative Secretary of State for Education, later to become Prime Minister, closed more grammar schools than any Labour Government ever closed. I just make that point in passing.

I have always been in favour of a national curriculum, and I do not want what I am about to say to make people think that I want to move backwards, but the Secretary of State did a great disservice to teachers in the 1970s and 1980s. The impression has been given, as hon. Members will see if they read *Hansard*, that at that time parents had no knowledge of what their children were doing.

Like most sentimental mothers, I have at home a drawer full of documents about my children which in my old age I will look at with tears in my eyes. They are the reports of my children and the children I fostered at that time. They all attended state primary schools and comprehensive schools in the 1970s and 1980s. The reports told me how they were achieving. A remedial boy who needed special help was given the utmost attention and assistance so that he might achieve better.

For the Secretary of State to give the impression that teachers at that time were not assessing their pupils and that no testing was taking place is a total misrepresentation of what was going on in education. When the Secretary of State and other hon. Members read what they said, they should have the grace to say that they were wrong. Thousands of parents like me, whose kids went through the system at that time, knew what their children were doing.

The method of testing was different. It was not competitive, as it was when I was at school, when information about who was first, second, third, fourth and fifth was put up on the wall. Although I was not knocked across the room by my father or mother like the right hon. Member for Brent, North (Sir R. Boyson)—which may account for his views—nevertheless I have always questioned that system of classing children as successes or failures in education.

I want to concentrate on nursery education, on which the Secretary of State refused to comment. I have always been apprehensive about the testing of children at the age of seven, particularly because we have a declining industry in nursery education. The nursery programme is becoming the casualty in many local authorities which are starved of resources. Indeed, many Tory authorities in particular have never put great stress on nursery education. The playgroup movement is in grave financial difficulties because it has become the substitute for nursery education in many areas. At least one hon. Member was present at the launch of the appeal of the playgroup movement for funds and greater assistance from the Government.

Many children are denied any nursery experience. Therefore, some children who go to school at the age of five will have only two years of experience of school before being tested at seven. In some areas where there is only a once-a-year entry, children born in July will start school when they are aged four years and two months. Some will go into attractive reception classes equipped as nursery classes. Although I would prefer proper nursery education, I recognise the benefits of such classes, but many will go into ordinary classes and will be expected to participate in more formal education.

If testing is done at the age of seven, some children will have been three years in primary school, but some will have been there only two years; some will have had nursery education and some will not. Will any hon. Member who knows anything about young children tell me that all those children can be tested successfully at the age of seven on the same basis? It is absolute nonsense. Even one year less will make a difference to children throughout their school life until they begin to catch up at the age of 12 or 13. Most teachers recognise that. The fact that we are driven to once-a-year entry for children is very worrying in relation to tests.

Some hon. Members have referred to the continent. We do badly in what we offer our young children. In most European countries, children start school much later, at the age of seven, having had superb pre-school provision. Our children are robbed of that experience.

When the Secretary of State talks about the value of testing for very young children, I question it very much. I support the testing which took place in the past when parents knew how their chlldren were measuring up. With such testing, any teacher could tell parents at any time how their children were doing, because that was their function. That is why I get angry when I hear people like the Secretary of State dismissing what happened in the 1970s and 1980s as if teachers were not communicating at all with parents. That is rubbish. We all went to parent-teacher evenings and discussed what was happening. As I said, we have reports to prove it.

There was a time when I had some hopes of the Secretary of State. He kept being photographed with his young child, and I thought that anyone who loved a little child must have some good in him. I still like to think that that is so, but pomposity and dogma are no substitute for proper educational debate. Sadly, we have listened to much dogma and pomposity in the debate. There has been no real contribution to solving the problems which teachers are facing in schools today.

7.16 pm

Mr. David Madel (Bedfordshire, South-West): As has been said, the debate comes at a time of continuing reform in the education service. In a democracy a government are always under pressure to get quick results, but steady progress in the classroom and increasing parental support and commitment to the education service are not, alas, headline news. It is only when things go wrong that education gets the headlines.

Of course, the debate comes about also as a result of the problem over testing. Concern about testing is not confined to seaside conferences. Many people who are not involved in education politics but who are committed to the education service do not think that we have got matters quite right. Such people want to work with the Government in the laudable desire to raise standards and thereby expand opportunities for young people.

Therefore, much rests on Sir Ron Dearing and his new committee to sort matters out. We must stop the slide from ballots to boycotts and inevitable legal action which will benefit only the lawyers and certainly will not benefit many young people who are close to taking their GCSE and A-level examinations this summer term.

[Mr. David Madel]

I suggest two immediate guidelines which I hope that Sir Ron and his committee can establish with the teaching profession as common ground. First, the more standards improve in schools, the greater the support for the teaching profession. Secondly, performance needs to improve fastest in the middle and lower ability groups so that we can better compete with our industrial competitors.

Perhaps I may say a little about the changes which Sir Ron and his committee need to bring about in the tests. The people who have been constructing the tests so far subject by subject seem to have regarded them as a sort of Christmas tree; they keep putting extra things on the tree. We need early syllabus information and no late changes in the syllabus. We need a big reduction in the amount of printed material and paperwork that passes to the schools. It must be recognised that more preparation time is needed for both teachers and students. I particularly want tests for 14-year-olds to be dovetailed into the GCSE exams, which are looming pretty close for young people of 14. I do not want the tests for 14-year-olds to be an odd branch line, but part of the main track towards raising standards at GCSE level.

In his "Who's Who" entry, Sir Ron Dearing lists one of his hobbies as do-it-yourself. If he can establish new and better guidelines on testing that are acceptable to the teaching profession, the schools will certainly do a lot for themselves and provide parents, my right hon. Friend the Secretary of State and his Department with the helpful information that they need, subject by subject, so that pupils' weaknesses can be corrected.

I agree with the first words of the Opposition motion, which mentions the "need for stability" in schools. I believe that stability in schools encourages the Government to build on existing good practice in schools. The Conservative manifesto said that popular schools that become oversubscribed would be given the necessary funds to expand, which is a hugely popular policy and good practice. Many parents cannot wait to see more evidence of popular, oversubscribed schools expanding as a result of parental demand.

With the local management of schools, more and more schools are steadily arranging for homework to be done at school rather than at home. Many homes in this country are, alas, simply unsuitable places for young people to do their homework. Much good practice is being built up in schools whereby pupils stay at school after school hours to do their homework. That good practice should be expanded. There is more than enough evidence that the better the homework, the better the exam results.

I was delighted that the report of the Office for Standards in Education of March 1993 stated:

"the 20-day INSET courses for primary school teachers have been effective and were much appreciated by the teachers."

Such good practice should be built on. It will be welcomed by parents and teachers if they can see that the courses positively benefit teachers, which will inevitably lead to higher standards in the classroom.

If schools continue to improve their careers guidance, underpinned by rising standards, the numbers who can usefully use the education system—with all that it has to offer—after school will expand. The country will also benefit from the fact that more and more people are going into higher and further education, which has been a great triumph of the Government. That increase largely depends, not just on standards in the classroom, but on good careers guidance in schools to ensure that young people make the right choices.

We must give the national curriculum a chance. Some people seem terribly keen to keep pulling it up and inspecting its roots. It is taking root well and simply needs to be given a chance. Above all, we must ensure that the tests, which must go ahead, are seen as supports to the public examination system and a means of raising standards. Raising standards in schools not only creates domestic happiness in families; it improves the country's economy in relation to that of its competitors, which is of the utmost importance.

7.25 pm

Mr. Derek Enright (Hemsworth): We should consider for a moment why our children are at school and how we should treat them once they have gone to school. We send our children to school, first and foremost, to encourage in them a sense of excitement about learning. They do not go to school to be given tests or a prescribed body of knowledge. The teachers should enthuse the pupils by the way in which they teach the subjects.

It does not matter which history syllabus is used; it does not matter whether it is a wild west syllabus. If pupils are enthused by the way in which the topic is approached, they will read for themselves about what happened with Oliver Cromwell, the Commonwealth or the first world war. The most important factor is to grasp pupils' imagination at both primary and secondary school and ensure that they retain that imagination.

The national curriculum will be tested in so far as it achieves that aim. Teachers must be able to interpret it and provide it for the children so that they benefit from it and continue to learn, not only for the brief period that they are at school, but for the rest of their lives. Children will then develop habits and a way of living so that they continue to read and study and have an inquisitive knowledge of life.

The hon. Member for Crosby (Sir M. Thornton) quoted Plato and said that life must have its examination. Plato did say that, but he did so in the context of self-examination. We must give pupils the ability to look at themselves, analyse themselves and see where they are placed in relation to the rest of society. The reforms proposed by the Secretary of State and those already introduced will be successful if they contribute to that goal. They will be successful if they make pupils, not economic beings, but useful, essential and lively parts of the society to which they belong. That aim is crucial, which is why I am extremely worried about some of the reforms that have taken place.

Not much has been said in today's debate about the Office for Standards in Education. It has been quoted, although it has been in existence for only a couple of years and has not yet officially produced its first reports on schools. It has produced pilot reports, which I have been lucky—or unlucky—enough to see. Compared with the old reports of Her Majesty's inspectorate of schools, the Ofsted reports are poor and pathetic creatures. They are meagre and seem exactly like painting by numbers—a sort of MOT for education. They do not diagnose the problems within even the weakest schools so that they can be strengthened—a great flaw of the reports.

When I made inquiries about why the organisation was so weak, the reason became clear. One sample of those being trained—three people being trained locally—showed that they were aged 67, 69 and 70. Those people were embarking on a new career in examining what is needed for the young. It is simply not good enough. The Secretary of State must look carefully at the quality of the people entering Ofsted, or the reports that it produces will be unimaginative and useless to the state, school or individual pupil.

When we consider the speaking of standard English, which is a serious issue, are we suggesting that it is exemplified by the hon. Member for Basildon (Mr. Amess) or by the hon. Member for Welwyn Hatfield (Mr. Evans) —the sort of estuary English that we heard this evening? Are those the models on which to base our English? Much nonsense has been talked and it is impossible to decide what constitutes standard spoken English. It is not good enough to intrude in the particular delicate way that the Secretary of State has proposed.

English needs a little common sense. In an article in *The Guardian* today, Martin Turner says that what the Government are doing with English is splendid. He is a member of the English committee and he is awfully proud of it. I quote two paragraphs. He talks about

"'writing (including Spelling, Grammar and Handwriting)', with six Strands: Composition, Forms of Writing, and Handwriting (which merge from Level 6), Grammar, and Punctuation (which merge at Level 1 and above Level 5), and Spelling (which joins Forms of Writing and Presentation at Level 7)."

Is that an example of someone who is trying to tell our children how to produce clear and concise English?

Towards the end, writing in a less technical vein, he says:

"Writers are 'significant', 'major', 'reputable'. Such terms contain an appeal to implicit criteria which remain tacit."

Perhaps someone can translate that for me into any language, I do not mind which. He goes on:

"The stance is not chauvinistic but liberal. The bubbling republic of world letters is neither excluded nor ignored, but welcomed as literature in English".

It really will not do that people who are attempting to set curricula are so divorced from what is happening in schools and from our young people that they produce such contentious nonsense.

We are not helped by the Secretary of State when he makes his analyses of the state of education today. One day they are upbeat and the next day they are downbeat. Let us examine the important question of illiteracy. It is extremely important that we deal with the 30 per cent. of children who are not, frankly, well dealt with at the moment in our schools and for whom we have to find imaginative paths out.

But that said, when it comes down to it, illiteracy does not affect one in three, as was suggested by the Secretary of State. The report from which he quotes gives a figure of 16 per cent. How is that defined? It says that 16 per cent. have a reading age that is under 14. But the same report says that virtually nobody is illiterate now. Figures for 1951, before comprehensive schools came into existence, from the then Department of Education—so they must be correct—show that 30 per cent. of people aged 15 had reading ages under the age of nine. Therefore, there has been a considerable improvement since then and it is important to recognise that fact. Illiteracy, or an inability to read and write, was also constant at that time.

I could go on to mention tests and so on, but the real resource that we have in our schools is our teachers. Some teachers are brilliant, some are reasonable and some are not so good. But the amount of time that they put in is phenomenal. One thing that we do not measure is the voluntary time that is put in by our teachers. Nor do we know how long pupils spend on extra work outside school which, in other countries, is done in school.

7.33 pm

Sir Paul Beresford (Croydon, Central): The Labour party's motion talks of instability and calls for stability. It talks of too much change and of stopping key stage 3 tests. In many ways it is saying, "Let's sit back on our hands." That has been followed up in the debate with the cry, "Standards are low" and "The Government should be acting". That is a rather contrary posture to take. Part of the Government acting is to utilise the opportunity of testing. We need to use the tests at various stages to discover progress nationally, not just of the individual pupil or the individual school. In making progress—or hoping to make that progress—the Government have the big problem of the local education authorities between them and the schools.

This evening there has been a lack of attention to our education clients—the parents and pupils. They wish to know how our schools are functioning. They want to know how their local schools are functioning compared with the national standard. They want to be able to choose a school, with some knowledge, so that they can maximise their children's abilities as they progress towards the work force. When their child is in school, they also want to know whether he or she is progressing. Tests are a key factor in that—tests, not individually but nationally; standardisation of tests.

I think that all hon. Members accept that standards need to be raised. A number of facts have been given as examples. We should not necessarily compare ourselves now with ourselves in the past. We should be looking towards our competitors. When one hears that the average standard of maths for a 14-year-old in Britain's state schools compares with that of an 11-year-old in Germany, we have reason to be concerned. We need to raise our standards.

However, the Labour party's motion says, "Don't rock the boat. Stand back and watch it gently sink." The Labour party is talking about stagnation when what we need is a continuation of the stimulation that has already started—started by the Government in 1988.

First, as has been mentioned, there is the broad national curriculum. Secondly, there is the movement into testing and the publication of those results. Finally, as was touched on earlier, there is the chance for schools to break away from the frequently dead hand of their local education authority by going grant maintained.

All that said, I was delighted that the Secretary of State announced a full range review. That means that he is listening. But I am also delighted that he has recognised that parents and pupils wish to know where they stand. He wishes, as do I, that the tests should continue.

As the exercise this evening seems to be that we should touch on points for the review that is to follow the tests, I shall mention one or two. I certainly support the idea of the national curriculum, particularly with three or perhaps even four out of the total seven subjects. I also support the

[Sir Paul Beresford]

attainment targets and the programme studies. In addition, there are the four key stage tests. My right hon. Friend the Member for Mole Valley (Mr. Baker) mentioned that there could have been a spot of hijacking by the profession. Perhaps we could look at the possibility of testing in three or four of the core subjects—English, maths, science and, perhaps, technology—leaving the rest of the various subjects for the schools to test in their own way looking towards GCSE. I realise that that may hurt the sensibilities of some teachers in those specific subjects, but practicality may dictate it.

We have from Professor Black and his task group on assessment and testing a complicated system of 10 attainment targets, on 10 subjects, covering four key age groups, which is complicated. Furthermore, specific marks are available for allocation to specific age groups. To my mind, that engenders the impression that there will be progress in our schools, when in reality there has not been, merely because of the way in which those particular marks can be allocated by teachers to the various age groups.

During the devising of all the complications, I understand that the teachers' unions requested more classroom assessment. The problem is that that was heeded, bringing a greater work load to classrooms. That arrangement also favours children with helpful parents, diminishes the chance of a realistic nationally assessed standard, and hurts children from homes where the environment is not educationally helpful.

The answer is an increase in paper and pencil tests. The mere mention of them provokes the cry of teaching to tests —so what? If the syllabus is broad and not too prescriptive, and if the tests within it are selective, that approach can succeed. It succeeded before and continues to do so in many other areas today. I am sure that it will do so again.

As for grant-maintained schools, it is a delight that they will be able to break out from their local education authorities. That is an excellent first step, but I hope that we continue with stimulation rather than stagnation. We need to move on. Grant-maintained schools need further independence and to be in the situation whereby their revenue, and the revenue aspect of their capital, improves on that independence. We should use those schools as independent schools serving state-funded pupils, rather than state-funded schools serving the pupils.

As for the main topic of this debate, those tests must go forward so that the review mentioned frequently this evening will have substance and provide a basis on which to work.

7.41 pm

Mr. Cynog Dafis (Ceredigion and Pembroke, North): I speak as someone who spent 31 years in a classroom teaching English—yes, English, and I am delighted to have done so. It was hard work, and we should all acknowledge that teaching is hard work. It is physically and mentally hard, and emotionally demanding. Few people are as exhausted at the end of their day's work as teachers. I have no regrets about spending all those years teaching. The work gave me great joy and satisfaction—but as I look back on that experience, I realise that it was soured to some extent by the experience of the latter years.

I will speak for teachers tonight, and especially for teachers of English, and for pupils. The one thing that they need is stability. The one thing that saps energy, undermines morale, and breeds anxiety and uncertainty —and has the negative effect that they all create—is the constant chopping and changing that has typified education in recent years. We must not underestimate the damage to the educational process done by the massive reorganisation envisaged in the current Education Bill, which could be incalculable.

I was head of English at a comprehensive school when the GCSE was pushed through a year too soon. I undertook the massive increase in workload that suddenly came upon us at that time. I know of the long hours spent outside the classroom on training courses, and so on, to the great detriment of a whole year of pupils.

Those of us teaching English were given the choice of setting 30 per cent., 50 per cent. or 100 per cent. course work. We were made to feel unco-operative and guilty if we did not go for the maximum option. It was said that all really good teachers went for that. I had left teaching when the same Government said that teachers must not on any account set more than 30 per cent. course work.

I was head of English too when successive drafts of the expensively printed and bound national curriculum arrived on teachers' desks, with its impenetrable maze of programmes of study, key stages, levels, strands, attainment targets, and standards of attainment. There were 17 strands across five attainment targets.

I remember discussions, under systems of continuous assessment, as to the level that each of the 30 pupils in a class had attained in each of those 17 strands. We tried to devise ways of conveying that mass of information to parents in a form of which they could make some sense. We did not know whether to laugh or to cry. In those days, the most familiar sound in staff rooms and on training courses was the belly laugh. That saved us from going crazy.

I applaud much of the independence stance adopted by the National Curriculum Council for Wales in its recent document, and I will return to that point later. However, I cannot accept its claim in a press statement dated 15 April that the current order has gained widespread acceptance by teachers. I checked this morning by telephoning a teacher of English who knows the opinion among former colleagues in my constituency. It is plain that the order has not gained widespread acceptance. It has serious deficiencies and, specifically, it is unmanageable.

I left teaching before standard attainment tests were introduced, so I did not have to endure being told in November 1992 which Shakespeare text would be tested the following summer; or until January 1993 before the additional reading list for the same tests was supplied; or until February 1993, before the poetry anthology was provided. Think of the effect on carefully constructed courses, planned to meet the requirements of the new curriculum, paced over weeks. Think of the effect on the attempt to provide a balanced syllabus, and the concentration given to those texts, in order to get them done in time for the examinations.

I left teaching before the announcement was made that there was to be a review of the English curriculum. I was not there to enjoy the combination of relief and cynical self-righteousness that I would have felt had I still been a

teacher, nor the fury, given that the change meant that many of the long hours that I had spent devising courses were largely wasted.

We should all acknowledge that those experiences—I have touched on only some of them—lie behind the decision to boycott tests, together with the realisation that an assessment authority is to conduct a review of the national curriculum. The tests therefore seem entirely redundant. Much of that misery could have been avoided if the powers that be—by which I mean politicians but also academics and curriculum developers—had listened to teachers.

However, it is an ill wind that blows no one any good. One truly progressive element of the national curriculum was knowledge about language. At the school at which I taught, we used that element as an opportunity for collaboration between the English and Welsh departments in the construction of a two-week teaching module based on a pupil's experience of bilingualism. We studied dialect and accent, the relationship between dialect and accent and prestige, and the relationship between prestige and language choice—the choice between English and Welsh in particular circumstances and in a particular context. We examined the influence of one language on another, and what governed that influence—whether it is the influence of English on Welsh, the influence of Welsh on English or the influence of French or Latin on both. We studied Welsh literature in English lessons, and English literature in Welsh lessons. The exercise was visibly fascinating for the pupils, and it was intended to be a regular component of the English and Welsh syllabus—which would have justified a considerable input of time and resources.

A flexible curriculum should encompass just such arrangements; but we have now been told that knowledge of language is to be replaced by the confident use of standard English. In other words, the use of standard English is to replace a creative, scope-giving element. We are told that, in England at least, seven-year-old pupils' English is to be corrected if it does not conform to the standard. It is difficult to imagine a more effective way of undermining fluency, stunting the growth of linguistic competence and damaging the interactive relationship between language and learning.

That does not apply to Wales, thank goodness, unless the recommendations of the Curriculum Council for Wales are overridden. I hope that that will not happen. I urge the Secretary of State to read the CCW's explanatory note about standard English——

Mr. Deputy Speaker: Order. Time is up.

7.51 pm

Mr. Michael Fabricant (Mid-Staffordshire): The hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) has taught English. I must confess that I have not done so myself, although, before going up to university, I taught mathematics and physics for a year in a secondary school. Moreover, while studying for my doctorate before disappearing to the university of Southern California, I was a tutor for London university masters degree students, teaching binomial techniques in economic forecasting. That only goes to prove—to me, at least—that any form of economic forecasting is not worth the paper on which it is written. I am told, however, that this is an education debate, not a Treasury debate.

I want to say something about the teaching of English—not because I was a teacher for a year, albeit not an English teacher, but on the basis of my experience as an employer. Nigel de Gruchy, general secretary of a union with a rather unwieldy name—the National Association of Schoolmasters/Union of Women Teachers—said:

"Even Stalin did not force standard Russian down his subjects' throats."

That, incidentally, demonstrates an appalling lack of knowledge of the USSR. Because of its vast size and the lack of communication, there was no standard Russian, as is still the case; but I would not expect Nigel de Gruchy to know that. There was no democratic tradition, no standard Russian grammar, no promotion based on merit and no internal or external market in the old Soviet Union.

Last night, I read Mr. de Gruchy's entry in "Who's Who". He lists his hobbies as golf, cricket, football, music, opera, France, Spain and—wait for it—literature. Mr. de Gruchy has been a teacher and a trade unionist for most of his life. That, to me, rather sums up the naivety of his comments about what should and should not be taught in schools. What I cannot forgive him, however, is his elitism, which implicitly states, "I will enjoy literature to the full, having had the benefit of an education at De La Salle college in Jersey"—he might care to admit that—"and degrees from the universities of Reading, London and Paris". He does not want others to enjoy the same benefits of a good education.

I like quoting Dr. Johnson, because he was born and educated in the great cathedral city of Lichfield, which I have the honour to represent. Dr. Johnson said:

"Language is the Pedigree of Nations."

That is true.

Mr. Enright: Will the hon. Gentleman quote the next phrase?

Mr. Fabricant: I remember from my university studies that, according to a principle in social psychology, "language is the font of a nation's culture". I consider it tremendously important how the language is spoken.

Only last year, Nigel de Gruchy said in *The Independent* that to include Shakespeare in English tests was

"fine for grammar school kids, but boring and irrelevant for a good half of pupils."

That says little for de Gruchy's faith in the ability of either pupils or teachers. Perhaps he opposes testing for the same reason; it is very sad.

The proposed reading lists in the national curriculum are not extensive. In his "Epistulae ad Lucilium", Seneca says of books:

"It is the quality rather than the quantity that matters; a limited list of reading benefits; a varied assortment serves only for delight".

How appropriate that quotation is.

Nigel de Gruchy has something in common with Stalin: neither has lived in the real world. I must admit that I have something in common with Stalin—I am sure that you will find that hard to believe, Mr. Deputy Speaker—in that I share his love of vino krasna Gruzinska, Georgian red wine. It is excellent and I hope that it will be introduced in the Palace of Westminster.

As others have pointed out, last year's pilot tests for 14-year-olds revealed that one in three children had the reading and writing ability of nine to 11-year-olds. Moreover—this has not yet been pointed out—one in 20 was shown to have the ability of seven-year-olds. That was revealed by testing. What does Labour fear so much? Are

[Mr. Fabricant]

Labour Members so frightened of exposing the weaknesses that exist in some schools? There is no room for complacency; Nigel de Gruchy had better begin to accept that and so should the Labour party.

Before I was a Member of Parliament, I had to employ engineers and other staff. For 10 or 11 years, I worked in the real world. I was not a special adviser and I have never worked for Conservative central office, but I was involved in the manufacturing industry. We had to employ engineers and staff who spoke coherent English.

The point is that English is an international language. The French try to preserve English, because French is almost a minority language in the world now, while English is an international language. It is essential that when our salesmen or engineers go abroad they speak coherent English: it is no good speaking a form of dialect English that is not understandable in Nairobi, Kampala, Java, Moscow, Reykjavik or Sao Paulo, all of which I have visited. Language is there for the purpose of communication.

I have a weakness: I cannot eat with a fork in my right hand and a knife in my left, although I know that I should do so. I also know that when I eat a bowl of soup I should hold the plate away from myself. My point is that having table manners gives me the confidence to eat with my peers. Similarly, I believe that knowing the rules of grammar gives people the confidence to communicate—whether they are selling engineering products or communicating ideas. My one criticism of the present schooling system is that, sadly, students aged 15 or 16 are still asked to specialise in the sciences or the arts for their A-levels. My hon. Friend the Minister is aware of my views on AS-levels.

Mr. Win Griffiths: But he is not listening to you, is he?

Mr. Fabricant: The hon. Gentleman says that my hon. Friend does not listen to me, but I have always found that my right hon. and hon. Friends in the Department for Education are the most listening and caring of people. They do not believe that the curriculum should be written in tablets of stone. My God, if it were up to the Opposition Front Bench, a science curriculum would be taught that ranged from the Venerable Bede to Newton and was never changed. The all-important point is that, as circumstances change, the curriculum changes.

There are those who argue that punctuation and grammatical structures are unimportant—that language is dynamic and ever-changing. That is true. There are those who argue that regional dialects and regional words have their place. That is also true. There is a time and place for colloquial English. Rousseau said that accent is the soul of a language and gives feeling and truth to it. Nigel de Gruchy and others of his ilk may sneer at the goal of testing and at the goal of teaching proper pronunciation and grammar, but Nigel de Gruchy has never had to employ anyone. He has never actually worked or lived in the commercial world.

Sadly, both in this debate on education and in other debates, the Opposition display a naivety which comes from never having lived in the real world and from prescribing for their children that which is not for the benefit of the nation or the nation's children, but which is self-seeking and self-serving—the socialist claptrap and dogma that we hear every day when we come here.

8.1 pm

Mrs. Bridget Prentice (Lewisham, East): Thank you, Madam Deputy Speaker, for calling me to speak in this debate, in which we are dealing with major issues that directly affect many pupils and parents in my constituency. I have to declare an interest, in that I, too, have been a member of the NUT and the NAS/UWT. Like the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis), I was a teacher of English. It is strange that the only two people who have spoken so far in the debate who at one time were teachers of English come from countries beyond England's borders.

I listened with interest to the speech of the hon. Member for Mid-Staffordshire (Mr. Fabricant). As someone who claimed to be a mathematician, I was struck by the fact that he displayed so little logic in his speech. I was more interested, though, in the Secretary of State's speech and wondered whether he would pass the tests that he is so eager that our young people should take. I have very little hope for him, despite the fact that I had low expectations of him in the first place.

Let us consider some of the Secretary of State's phraseology. He said that my hon. Friend the Member for Dewsbury (Mrs. Taylor) blew it when she made her speech. If, however, the Secretary of State were to pass key stage 3 in English, which I use because that is probably closer to his chronological age than key stage 1 or key stage 2, he would have to be able to convey complex ideas and views in clear, fluent, standard English that suited the particular listeners and circumstances and that included the correct use of a wide vocabulary, and he would have to display the ability to retain his listeners' interest through the originality and clarity of the ideas conveyed. I found nothing terribly original in what the Secretary of State said. His clarity left a great deal to be desired. Indeed, he was incapable of answering the questions put to him by my hon. Friend the Member for Birmingham, Yardley (Ms Morris). It seems to me that he would not survive key stage 3.

Perhaps, therefore, we should consider key stage 2. At that stage, the Secretary of State would need to be able to offer a fluent and well-organised account of an experience or activity and be able to convey information and ideas accurately, giving reasoned, sustained and detailed accounts of activities and viewpoints. The Secretary of State would have to learn to solve problems by defining the nature of the difficulty and suggesting solutions. Although he accused Opposition Members of ranting, he gave a very good example of exactly that. When pressed to do so, again and again he refused to admit that one way to resolve this difficult problem in which he finds himself would be to ballot parents on whether they would allow their children to take this test, in exactly the same way as parents in Scotland can make choices about whether their children should take the test. It appears that the Secretary of State would also fail at key stage 2.

As for key stage 1, the Secretary of State should be able to give simple, audible explanations—we cannot blame him entirely for the fact that the microphone was switched off for a short time during his speech—narratives and descriptions. He should also learn to listen attentively to

others and make thoughtful comments. Given the response from parents, governors, teachers' unions and professionals, it is clear that the Secretary of State is incapable of listening attentively to others. He has been singularly unable to make thoughtful comments, since he referred to organisations such as the National Parents Association as neanderthal and to professional teachers, whom he constantly tells us he respects, as Luddites.

There we have it. The Secretary of State, the Dan Quayle of the Conservative party, who does not know whether an "e" should be in a word or out of a word, would hardly be considered to be the best boy in the class after today's performance. On reflection, the Secretary of State may be thankful that teachers will not be testing him on key stage 3 and his ability and peformance today.

Teachers in Lewisham have written to me and my colleagues regarding their fears about testing. For example, the teachers at Catford county girls school say that they believe that the tests are unsound—that the format of the tests has been changed frequently without teacher consultation and that the English standard assessment tasks

"have not had an adequate full-scale national pilot."

Those are the people who, every day of the week, are teaching children. They know best what should happen in their classrooms.

The head teacher of a school in Croydon, who is one of my constituents, said:

"Apart from the intellectual absurdity of a set book list for Year 9 (both in principle and in content), it is not good enough for SEAC to send out a booklet containing many unanswered questions, on the last day of November, just to adhere to the published timetable.

It is clear to us, at the chalkface, that the whole operation is behind schedule, rushed, and subject to change. This is not the way to run a National Curriculum or to communicate with teachers who have the unenviable responsibility of running the operation. It would be better to postpone it for one year."

Another head of English asked me to ask a question in the House about where the money will come from to pay for all the glossies that are being put out by the Department and SEAC to deal with key stage 3. The answer that I received from the Minister was that it was costing an estimated £1·5 million to publish the glossy magazines dealing with key stage 3 English—yet still we have parents, teachers and governors who say that the system will not work.

Parents in my constituency have written to me. Mrs. Corran wrote:

"Teachers' coursework assessment at the end of this year can provide a reliable form of assessment, as it has done at GCSE level for the past few years,"

Mrs. Hamilton wrote not only that the tests were wrong but that there should be a pilot before compulsory testing was introduced. Parents and teachers have written saying that they are concerned about the way in which the tests are being conducted.

The governors of schools in my constituency have written saying the same. Those of Northbrook Church of England school wrote to the Secretary of State on 31 March. I do not know whether they have received a reply yet; I certainly have not seen a copy of one.

Mr. Andrew Miller (Ellesmere Port and Neston): It takes five months.

Mrs. Prentice: My hon. Friend tells me that it takes five months to receive a reply—and even then we cannot guarantee that the spelling will be correct.

The governors of Northbrook school wrote that the governing body had

"assiduously undertaken its duties in implementing the 1988 Education Act and associated legislation. The governors have found much to commend in the underlying principles of the curriculum legislation—but much wanting in the statutory requirements. We are particularly concerned at the inappropriate nature of much of the Key Stage 3 assessment and of its demands on teacher time. We wish to draw your attention to the unacceptably high work load being demanded of teachers and to the derisory pay award made this year in the light of the above demands."

That is not the teachers talking, but the governors—the people who are attempting to run their schools as efficiently and effectively as possible. They feel that they cannot do their job properly because they know that the colleagues whom they have appointed to do the job in the classroom cannot do that job properly.

I shall touch upon one or two other matters that have been raised in the debate. We all understand now that nursery education is the key—if I may use that word—to ensuring that people do well later in their educational lives. In Labour authorities in London we have the highest number of three and four-year-olds in nursery schools and classes. But many boroughs are now having to cut places, funding staffing and support services to meet Government capping limits and to bring their funding more closely into line with the standard spending assessments, in anticipation of the new schools funding methodology.

Yet again the Government tell us that they are committed to nursery education, yet they do nothing about it. In fact, they act in such a way as to ensure that people who want to provide nursery education cannot possibly do so. You might be shocked to know, Madam Deputy Speaker, that in the 14 years since the Government took office, only one extra child in every 100 in London will get a nursery place, despite the Government's so-called respect for education and for our young people.

My hon. Friend the Member for Dewsbury mentioned another matter that especially concerns those of us who represent London constituencies—Home Office funding for section 11. That funding greatly affects the teaching of English in our schools and it has been estimated that reductions in Home Office section 11 grants represent a loss to London of £15 million for 1994-95 and £19 million for 1995-96. Those cuts will cause a decline in language support services, which will lead to a decline in levels of achievement for all pupils. It will disadvantage some groups and the impact will be felt by all.

Section 11 funding supports classes in English for speakers of other languages. That is not a national curriculum subject, so it cannot be adequately supported by mainstream staffing levels. My own borough of Lewisham has expressed concern that, where section 11 funded staff are already spread across several classes, pupil-teacher ratios could worsen to unworkable levels.

We are concerned that cuts in Government support are further destabilising the education system and reducing local education authorities' capacity to implement local and central Government policy. Frequent change in Government education policies is having an enormously damaging effect on London's schools. We need stability so that we can create a climate in which effective learning can

[Mrs. Prentice]

take place and regular monitoring can provide opportunities for real evaluation of the need for appropriate change. The words of Mick Levens, the head of English at Forest Hill school, sum up our concerns about Government policy:

"Badly written, poorly researched tests which look at a tiny amount of what a student can do and which will take preference over teacher's assessment, (which would be based on four lessons a week for three years), will be useless and have the potential to do lasting damage. The government will have several goes at getting it right but this time will not come again for our students who deserve much, much better than this."

My hon. Friends and I can only agree with those sentiments.

8.15 pm

Mr. James Pawsey (Rugby and Kenilworth): I know the hon. Member for Lewisham, East (Mrs. Prentice) to be a formidable member of the Select Committee on the Parliamentary Commissioner for Administration, and I have seen her tackling witnesses. In full flight she is remarkable, and I pay tribute to her. Like the hon. Member for Dewsbury (Mrs. Taylor), she raised the issue of nursery education, and I do not believe that what she said was entirely right.

My hon. Friends will wish to know that the Government have provided about £150 million in additional funding for nursery education this year. That is a substantial sum. More than 90 per cent. of children in the United Kingdom now enjoy some form of pre-school provision; 175,000 more children aged under five attended maintained schools in England in 1991 than in 1979. Those are the facts. I appreciate the importance of nursery education, and my right hon. and hon. Friends in government appreciate it too. The Government have done much to support pre-school education.

My hon. Friends and I should be grateful to the Opposition for providing us with their parliamentary time in which to expose their lack of policies. This debate, like so many others that have preceded it, is about our ideas and our agenda. We have heard from the Opposition the same ritual calls for more money, and more power for the trade unions. Opposition Members continue to oppose tests, excellence and, of course, grant-maintained status. They have no constructive policy, and they would not recognise one if it sprang from the Dispatch Box. Labour is travelling light, with no new ideas, only the same tired discredited dogma.

I have to say——

Mr. Enright: The hon. Gentleman does not have to say it, but he will say it anyway.

Mr. Pawsey: The hon. Member is right. I shall indeed say it, and I shall refer to the hon. Member for Hemsworth (Mr. Enright) in due course; let him be patient.

I have said before in the House that the national curriculum is too prescriptive. There is little doubt that the tests are indeed too complex. Both those aspects should be modified; I do not believe that there is a major dispute between the two sides of the House on those two general points.

My right hon. Friend the Secretary of State, in his admirable speech, acknowledged the fact that some change is necessary. He said that a wide-ranging review would be undertaken by the School Curriculum and Assessment Authority under the chairmanship of Sir Ron Dearing. I have no doubt that following that review the national curriculum and the tests will be substantially amended. I found it interesting, as I am sure my hon. Friends did, that Sir Ron Dearing said two weeks ago that the hands-on experience that will be gained from this year's tests will be invaluable in deciding the format of the new tests for schools in the next academic year. He repeated that point in the weekend press. He clearly sees the benefit to the nation's children of continuing the present testing process.

I have no doubt that the School Curriculum and Assessment Authority will, with the experience that is now being built up, produce an entirely acceptable national curriculum and testing system which will meet the requirements of teachers, pupils and parents. It will be simpler and easier to implement, but sufficiently rigorous to test and to assess children so that subject weaknesses, when identified, can be remedied.

I am concerned—my hon. Friend the Member for Mid-Staffordshire (Mr. Fabricant) made this point during his admirable speech—about some of the statements and comments that we have heard from teacher trade unions at recent conferences. I have long argued in the House that the majority of teachers are dedicated both to their profession and to the children in their charge. I have said for many years in the House that teachers should be adequately remunerated. I am pleased that, as a result of efforts by my right hon. and hon. Friends, the average salary for teachers is now substantially in excess of £20,000 a year. Most teachers earn their pay.

However, I regret certain of the recent statements made by teachers at conferences and I deeply deplore the possibility of a boycott of all tests. That will cause the greatest distress and worry to parents because they know that it will damage their children's education. Children have been preparing for the tests, and for them now to be abandoned would be most frustrating.

The National Union of Teachers has announced that it will ballot its members on whether to boycott all national curriculum tests both this year and next. That is a remarkable decision given the setting up of the SCAA. It is apparent that the NUT is prepared to condemn the SCAA before it has even seen its recommendations. That is not a responsible position for any trade union to adopt.

The NUT boycott would include all existing tests which the independent inspectorate says are raising standards. It is clear that the NUT wants confrontation and not improvement. It opposes any reform because it wants to stay in some 1960s time warp and to return to the permissive and trendy methods that caused the problems in the first place. It wants to go back to the discredited ideas that caused Jim Callaghan to start the great debate on quality and standards in the nation's schools. That point was touched on by my right hon. Friend the Secretary of State today.

The NUT's attitude was best summed up by its general secretary saying that he was

"delighted to receive a letter from the Prime Minister saying he found the union troublesome."

He then said:

"We will continue to be troublesome for some time".

I suspect—I think that some of my hon. Friends will join me in this belief—that Mr. McAvoy is concerned more

with his union's macho image and with his falling membership than he is with the education of the nation's children.

My fears grew when a teacher at the same NUT conference said:

"Testing is the link in the chain. If we break it the whole Conservative education policy goes down the tubes."

Another delegate at the conference said:

"This is not the end of the campaign, it is the beginning, a springboard to fight the Tories on all the other issues."

There we have it. It is out in the open. The argument is not about testing and it is not about educating the nation's children. It is not about education at all. It is about taking on the democratically elected Government of the United Kingdom.

I hope that parents saw on television the teachers' conferences which showed, as no words of mine can show, why a national curriculum and testing system must be in place. I wonder what the majority of hard-working, conscientious teachers felt when they heard the statements made by some of their militant colleagues who are pursuing not so much a classroom dispute, but more a class war.

There are those who mistakenly believe that the Government will cave in to pressure. They are wrong. When the well-being of the nation's children is at stake, there will be no U-turn by my right hon. and hon. Friends in this Administration.

I said at the beginning of my remarks that I understood teachers' frustrations. They naturally want to get on with the job of teaching the nation's children. Teachers well understand the importance of tests, but they resent the amount of time being demanded by the current tests. I have some sympathy with that view. That is why my right hon. Friend is instituting his far-ranging review which will substantially improve the testing system.

I remind the House that not every trade union leader wants the disruption of this year's tests. I read again the comments made by the general secretary of the Association of Teachers and Lecturers, the union of the hon. Member for Hemsworth. I was interested to hear him describe it as the LTA, and I wondered——

The Parliamentary Under-Secretary of State for Further and Higher Education (Mr. Tim Boswell): It was dyslexia.

Mr. Pawsey: My hon. Friend accuses the hon. Gentleman of having dyslexia. Having heard him in full flow, I do not believe that he suffers from dyslexia. He may have shortcomings, but dyslexia is not one of them.

I return to the remarks made by Mr. Smith, the general secretary of the Association of Teachers and Lecturers, and I quote his words, which make very good reading. He said:

"Information about examination results is here to stay. Parents are entitled to information about the schools their children attend."

Commenting on my right hon. Friend's commendable decision not to publish the results of this year's English tests for 14-year-olds, Mr. Smith said:

"If English teachers genuinely think the tests are flawed they now have the opportunity to prove it and co-operate in improving them."

[HON. MEMBERS: "Hear, hear."] I am delighted to have the support of my hon. Friends. I will give them even more to cheer about. Mr. Smith then said:

"If they reject that chance, was the concern ever really professional at all?"

Hon. Members should remember that Mr. Smith is the general secretary of one of the principal trade unions, so his viewpoint is important. Parents will naturally give substantial weight to what he says, especially as the overwhelming majority of the nation's parents agree with what he has said.

It is worth while recalling that my right hon. Friend has met the trade unions on 11 occasions. During his first year —this point came out in his excellent speech——

Mr. Enright: The hon. Gentleman has said that several times.

Mr. Pawsey: I will say it three more times because it is worth saying again. My right hon. Friend is a caring Secretary of State who wishes to improve the quality and the standard of state education in which his child is being educated. Opposition Members should always remember that point.

During his first year, the Secretary of State and his ministerial colleagues visited more than 110 schools. As a result of what they learnt from those visits, my right hon. Friend has made two substantial concessions.

Mr. Enright: Will the hon. Gentleman give way?

Mr. Pawsey: I am sorry. I would normally give way to the hon. Gentleman, but, sadly, many of my hon. Friends wish to make important speeches. Therefore, I hope that the hon. Gentleman will forgive me if I do not give way.

The first point made by the general secretary of the ATL was that the test results would not be published. The second concession made by my right hon. Friend was to set up the SCAA to review the tests. My right hon. Friend has sought to meet the concern of teachers and the aspirations of parents. He has been successful in his aims.

8.30 pm

Mr. Andrew Miller (Ellesmere Port and Neston): As a Member who represents a constituency in the north-west of England, I am not prepared to see children in some parts of the country having to settle for second class education. [HON. MEMBERS: "Hear, hear."] I welcome that response from Conservative Members because they acknowledge the words of their leader in the foreword to the "Choice and Diversity" document. I only hope that the Minister remembers that point when people from Cheshire put a logical case to him about the mathematical imbalance of the standard spending assessment as it affects north-west shire counties when we meet in the near future.

I come to this debate not as an expert educationist or an experienced teacher but as a parent of a child who is going through the secondary system—a key stage 3 pupil—and as someone who cares deeply for the children in my constituency of Ellesmere Port and Neston. A wide range of views has been expressed to me by teachers in the constituency.

I wrote at length to Baroness Blatch in mid-February and got a response in April. I was pleased to read in one paragraph:

"We are not insensitive or unaware of the problems being faced by schools. We are always willing to listen to the informed views of those on the ground. Your points will be treated in this light."

I hope that the Minister will listen to my points about a number of aspects.

Early in her letter, Baroness Blatch says:

[Mr. Andrew Miller]

"As you may be aware, there has also been recent concern about the standard of technology education".

As a member of the Information Committee—I can only assume that I was put on that Committee because I have some expertise in the field—I read that sentence with great interest. I also read with great interest the report of the Comptroller and Auditor General on grant-maintained schools in England which was published only a few days ago. The report showed that there is an extreme weakness on the part of the Department for Education in information technology.

In the overall conclusions, three of the four paragraphs —paragraphs 31 to 34 inclusive—criticise the way in which grant-maintained schools, in their activities of running the school administration, fail on information technology. That comes as no surprise because we know that the Department, in its role as the body responsible for education, fails properly to develop information technology in the classroom.

There is an extraordinary statement in the key stage 3 document. It is bizarre. Many of the teachers to whom I have spoken, who are developing information technology in the classroom, also found the statement bizarre. At the end of what, on the face of it, is a well-structured block in the 1993 element, it says:

"The information technology test will be a one hour written test, taken simultaneously by all pupils under controlled conditions. It will take place at 11.30 am on Monday 14th June. Four tiers will be provided covering levels 1-4, 3-6, 5-8 and 7-10. All questions in the test will be compulsory."

Introducing people to information technology is a difficult task in the House, so perhaps some lessons can be learnt from teachers who are dealing with people who are slightly faster on the up-take than perhaps we are. It has been the experience of all participants that the practical hands-on element is especially important. A number of teachers have told me that, in the nine weeks, they have had to draw pupils away from the hands-on experience five weeks into the course. That seems to be an entirely daft way of teaching information technology.

The information technology course is not designed to replace the skills which have been taught in English, mathematics or physics: it is an information technology unit. The unit needs to be reviewed most carefully. I urge the Secretary of State to undertake such a review in the forthcoming weeks and months. To draw pupils away from the hands-on experience is like telling driving students that in the future they will simply be tested on the highway code and they can learn the practical hands-on bits later. That is the wrong approach, and I hope that the Secretary of State will take that in the spirit in which it is intended.

Another aspect of technology relates to design and technology—many of us used to call it woodwork and cookery. Some interesting concepts are being developed in that unit. The Secretary of State must question whether the notion that the continuous process from original thought through to manufacture and evolution, which in itself is extremely valuable, does not overly burden teachers who in the past would have spent more time teaching pupils about the hands-on skills of penmanship or mixing ingredients or using hand tools in the various components of the tests.

It is interesting to note that in practical terms—I have come across such situations and, indeed, this happened to my daughter—the complications facing teachers this year have resulted in pupils being entered into the wrong tiers for the testing process. When it was eventually recognised that pupils could have been entered into a higher tier, it was too late because there was no classroom time remaining.

Let me refer to the English part of the debate. I must acknowledge that, like the right hon. Member for Brent, North (Sir R. Boyson), I also failed the 11-plus test. *[Interruption.]* I do not want to hear any comments from Members on the Government Front Bench. We also have whiskers in common. I studied English at school. Perhaps I did not study it as well as some of the great scholars around me, but I learnt to appreciate wonderful literature, especially the works of Shakespeare.

The difference between the process of education now and the process that prevailed then is that then it was common practice for pupils to be taken regularly to see Shakespeare live to learn about it, feel it and enjoy it. I am afraid to say that that happens all too infrequently today. When it does, it requires a parental payment which is prohibitive to people in the poorer parts of our community. If the Secretary of State genuinely intends to make the process of education open to all parts of the community, he must address that point more seriously. It would be a tragedy if literature and the arts were left to an elite few in our community.

A broader brush approach has been taken tonight on matters which have impacted on us as a result of the Education Bill. Many hon. Members will have seen a letter from the director of Music for Youth in the past few days. He said:

"The Education Bill will, I believe, bring about a diminution in the quality and range of this aspect of music teaching in our schools. Whilst I am certain this is not the intention of the Bill, it will be one of its side effects."

In parallel with my comments about the theatre, I genuinely believe that those risks face us. I urge the Secretary of State in undertaking the review to examine them most carefully. If not, one might be tempted to quote "The Merchant of Venice". The hon. Member for Mid-Staffordshire (Mr. Fabricant) indulged in many literary quotes, so why shouldn't I?

"The man that hath no music in himself,
Nor is mov'd with concord of sweet sounds,
Is fit for treasons, stratagems, and spoils;
The motions of his spirit are as dull as night,
And his affections dark as Erebus:
Let no such man be trusted".

I invite the Secretary of State to think most carefully about his handling of the debate.

Mr. Dowd: How does my hon. Friend think that the Secretary of State got where he is?

Mr. Miller: I leave that for the House to decide.

I conclude by inviting the Secretary of State to examine the scale of changes that he is imposing on teachers and head teachers in the system. The scale of the changes is having an enormous impact on the ability of schools to deal with them in a cohesive manner. There are simply too many changes and they are happening too quickly.

One of the schools in my constituency was referred to in Baroness Blatch's letter. She said that it had given helpful and thoughtful comments. I asked it to give me a list of documents that it has received recently. It produced

a list of documents received since September 1992. The teachers identified 19 major documents within half an hour this morning. No one undertook a detailed search for every last one. The 19 documents began with the White Paper "Choice and Diversity" in August and went through to the most recent English anthology, which it received in February. Over and above that, it received 17 glossy books on assessment arrangements for key stage 3.

I say in all honesty to the Secretary of State that every school in my constituency with which I have had contact and discussed the impact of the changes with staff, teachers, head teachers, parents and governors has told me that the change is happening too quickly, that it is not being controlled and that some fresh thought needs to be given to how the schools are supposed to introduce the changes and resource them in terms of professional staff time.

I suppose that a step in the right direction was taken when the statement was made that English and technology results would not be included in the schools performance tables until 1994. I guess that for that we can be grateful. But again, lessons could have been learnt from mathematics and science in the past year. No one is against change in education. No one is against ensuring that every pupil has the best chance that we can offer as a society. But I urge the Secretary of State to listen carefully to the remarks that have been made in the debate. Some fundamental changes could take place for the benefit of the consumer—the pupil—with some significant changes on the Secretary of State's part. He must take a step back and rethink his position.

8.45 pm

Mr. Alan Haselhurst (Saffron Walden): I shall not follow the hon. Member for Ellesmere Port and Neston (Mr. Miller) down his literary path. I shall return to the not very poetic terms of the motion, which says that

"the current difficulties and instability associated with Key Stage testing are caused by the Secretary of State".

That betrays a great deal of flawed thinking. It has already been said that introducing the national curriculum and associated tests is by its very nature a complex exercise. It would be surprising if adjustments did not have to be made and we did not have to rethink as we went along in order to get it right. We have attempted the task over very few years, so, of necessity, changes and amendments will have to be made. That cannot be said to be the fault of the current Secretary of State.

When one boils it down, the real problem that has brought us to the difficulties that we face in our schools stem from key stage 3 tests in English and technology. I do not know what the Labour party is about in the debate. [HON. MEMBERS: "Nor does it."] I do not know whether the motion is simply intended to make mischief. The hon. Member for Dewsbury (Mrs. Taylor) referred to guinea pigs twice in her speech and also used the term on Radio 4 this morning. She also accused the Government of confrontation.

However, anything new that is tried in schools, whoever inspires it, is bound to involve the children on the receiving end in those schools being guinea pigs. I do not see why the term should be pejorative and why it should be used against the Government who introduced those reforms. Clearly, the pupils on the receiving end of those reforms are the first to experience them. Nor do we confront schools if we present new ideas. The nation has willed us to make changes because it shares our perception that education standards are not as good as they should be.

The hon. Member for Dewsbury dissimulated considerably about what she meant by tests. The sentence in the Labour motion which I quoted refers to key stage testing, but not to any part of it. Only later in the motion are key stage 3 tests in English and technology referred to specifically. Throughout her speech the hon. Lady did not distinguish between key stage tests. So she appeared to join in the condemnation of the tests as a whole which several of the teaching unions have expressed. She did not make her position clear. I hope that the country will take note of her apparent sweeping condemnation of the reforms that are being attempted.

What is the real position? There are four strands to the argument. There is the question of key stage 3 tests in English and technology. There is the question of tests as a whole. There is the question of the use to which tests are put. And then there is a general assault on Government policy.

I do not believe that the broad mass of professional teachers in this country are pursuing a political agenda. Some are—my hon. Friend the Member for Rugby and Kenilworth (Mr. Pawsey) referred to that—and the nation heard some of the contributions to the conference of the National Union of Teachers. Certainly, lurking in the background there is a political campaign being fought, but that is not of interest to the vast mass of teachers, certainly not in my constituency.

We should acknowledge that there is misgiving about league tables and the use to which tests are put. My right hon. Friend the Member for Mitcham and Morden (Dame A. Rumbold) made the point that of course these things are there as a measure of performance of schools, and why should they not be? But, fair enough, that is an area of discussion and controversy and we must recognise that not all teachers are happy about it.

It is more difficult to establish whether people, professionals or other, are for or against tests as such. We heard conflicting remarks from the hon. Member for Dewsbury. Was she or was she not for them, because she seemed to be in favour of her kind of tests but not in favour of anybody else's? However, it seems to me that these tests have been proceeding perfectly well, although not, perhaps, in the literal sense of "perfectly". We have made good progress with the implementation of the tests for seven-year-olds. There were difficulties to start with, but they have been bedding down quite well and we have been gaining valuable information from them. The trial of the 11-year-old tests is proceeding satisfactorily, as I understand it. The tests at key stage 3 in maths and science are also proceeding reasonably well. It is the opinion of one of the schools in my constituency that the tests will be a valid and reliable indicator of pupils' achievements towards the national curriculum. So I do not believe that the debate is about maths and science at key stage 3.

We come back to English and technology at key stage 3. We should acknowledge that there is considerable misgiving among many teachers about the content of these two subject tests.

My right hon. Friend the Secretary of State has made two important concessions in this respect. Early in February I had a group of people from one of the schools in my constituency to see me; it was made up of governors and senior staff. They said that, if the Secretary of State

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could be persuaded that the tests might go ahead this year, but the results should not be published, it would be a reasonable compromise. It was a compromise that they urged on me.

Well, without particularly listening to me my right hon. Friend, on 19 February, made that very concession. I do not believe that that group of governors and teachers was unique, so clearly there are many governors and teachers who believe that the Secretary of State made the right gesture on that occasion. He has gone further than that and said that there should be a review of the national curriculum and the content of these tests for a future year.

I believe that those two gestures on the part of the Secretary of State deserve a degree of reciprocity by the teachers, particularly when reinforced by the statement of Sir Ron Dearing, who is to conduct the review of these tests, that the evidence that he believes that he will get will be valuable in determining what happens in the future. What is now required is a step back, not by the Government, but by the teachers.

The teachers would, I believe, cut a more impressive figure with parents if they carefully distinguished their position. If they said to parents throughout the country that they believed in the national curriculum, subject to discussion about its future evolution, that they believed in tests, subject to discussion on getting the context exactly right; that they were quite happy to proceed with the tests for seven-year-olds and the trial of 11-year-old tests, and to pursue the maths and science at key stage 3—which apparently there is evidence to show is supported by the teaching profession—they might sound more credible on the subject of English and technology. It might be easier for us then to meet them on that particular point, which is clearly one of real and acknowledged difficulty.

We have said that there will be a review, so the only question is whether the tests should go ahead this year as a source of evidence for next year. Surely that is not a great chasm for teachers to jump. It would be a worthwhile gesture in response to the Secretary of State to convince all the parents in the country that teachers are as committed as anyone else to the national curriculum and a system of tests with it. I believe that, if teachers can be satisfied that my right hon. Friend is genuine in his desire to hear their views on the correction of the content of English and technology at key stage 3, and for them to be involved, as my hon. Friend the Member for Crosby (Sir M. Thornton) suggests, that could be a way forward that would ensure that there was peace and stability in our schools this summer.

8.54 pm

Dr. Tony Wright (Cannock and Burntwood): I get more depressed in the House listening to debates on education than on anything else. I get depressed on many other things, too, but I get depressed on education in particular. This debate has typified what happens at every education question time. It fills me with total dismay about what is happening to the education system in this country.

A debate such as this should be an occasion for celebration. When the British House of Commons discusses the education system, it should be an occasion to celebrate it, to laud it, to talk—as some of my hon. Friends tried to—about what education is all about, its excitement, the joys of discovery and the vision that it brings. We hear nothing of this. We hear only about the machinery, the mechanics. We have lost sight completely of what we should really be talking about. I hope that the point that we have reached now is a warning to us that we can no longer go on in this way.

I am not talking only to the Conservative party; I am talking to us all. If we go on talking in the way that we have been, we will be doing a massive and permanent disservice to the education system and to the children in it.

We are all allowed a few autobiographical words, and perhaps I can say mine. I spent a lot of time in the middle and late 1980s when the education reforms of this Government were coming on stream, working with school governors and trying to arouse their enthusiasm about what might be possible. I have always been a great advocate of greater parental involvement in education. I had opposed the teaching unions when they were very resistant to involving parents in school government. I thought that I spoke for parents in this. Governors were excited about what was happening and so were parents. We wanted to see more power come to the school level, to empower parents. We believed in all that. We wanted to measure results, to drive up standards and to improve the standing of teachers.

There I was trying to arouse their enthusiasm, but they also had worries—for instance, about the national curriculum. They asked if it would mean the nationalisation of the system. The answer was that it might, but assurances were being given that it would not be like that; it would just be a structure within which they could operate and explore, retaining the essence of what education was about. There were worries about the formula funding. Would it penalise certain schools against others? We were told that it would not.

There were particular worries about the impact of testing. It used to be called assessment. We were told at that time that it would not be called testing as that would be to misunderstand its very nature; it would be called assessment and it was to be a servant of the curriculum. The worry was that the relationship would be turned round and the system would be driven by testing rather than by the curriculum. We were told that it was a false worry and that it would not be like that.

We have now reached the pont where all those hopes and enthusiasms have been dissipated. I speak quite genuinely as someone who was enthusiastic about much of what was happening. Teachers are completely demoralised, parents are completely dismayed and governors are packing up in droves because the system has been kicked away from under them.

We have to ask what went wrong, as something clearly has gone wrong, and how it could have been allowed to happen. My answer, and I believe it to be genuine, is that what has happened is the total politicisation of the system. What was originally an education agenda has turned out to be a political agenda for education. That was what went wrong. It is the only way to explain the history of those years.

Why else were people put in to run the system found to be unacceptable and booted out? What happened in 1991 when the then Minister replaced Duncan Graham from the National Curriculum Council and Philip Halsey from the Schools Examination and Assessment Council with

someone who the Government thought would be okay, an oil executive who turned out not to be okay and had to be sacked because he did not deliver the goods?

The story continues with the curriculum committee being packed with people who were politically okay and often associated with the Centre for Policy Studies—that is the entry point into the system.

Politicising the system destroys all confidence and trust in it among all those associated with it from teachers, who Conservative Members clearly do not like, to parents, governors and everyone else in the educational process. We have now reached crisis point. I take no pleasure in saying that. It is a defeat and a quite unnecessary one as it need never have happened.

In the middle and late 1980s there was a consensus in the making that would have driven up education standards on a unified basis. The word used then was partnership. That has been totally destroyed. Hon. Members must remember Professor Brian Cox—the great "black papers" author. I agreed with much of what he said then. I felt that we had gone wrong in the primary sector, that teaching had slipped and that we needed more rigorous standards. Professor Cox, formerly chairman of the National Curriculum English Working Group, said earlier this month:

"During the next few months the national curriculum in England and Wales may totally collapse. Great harm will be inflicted on children in state schools. Children in independent schools will find themselves at a considerable advantage, for their teachers are free to reject narrow and muddled national curriculum requirements."

It is a system in crisis and chaos. Those are the words not of the Labour party, but of the friends of the Conservative party, the people who have tried to work the system and to believe in it. They are saying that we have reached a point of chaos and collapse.

The question now is what on earth we do about it. I am against all boycotts. I am particularly against those people who boycott consensus, consultation and common sense. It is exactly that. The politicisation and the political agenda for education has produced the present crisis.

I ask only this. Given the fact that we are doing an enormous disservice to the system and to everyone in it, the more I hear the political knockabout that is going on in debates such as this one, the more depressed I am about getting the chance to do anything about it unless we now decide seriously to stop playing politics with the system, with English, with history and above all with children. I should like the Minister to say—and I say this more in hope than expectation—that he has learnt all that and he is about to offer a new partnership that can stop all the nonsense that is going on at the moment.

9.4 pm

Mr. Bob Dunn (Dartford): I listened with great amazement to the speech of the hon. Member for Cannock and Burntwood (Dr. Wright). I have never heard such unmitigated drivel in my 14 years in the House. He said, "Stop playing politics with children" but that is what the Labour party has done for 30 years—it abolished the direct grant and grammar schools, it closed down good high schools, created neighbourhood schools and opposed the assisted places scheme. He forgets that we have been down this route before, to the same destination, time after time in education debates, whether to do with legislation or on a Supply day.

I have a strong suspicion that, when the shadow Cabinet comes to review today, it will regard it as rather a waste of time. It has been an empty day for the Opposition—their Benches have been empty and people have been dragooned in to speak at the last minute. A list of eminent Conservative speakers are down to follow me —and for that reason I will be brief.

Labour Members have offered no new ideas but simply repeat the ideas of the 1960s, '70s, '80s, and '90s, all of which stem from the 1960s. I am sad beyond belief that, although in every other area of policy the Labour party has twisted, turned and turned again to fashion a policy for the electorate, in this area of education it has not changed one atom in 40 years. That is why I am surprised that the Labour party has the nerve to choose this subject for debate on a Supply day. How bogus; what cant; what hypocrisy.

It all stems from the "great debate" of the noble Lord Callaghan. He started that debate for no other reason than the pressure from the Conservative party at the time and the success of the black papers written by my right hon. Friend the Member for Brent, North (Sir R. Boyson). We had the great Ruskin college speech, and then we had nothing. We had nothing for years, yet we had anarchy in our schools, the winter of discontent, and ever since then the bleating of the Labour party.

I thought that the speech of the hon. Member for Dewsbury (Mrs. Taylor) was bizarre—there is no other word to describe it. Where is she? She should be here listening to me. It was immensely bizarre. She did not answer questions. I thought it was just me who thought that she did not answer questions—that it was some sort of cultural or psychological block—and then I discovered an eminent article in the *Evening Standard* of 15 April entitled "How Mrs. Ann Taylor avoided the question." She ought to have read it. Perhaps she knows about it. If she does not, the new custom is not to tell people across the Floor of the House but to send it to them after the debate in an envelope. Perhaps she will do the same, if she can find the stamps, and tell us, after the event, what she might have said if she had said it.

What hypocrisy we have from the Labour party these days. At one time, it stood for something. In the 1950s, it stood for something; when Eric Heffer was here, it stood for something. It now stands for nothing. It is bland, boring and futile.

The Labour party talks about stability. What about the instability that it would cause to those districts in Kent where we enjoy grammar schools, city technology colleges and high schools? What about playing politics with the children of Kent and other areas where parents vote, year after year, to retain a selective system of secondary education? The Labour party says we should have a referendum or a ballot in schools. It can have a ballot any time it likes in Dartford on selective schools. It will be won time and time again by those who believe that selective education is a good thing for Kent.

In the debate on 3 March I asked the hon. Member for Dewsbury:

"If the hon. Lady was Secretary of State for Education and wanted to close grammar schools in my constituency of Dartford, and if the people of Dartford voted in a referendum not to have those schools closed, what would she do? Would she keep them open or close them?"—[*Official Report*, 3 March 1993; Vol. 220, c. 385.]

What was the answer? There was no answer. The traditional practice of the Labour party is not to answer

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questions. It refers only to the image makers—let us see if they are happy with what is proposed. I challenge the Labour party to come clean.

We decided to take the route of the national curriculum not because we had lost faith in all local authorities, although we had in some, or because of some centre for policy study's notion, but because the great consensus of the past, to which my right hon. Friend the Member for Brent, North referred, had collapsed. The secret garden of the curriculum had been invaded by the left—by the pursuit of gay studies, lesbian rights, anti-police, anti-business and anti-capitalist studies. We had to move in. We had to take action to rescue the nation's children from the left, many members of which are still sitting on the Opposition Benches.

Labour Members talk about money. If money was everything, ILEA, which spent more than any other education authority in the country, would have come top in the examination results. In the event, it was top in expenditure and bottom in examination results. My goodness, I was glad when I abolished the ILEA.

I urge my right hon. Friend to continue the pursuit of what he has started. We need to measure performance within the national curriculum. Only by testing can we evaluate the work that we have done in the interests of the nation's children. About 95 per cent. of the population educate their children in local authority or grant-maintained schools. We have a duty and obligation to make sure that we educate them to the best of our ability. I wish my right hon. Friend every success in his policies.

9.11 pm

Ms Helen Jackson (Sheffield, Hillsborough): I am grateful for the opportunity to speak in the debate, because I am anxious to relate the motion, and particularly the elements that refer to the centralising nature of the Secretary of State's performance, to the way in which the whole issue of education is bubbling up in my constituency.

There is great interest in the subject in Hillsborough now, because we are faced with the potential closure of five schools, four primary and one secondary. That threat brings home to the children, parents and teachers—and it certainly brings home to me, their representative here—just what a school means to all concerned in an area. My postbag has been overflowing with letters from constituents about those schools.

To discover the reasoning behind the proposed closures, I questioned the Secretary of State. After all, he is responsible for setting the standards by which LEAs make the choices available to them. He must spell out the standard of quality that he expects schools to achieve. I have been extremely disappointed by his lack of response.

I asked the right hon. Gentleman to say what standards he expects from LEAs faced with restructuring programmes at the schools in their areas. I expected him to tell me what he required of LEAs, for example, in the context of propping up their educational needs programmes. I expected him to spell out what LEAs should do to protect nursery places in their restructuring programmes and to detail the facilities, including books and equipment, that should be provided.

I did not receive any satisfactory answers from the Secretary of State. On one issue alone, that of special needs, he said that he was expecting an equal number of places to be provided in schools. He did not say when he expected that to be achieved. He did not even say whether there would be a gap of a few years.

There is no requirement that nursery places should be protected at all costs. There is no requirement to provide books and equipment. Many of us have seen the provision of books and equipment become increasingly dependent on the financial wherewithal of the parents. In schools where parents can raise money to provide them, books and equipment are available. In schools where the parents do not have the necessary financial means, provision is increasingly difficult.

The issue on which I have taken greatest exception to the non-reply from the Secretary of State is school size, and, more importantly, class size. When I have asked about the maximum class size for satisfactory education at primary and secondary level, the answer has been that there is no maximum size. If teachers are asked whether the number of children in their care makes a difference, they will say that of course it does. In Sheffield, the local authority has had good pupil-teacher ratios over the years. Therefore, it has been penalised, with a rounding down of standards under the Secretary of State. Demoralisation among professional teaching staff is significant, and will do nothing for the quality of education.

Hon. Members have referred to their experience in education. When I was a teacher, I specialised in teaching children with special needs at infant, junior and secondary levels. I dealt particularly with children who were slower at learning to read than others in their age group. The point that came home to me strongly, particularly at secondary level with children who had failed constantly at junior and infant levels, was the need to raise their self expectation. To do that, it was crucial that they were not faced with rigid testing which categorised them from first to 30th in the class, because they would have been towards the bottom, year in, year out. Such children needed to be tested frequently in a sensitive way so that they could be offered encouragement continually.

The same is true of teachers. They should be encouraged to care about the status of the profession. Understanding the contribution they can make to education policy is the core of creating a good education system.

Mr. Roy Hughes (Newport, East): The hon. Member for Dartford (Mr. Dunn) referred to the Ruskin college speech of Lord Callaghan when he was Prime Minister. I was present that day when Lady Williams, as she is now, was Secretary of State for Education. My hon. Friend will remember that that was towards the end of the period of office of the Labour Government. Since then, we have had 14 years of Conservative government. What have they done about the problems which Lord Callaghan cited?

Ms Jackson: I am grateful for my hon. Friend's intervention. It has been said that standards are low and we cannot be complacent. Of course we cannot, and we should be asking what has happened to the core elements of teaching, which would encourage the standards to rise. Instead, the heavy hand of centralisation has caused a rounding down of standards. What has happened to the

qualitative nature of teaching? There has been a continuous rounding down of the status of teaching and teachers in this country.

If teachers are perpetually told that they are asking for too much money, should not be listened to, and know less about the curriculum and the process of teaching than the Secretary of State, it is no wonder that the core element of our education system has declined. I welcomed the approach taken by teachers over the Easter holiday, when they decided to make a stand for their profession. I feel profoundly that that will be to the benefit of the education system and the educational future of our children.

I know that the Front-Bench speakers want to wind up, so I shall finish on the issue with which I started my speech: the intense concern felt by my constituents about school closures. The pupils in one of the primary schools in my constituency have sung a song and put it on tape. They asked me as their Member of Parliament and the councillors on the local council to play the tape in our cars as we drive around. I do not play it continuously and I shall not sing it now, but the final verse of the song goes something like this:

"Dear Mrs Councillor"—

it was addressed to the chair of the education committee—

"it makes us sad
When we think of the good education we've had,
Though politics and money have had their say
But it's our education you are throwing away."

That reflects the feeling of the children in Wharncliffe Side primary school—*[Interruption.]* That is why we must treat today's debate seriously.

Madam Deputy Speaker (Dame Janet Fookes): I must remind hon. Members that sedentary interventions are to be deplored.

9.22 pm

Mr. Patrick Thompson (Norwich, North): I was interested to hear the contribution of the hon. Member for Sheffield, Hillsborough (Ms Jackson), who was one of a number of teachers who have participated in today's debate. I am an ex-teacher, and taught for 23 years before entering Parliament. I believe that today's debate has been a failure for the Opposition. The hon. Member for Hillsborough talked about attendance, but the attendance of Opposition Members has been appalling when one considers that this is supposed to be a major debate for them to put forward their education policies.

I have sat through almost all the debate and heard virtually no new ideas or policies on education from Opposition Members. The hon. Member for Hillsborough, who I know is an ex-teacher, talked about complacency. There is nothing more complacent than the motion that the Opposition have tabled. My colleagues have explained why it is a complacent and destructive motion, and I have to say to the hon. Member for Dewsbury (Mrs. Taylor) that the Opposition exercise has failed and been disappointing in many ways.

I was once a member of the ATL. I forgive the hon. Member for Hemsworth (Mr. Enright), who unfortunately is not in his place, for forgetting that it is the ATL and thinking that it is the LTA, because it has changed its name four times during my professional career—I make no criticism of that. Various teachers' unions have been mentioned, and I should at this stage declare my interest in and connection and work with the Professional Association of Teachers.

I agree with my hon. Friend the Member for Saffron Walden (Mr. Haselhurst) that many teachers are not in favour of industrial action or a boycott. I think that I am right in saying that one Opposition Member, the hon. Member for Cannock and Burntwood (Dr. Wright), had the guts to speak out against the idea of a boycott. But the Opposition Front-Bench spokesmen have been rolled over into supporting industrial action and a boycott, and that is an abdication of their responsibility.

The hon. Member for Dewsbury spoke a little about the background to the problems of the national curriculum and testing, and she was right to do so. My right hon. Friend the Secretary of State has acknowledged the problems by announcing a review, but I do not share the hon. Lady's analysis. She has not given a correct analysis of the problem, nor has she provided a solution.

However, there is concern, as several of my hon. Friends have confirmed, and as has my right hon. Friend the Secretary of State, among responsible teachers and head teachers about the amount of bureaucracy in and the complexity of the national curriculum and testing. The one positive message that has come out of the teachers' Easter conferences took the form of a photograph, which some hon. Members will have seen, of a supermarket trolley loaded with documents on the national curriculum and testing.

Hon. Members on both sides of the House will share my concern, and the concern that has been expressed by others, at the amount of bureaucracy and complexity that has crept into the system. I know that my right hon. Friend recognises that, and that is why there is to be a review. However, I am convinced that the support of Opposition Front-Bench spokesmen for a boycott is unwise, ill-advised and an abdication of their responsibility.

My right hon. Friend was good enough to promote me to headmaster earlier, but I was proud, for 23 years, to be a classroom sixth form teacher. I was a supporter of those of my colleagues who, in their heart of hearts, know that in the teaching profession industrial action is never justified. I suspect that that is true of the majority of classroom teachers. Strike action is never justified. The idea of a boycott of testing on the curriculum is never justified, even though, as I have done, it is perfectly possible to criticise the system as it now is and support the Secretary of State in his declared intention to review it.

The teaching profession is in many ways a secure profession. I support the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) who reminded us that teaching is not easy, that it can be stressful and tiring. It is also a responsible profession, so there is no justification for industrial action or strike action. That is why I support my hon. Friends and those Opposition Members who have had the guts to speak out against that attitude on the part of the Opposition.

The thrust of the Government's education reforms has been successful. Devolution of responsibility to the schools, governors and head teachers is working out well. I know that from visiting schools in my constituency, when parents express appreciation of their increased choice. The Government's aim of achieving higher standards, which is the whole purpose of reforming the national curriculum —but of which the Opposition have lost sight—is popular, recognised and supported.

[Mr. Patrick Thompson]

The introduction of a teachers' pay review body, which I wholeheartedly support, is another step towards helping the profession to be respected, professional and successful, and to achieve high standards.

I support the Government's amendment. The debate has been a total failure for members of the Opposition Front Bench, and I am totally opposed to boycotting—even though one recognises the need for continual change and reform.

9.30 pm

Mr. Win Griffiths (Bridgend): The speeches by Conservative Members can be categorised under the heading of great myths of our time. Many of their remarks could not even be described as half truths. The hon. Member for Dartford (Mr. Dunn) bemoaned the closure of so many grammar schools, supposedly by Labour, when the fact is that Lady Thatcher closed more of them than anyone else. Such misinformation was typical of the presentations of Conservative Members this evening.

When the public see part of this debate on television or read of it in their newspapers, I hope that they will plainly realise the contribution made by my hon. Friends the Members for City of Durham (Mr. Steinberg), for Birmingham, Yardley (Ms Morris), for Nottingham, South (Mr. Simpson), for Lewisham, East (Mrs. Prentice), for Ellesmere Port and Neston (Mr. Miller), for Cannock and Burntwood (Dr. Wright), for Sheffield, Hillsborough (Ms Jackson) and for Eccles (Miss Lestor). [HON MEMBERS: "Where are they?"] Their speeches reflected much better the mood of the teaching profession, parents and governors towards the crisis——

Mr. Dunn: On a point of order, Madam Speaker. Would it be possible to suspend the sitting to allow Labour Members to return to the Chamber?

Madam Speaker: That is not a point of order, but I notice an absence of hon. Members at the conclusion of this debate. It is to be deprecated that hon. Members who participated in the debate are not present.

Mr. Griffiths: I realise that Government Members do not like home truths about our schools, but teachers are disillusioned and their morale is low. Parents are concerned and dismayed at the way in which the Government persist in thrusting down the throats of pupils a system of testing that needs to be improved far beyond the promises of the Secretary of State.

In newspapers and in the letters that right hon. and hon. Members receive, demands for change and improvement far outnumber expressions of satisfaction at the way in which the national curriculum is currently implemented. There is a crisis of confidence and things have been turned on their head.

The right hon. Member for Mole Valley (Mr. Baker) made a speech earlier, but has obviously been waylaid on his way back to the Chamber. On Second Reading of the Bill which became the Education Act 1988, he said:

"We do not intend to lay down how lessons should be taught, how timetables should be organised, or which textbooks should be used."—[*Official Report*, 1 December 1987; Vol. 123, c. 774.]

In the case of the first and the last, however, that is exactly what is happening. We wait with trepidation for the delivery of instructions as to how the timetable itself should be organised. Things have gone badly wrong, as my hon. Friend the Member for Cannock and Burntwood pointed out.

Mr. George Walden (Buckingham): Will the hon. Gentleman give way?

Mr. Griffiths: The hon. Gentleman arrived in the Chamber just over 10 minutes ago. I will not give way to him.

There is a crisis of confidence. At a conference on design and technology management in South Glamorgan, curriculum leaders and heads of technology from 24 of the 26 schools in the county expressed grave disquiet about the nature, management and interpretation of key stage 3 SATs and long tasks. It was strongly felt that SATs were radically interfering with good course work, to the detriment of pupils' education.

Another teacher—the Southampton teacher referred to by my hon. Friend the Member for Dewsbury (Mrs. Taylor) who has been a member of the Conservative party since 1976—said:

"The 'goal posts' have been moved around almost weekly and you"—

that is, the Secretary of State—

"must not be surprised to hear that senior professionals are concluding that there is little quality thinking being applied by the DFE before statements are made. Decisions are simply being dumped on schools for teachers to try and sort out and make some sense of for their pupils."

The verdict in almost any paper on any day of the week—not only that of teachers, but that of others involved in education—is damning. According to John Sutton, general secretary of the Secondary Heads Association:

"In English, the tests have produced real problems for many schools, not just because there was no pilot programme and the administrators at SEAC made a dog's breakfast of getting out clear and accurate information early enough, but because the assessment tail is now seen to be wagging the curriculum dog."

Even David Pascall, chairman of the National Curriculum Council—who is soon to retire—said:

"the fact remains that the national curriculum at primary level is overloaded and that quality and depth of teaching is being sacrificed in order to achieve the necessary curriculum coverage."

The Ofsted report—which the Government cite in their amendment as supporting their changes—has been much quoted, but those quotations have been very selective. Its press release was entitled "Mixed Progress In The National Curriculum And Assessment Reported By Ofsted". In that press release, it said that the impact of assessment in the national curriculum could

"lead to a distortion of the positive relationship between teaching, learning and assessment".

It went on to say:

"This year, however, and for the first time, the benefits and costs are finely balanced. There are some clearly discernible signs that the impact of 'teaching to the test' and the complexities of the assessment requirements could lead to this distortion."

I could go on and on.

Brian Cox had this to say:

"Teachers are not against testing, but the new tests will result in bad teaching. And the new . . . curriculum will be disastrous for children: it goes back to ways of teaching that failed in the past and its ideas about English language are untrue."

Whether we are talking about head teachers who have got together in their own national committee on learning and assessment or about classroom teachers who are

concerned about what is happening in schools, the fact remains that teachers are committed—whatever happens in this year's ballots—to ensuring that children are taught more, and that they will be tested and that the result of those tests will be reported to parents.

Furthermore, all the teacher unions have offered to talk to the Secretary of State for Education about ways to get out of this impasse and to make sure that there will be intelligent assessment and testing of children this year. They welcome the review, but they say clearly that the tests are flawed.

The Leeds university study showed that, if anything, there were three clear advantages to be seen in the tests. First, it is an advantage for a child to be born in the winter. Secondly, it is an advantage for a child to be born a girl. Thirdly, it is an advantage for a child to have attended a nursery school. I do not expect the Secretary of State for Education to do anything about making sure that children are born in the winter, or that they are born girls, but I should like him to respond to the evidence that nursery education is good for children by making sure that resources are provided for it. The millions of pounds that he and his predecessors spent upon introducing city technology colleges would have been much better invested in expanding nursery education and making sure that all children, before going to school, have the opportunity to take advantage of nursery education.

Dame Angela Rumbold: Can the hon. Gentleman tell us, in answer to this interesting debate, what the Opposition's proposals on testing are?

Mr. Griffiths: There is a simple and straightforward answer to that question. We believe—we refer to it in our motion—that the Department of Education and the Welsh Office should follow the example of the Scottish Office. That is the simple way forward. If the Welsh Office and the Department for Education were to adopt the Scottish model, there would be sweetness and light, as in a flash of lightning.

Mrs. Bridget Prentice: I am sure that my hon. Friend will be delighted to join me in congratulating Members of the other place on defeating the Government on the first day of their consideration of the Education Bill by supporting a Labour amendment, which means that there will have to be somebody on the funding council with expertise in special educational needs.

Mr. Griffiths: I am very pleased to hear that. We pressed in this place for that provision to be made, but the Government remained implacably opposed to it.

The chaos created over key stage 3 English has been further underlined by the differences between the Department for Education and the National Curriculum Council and the Welsh Office and the Curriculum Council for Wales. In press releases and letters to the chairman of the two bodies, the Secretary of State for Education admitted that it was novel for his curriculum proposals to be based directly on the advice of the council rather than on those of the curriculum subject working group. However, the Curriculum Council for Wales went out of its way to point out that

"The Curriculum Council for Wales has consulted with the profession in Wales and has involved Council members and its English Committee in the shaping of its advice. Members of these Committees include head teachers, primary and secondary teachers, LEA advisers, lecturers in further and higher education and representatives from industry and training organisations."

I appeal to the Welsh Office to ensure that sufficient copies of the document from the Curriculum Council for Wales are distributed to all the schools in England so that teachers in England may have the same opportunity as teachers in Wales to read it.

Finally, I appeal to the Secretary of State for Education to listen to some words that Oliver Cromwell spoke in the House exactly 340 years ago today, on 20 April 1653, to the parliamentarians of that day:

"You have sat too long here for any good you have been doing. Depart, I say, and let us have done with you."

9.45 pm

The Parliamentary Under-Secretary of State for Schools (Mr. Eric Forth): A casual observer of the debate might find it difficult to believe that this is, or has been, an Opposition day. It would have been confusing to anyone who did not know the House and its ways and who had come here expecting some sort of fireworks on a day selected by the Opposition and on a subject of their choice. The Opposition would have been expected not only to criticise the Government, but perhaps to give us an inkling of their policies. Yet in the House today we have seen a Chamber almost empty on the Opposition side and we have heard lacklustre Opposition contributions, without any positive ideas or thoughts. The debate has been pathetically poorly attended by Opposition Members. That may suggest the extent of the Opposition's commitment to education policy; indeed, it sums that up extremely well. In contrast, there have been distinguished and scintillating contributions from my right hon. Friends the Members for Mole Valley (Mr. Baker), for Mitcham and Morden (Dame A. Rumbold) and for Brent, North (Sir R. Boyson), to name but three distinguished former Education Ministers.

That being said, it might be slightly surprising if I were to tell the House that some common ground has been exhibited in the debate. For example, everybody supported the concept of a national curriculum. Everyone tells us that they support the concepts of testing and assessment. Indeed, even the education trade unions say the same. The general secretaries of all six teaching unions signed a letter to the Secretary of State on 9 February which affirmed:

"we are not opposed to testing".

In a letter to Members of Parliament dated 16 March, Mr. de Gruchy of the NAS/UWT wrote:

"I wish to reiterate the Association's support for testing and assessment procedures".

In a letter dated 15 April Mr. McAvoy of the NUT said:

"The National Union of Teachers is not against assessment and testing".

There must be an answer to that apparent conundrum; there must be a catch somewhere. Of course, the catch is this: Conservatives believe in testing, but by that we mean relevant and effective testing. For example, testing should be standard in its approach, as my right hon. Friend the Member for Mitcham and Morden said; it should be fitted to the curriculum, as my hon. Friend the Member for Dartford (Mr. Dunn) said; it should be objective, reliable and informative to parents and teachers; and it should be transparent and reported regularly and openly to parents whenever it takes place. In other words, as my right hon. Friend the Member for Brent, North said, testing is

[Mr. Eric Forth]

designed to ensure that schools are doing their job. That is the object of the exercise. That is the form of testing in which we believe.

By contrast, it appears that Opposition Members, while paying lip service to the concept of testing, are content with the traditional approach, as they would call it, by which teachers assess their own work in their own classrooms and make their own judgment of what their pupils have done. That is not acceptable. It gives rise to inconsistency and it means——

Mr. Hall: I shall not use this evening the example of Scotland. Instead, I have a question for the Minister. Is he familiar with the Neale reading analysis and with the National Foundation for Educational Research mathematics test? They are criteria reference assessments which teachers have used for a long time. It is not their own judgment at all.

Mr. Forth: The hon. Gentleman makes a good point. I am sure that some teachers have used those tests; probably the better teachers have used them. The real difficulty is what the not-so-good teachers are doing. How can we assume that teachers who are inexperienced or not very good at their job—there may be some of them out there—are assessing their pupils? How can they give information to parents about what the pupils are doing?

Throughout the debate, Opposition Members have been in some difficulty and I shall give two or three examples. They allege that there is instability in the education system, yet it is Opposition Members who support a boycott that is designed precisely to render the education system unstable. Surely that is the most disgraceful hypocrisy imaginable.

The hon. Member for Dewsbury (Mrs. Taylor) told us that she supported last year's tests for seven-year-olds, which were an enormous success. Almost in the same breath, she said that she supported the boycott of all tests by unions this year. How she can arrive at that position is quite beyond me. Opposition Members have come to the House on their day and have offered us no policies of their own.

Many Opposition Members have asked repeatedly that there should be a review of the testing regime. My right hon. Friend the Secretary of State has arranged for that to take place. He has asked the very distinguished new chairman of the School Curriculum and Assessment Authority, Sir Ron Dearing, to conduct just such a review. It is not good enough to say, as the hon. Member for Birmingham, Yardley (Ms Morris) said, that everyone knows what is wrong with the tests. That is a ludicrous statement. How can everybody know exactly what is wrong with all the tests? Some people may take the view that the tests need reviewing. We have conceded that. The Secretary of State has recognised that and he has asked Sir Ron Dearing to arrange for a review of the tests. My right hon. Friend asked him to look at the scope for slimming down the curriculum and to consider the future of the 10-level scale for grading children's attainments. How could the test arrangements be simplified? How could the central administration of the national curriculum and tests best be improved?

The key fact is this. In the letter written by Sir Ron Dearing to my right hon. Friend in which he accepts the challenge that he has been given, he says:

"if I do not have information from tests this Summer, I am going to have difficulty in giving well-informed and convincing advice on what changes should be made to the testing arrangements."

The very man who has been asked by the Secretary of State to conduct the review has said that if anything is done to prejudice the tests this summer he will not have the material with which to conduct the review for which Opposition Members have asked. How can they support the idea of a boycott which will undermine the tests and ask for a review that would be undermined by that same boycott? Opposition Members cannot have it both ways.

Mr. Malcolm Wicks (Croydon, North-West): If tests are a good idea for the state sector, why are not they a good enough idea for the private sector?

Mr. Forth: We have always recognised that if parents wish to exercise their freedom of choice by sending their children to the independent sector, they do so in the knowledge of what the independent sector offers. If they wish to take advantage of mandatory, taxpayer-funded education through the state system, we must provide them with a guarantee of the quality of education in that state system to which they are entitled.

Sir Peter Tapsell (East Lindsey): On the subject of tests in the private sector, may I tell my hon. Friend that when I was at a private school, we were tested at the end of every fortnight and beaten if we got less than 60 per cent.?

Mr. Forth: Today, my hon. Friend is a walking testimony to the system which educated him.

I come to the old favourite of Labour Members: Ministers do not listen. It was trotted out once again by the hon. Member for Bath (Mr. Foster), among others. The reality is that my right hon. Friend the Secretary of State, the Minister of State and I go out of our way to talk to educators, professionals and teachers in their staff rooms, at conferences which we attend and at meetings in the Department for Education.

Mr. Enright: Will the hon. Gentleman give way?

Mr. Forth: I shall give way in a moment. I suppose I could claim that I had a dialogue with teachers which ran for something like 150 hours in the Standing Committee on the Education Bill, of which the hon. Gentleman was such a distinguished member.

Mr. Enright: Can the Minister tell the House whether Education Ministers have apologised to the school which they shamefully tricked into taking part in a party political broadcast?

Mr. Forth: I doubt whether anyone who was involved in such an exercise was naive enough not to know what was happening. The suggestion made by the hon. Gentleman does him no credit.

I hope that we have laid to rest any suggestion that Ministers in the Department for Education do not speak to those involved in education. That brings me to one of the more serious aspects of the debate which was referred to with great feeling by my hon. Friend the Member for Norwich, North (Mr. Thompson). He raised the matter of the professionalism of teachers. If teachers want the respect that the profession demands, we must ask them to

act and behave like professionals. Acting as professionals in this context means working within the law, not breaking it. It means expressing concerns by dialogue and debate, not by industrial action. It means taking and accepting responsibility for the pupils in their charge, not casually dismissing the welfare of pupils to promote their own self-interests.

Mr. Walden: My hon. Friend is not a naive man. If he is, he hides it successfully. Despite his kind words about the teacher unions, he knows that the whole spirit of comprehensive education is against testing. The only real hope that parents have to ensure a rigorous education for their children is to vote with their hands and feet for grant-maintained status.

Mr. Forth: My hon. Friend knows that an increasing number of parents are doing exactly that. With the number of grant-maintained schools at 800 and rising fast, the evidence is there that parents know how they can guarantee quality education for their children. Our testing regime seeks to guarantee objectivity, a level of standards and a reporting to parents of what is going on in schools of the sort which I sometimes think Labour Members are either ashamed of or want to conceal. That has certainly been the thrust of much of what they have said today.

Mr. Hawkins: Does my hon. Friend agree that the problem with Labour Members, many of whom benefited from a grammar school and direct grant school system of which this country could formerly be proud, is that a Labour Government got rid of it in the pursuit of trendy socialist thinking in the 1960s and the 1970s? Labour Members told their constituents and the British people, "Pull the ladder up, Jack. I'm all right". A Labour Government replaced the system with the low standards that we have seen from the militant teachers who are trying to align the teaching unions with the striking miners and the striking rail unions. Those militant teachers, unlike the majority of responsible teachers, do not deserve the status of the profession.

Mr. Forth: That sounded like an extremely effective peroration to this debate. I welcome the comments of my hon. Friend. The contrast could not be clearer. This debate —which astonishingly was brought to the House by Labour Members, and flopping so dramatically as it has —has illustrated only too well the difference in approach taken by Labour Members and Conservative Members.

Conservative Members wish to ensure that standards of education rise for all of our pupils. We want to guarantee all pupils in the state education system, regardless of their circumstances, their background or their school, an education of which we can be proud.

As part of that, we believe that openness about what goes on in our schools is vital. The testing regime is important. It must be standard and objective. It must be reported to parents. We must be told what is going on in our schools and we must be proud of it. Opposition Members have no concept of that. I ask the House to reject the motion and support the amendment.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 263, Noes 317.

Division No.241] **[10.00 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Dr. Roger
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Hendron, Dr Joe
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken

Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Alice
Marek, Dr John
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Snape, Peter
Soley, Clive
Spellar, John
Steel, Rt Hon Sir David
Steinberg, Gerry
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Tipping, Paddy
Trimble, David
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Eric Illsley and
Mr. Jack Thompson.

NOES

Adley, Robert
Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushcliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir Anthony *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Dr Brian

Merchant, Piers
Milligan, Stephen
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'f'ld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. David Lightbown and
Mr. Sydney Chapman.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30 (Questions on amendments) and agreed to.*

MADAM SPEAKER forthwith declared the main Question, as amended, to be agreed to.

Resolved,

That this House welcomes the commitment of Her Majesty's Government to the National Curriculum and its associated regular tests; notes that the new independent inspectorate, the Office for Standards in Education (OFSTED), recently reported that the National Curriculum and regular tests were already helping to drive up standards in schools; believes that the progress made in the implementation of the Government's education reforms is due to the hard work and dedication of professional teachers and welcomes the review established by the Secretary of State for Education into the National Curriculum and testing; believes that a boycott of this summer's tests would disrupt children's education, cause unnecessary concern to parents and damage the professional standing of teachers; and looks forward to a definitive statement from Her Majesty's Opposition as to whether or not it supports a boycott of this summer's tests.

BUSINESS OF THE HOUSE

Motion made, and Question put forthwith, pursuant to Standing Order No. 14 (Exempted business),

That, at this day's sitting, the Charities Bill *[Lords]*, the Clean Air Bill *[Lords]* and the Radioactive Substances Bill *[Lords]* may be proceeded with, though opposed, until any hour.

Question agreed to.

Orders of the Day

Charities Bill *[Lords]*

Order for Second Reading read.

Motion made, and Question proposed, That the Bill be now read a Second time.

10.18 pm

Mr. John Fraser (Norwood): I congratulate those who are responsible for consolidating legislation because it makes things so much easier for non-lawyers who must deal with charities.

It is unfortunate that we will have a Charities Act 1992 and a Charities Act 1993, whose titles are obviously indistinguishable. Given that the Bill deals largely with incorporated charities, while the remit of 1992 Act is more general, it is pity that no distinction will be made between the titles of the respective Acts.

The Solicitor-General (Sir Derek Spencer): If the hon. Gentleman looks at the statute book, he will find other examples of statutes with similar titles. I do not believe that that source is likely to mislead those who will have to refer to those Acts.

Question put and agreed to.

Bill accordingly read a Second time.

Bill committed to a Committee of the whole House.—*[Mr. Greg Knight.]*

Bill immediately considered in Committee; reported, without amendment; read the Third time, and passed, without amendment.

Clean Air Bill *[Lords]*

Read a Second time.

Bill committed to a Committee of the whole House.—*[Mr. Greg Knight.]*

Bill immediately considered in Committee; reported, without amendment; read the Third time, and passed, without amendment.

Radioactive Substances Bill *[Lords]*

Read a Second time.

Bill committed to a Committee of the whole House.—*[Mr. Greg Knight.]*

Bill immediately considered in Committee; reported, without amendment; read the Third time, and passed, without amendment.

Mr. Simon Hughes (Southwark and Bermondsey): On a point of order, Mr. Deputy Speaker. Considering that we have whipped through all stages of three Bills in about three minutes—*[Interruption.]*—and while I have no doubt that hon. Members do not object to that, I suggest that it might be an idea for you or the Committee of Procedure to look at the wording used by the Whip as he introduces the various stages of Bills. I say that because it is a bit of a fallacy to say that the Committee told him to do anything, just as it is a fallacy to say that the Committee went through the Bill. By all means have a fast procedure for dealing with these matters, but let us at least be honest about the way we do it.

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): I have no doubt that the procedure has been carried out for many years and that it is quite in order.

Financial Provisions (Northern Ireland)

10.24 pm

The Minister of State, Northern Ireland Office (Mr. Michael Mates): I beg to move,

That the draft Financial Provisions (Northern Ireland) Order 1993, which was laid before this House on 11th February, be approved.

The present order is the latest in a series of such orders required at invervals of every two to three years. The latest such order was passed in 1991. The main purpose of these orders is to adjust, as necessary, certain statutory financial limits and to deal with other routine financial matters including the simplification and rationalisation of accounting procedures. I will describe briefly the purpose of the various articles in the order.

Articles 3 to 11 together provide enabling powers for the establishment and management of trading funds in Northern Ireland. To a large extent, those articles simply replicate the corresponding Great Britain legislation, which is the Government Trading Funds Act 1973 as amended by the Government Trading Act 1990. They extend the reforms introduced some years ago in civil service financial management, as well as the next steps initiative which created the first executive agencies.

Mr. Roy Beggs (Antrim, East): Can the Minister tell the House whether the provisions in the order cover the situation which arose as a result of the fraud perpetrated on many investors in Northern Ireland, in Great Britain and, indeed, in the Irish Republic by a company known as International Investments Limited (Gibraltar)? For the last 10 years efforts have been made to have the matter resolved, but as yet no satisfactory conclusion has been reached. Many of my constituents, now pensioners, had been depending on their investment in the company, which is now in liquidation, to provide income for their retirement. Their experience has been replicated throughout the United Kingdom and in the Irish Republic. Will the order in any way help those investors——

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. It is a very long intervention.

Mr. Mates: I am fairly sure that the answer to the hon. Gentleman's question is no. However, if I get better information, I undertake to speak again on the matter when, with the leave of the House, I hope to reply to the debate.

Mr. David Trimble (Upper Bann) *rose*——

Mr. Mates: I have not said anything yet.

Mr. Trimble: May I take the Minister back to something that he said in his opening sentences? He said that the order is reproducing for Northern Ireland legislation enacted for Great Britain in 1973 and amended in 1990. As 1990 is the date for the Great Britain legislation, why has it taken three years to produce a Northern Ireland equivalent which runs merely to 10 pages of drafting?

Mr. Mates: The hon. Gentleman bangs a familiar drum. There are advantages and disadvantages in the system which we have inherited as a result of direct rule. Sometimes we consider what happens in Great Britain and learn good lessons from it. Sometimes we want to replicate precisely what has happened in the rest of the United Kingdom and sometimes we do not. I make no apology; the system which my colleageus and I have inherited brings the order before the House.

Mr. Trimble *rose*——

Mr. Mates: I will not give way. The hon. Gentleman——

Mr. Trimble: The Minister has not answered my intervention.

Mr. Mates: I have indeed. I have told the hon. Gentleman that the reason is the legislative system with which we live.

Article 3 provides the general power, already available in the rest of the United Kingdom, to establish a trading fund where its revenue would consist principally of receipts in respect of goods and services provided and where it would lead to improved management efficiency and effectiveness. Candidates for trading fund status would be considered on a case-by-case basis if and when they arose.

Article 4 deals with how the originating debt of a trading fund is to be determined and the circumstances in which this originating debt may be varied to take account of subsequent changes in the assets and liabilities of the fund.

Article 5 deals with the issue and repayment of public dividend capital and article 6 with borrowing by funds. In particular, article 6 allows funds to borrow from votes as an alternative to borrowing from the Northern Ireland consolidated fund. It is expected that the majority of borrowing by trading funds will be from votes.

Article 7 describes how the income and expenditure arising from the routine activities of a fund should be treated and provides for a trading fund to reimburse the consolidated fund in respect of accruing liabilities for employees' pensions, and so on.

Article 8 requires that a trading fund should be entirely self-financing and provides for the handling of temporary surpluses. It also describes the accounting and auditing arrangements to be put in place and contains an important provision relating to the production and publication of annual reports.

Article 9 deals with the winding-up of funds and the distribution of the assets and liabilities. I should make it clear that the article refers only to cases where a fund's activities are to cease altogether. Examples would be where two funds are merged, or where it is decided that the activities of a fund would be better financed by other means within the public sector. There is no intention to deal here with privatisation candidates. Such cases would, in every instance, be pursued by quite separate legislative measures.

Article 10 and 11 deal largely with minor consequential matters. Article 12 deals with a separate matter which may conveniently be associated with the previous articles. It extends section 22 of the Exchequer and Audit (Northern Ireland) Act 1921 to give the Department of Finance and Personnel powers to require any agency to produce commercial-style accounts, including balance sheets. The aim is to ensure that agencies that are not trading funds would supplement the appropriation accounts by producing commercial-type accounts on an accruals basis and, by so doing, increase the information available to the

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House and the general public. The measure will bring the position in Northern Ireland into line with that in the rest of the United Kingdom.

Article 13 would enable the Northern Ireland Comptroller and Auditor-General, in his corporate capacity, to purchase property leasehold. The only effect of that provision will be to place the Northern Ireland Comptroller and Auditor-General in the same position as his counterpart in Great Britain, who already has such a power. The intention is for the Northern Ireland Audit Office, in keeping with its independent status, to move from its present location in a Government building to its own office accommodation.

Article 14 amends article 3 of the Financial Provisions (Northern Ireland) Order 1986 by raising the statutory limit on the net amount which the consolidated fund may lend to the Housing Executive to finance its capital programme.

Article 15 provides that fees paid to the Registrar of Companies in respect of his function under the various companies orders should be paid into the consolidated fund. At present, the Department of Finance and Personnel must direct how those fees are to be handled. Recent legal advice suggests that the legislation, as presently drafted, could prevent the Registrar of Companies from recovering the full cost of his services for which he levies fees or charges. The amendment will remove that difficulty and simplify procedures generally.

I commend the order to the House.

10.33 pm

Mr. Roger Stott (Wigan): I shall endeavour to ensure that we treat the order almost as quickly as we treated the previous measures, but it is important that we give hon. Members from Northern Ireland an opportunity to examine the Minister's remarks.

As the Minister of State has just said, the order is primarily technical and provides for routine financial and administrative matters within all—and I stress that word—Departments of the Northern Ireland Office. Remembering the late hour of yesterday's debates, I have no doubt that hon. Members will be relieved to learn that I do not intend to speak for long. However, I should like to take the opportunity to draw to the Minister's attention some of my concerns about the various Departments in Northern Ireland and the way in which the Minister and his colleagues are going about their business.

The Minister will be aware that, despite just having embarked upon a new financial year, Northern Ireland still faces some regrettably familiar problems. Unemployment continues to rise and, judging by the most recent provisional figures, Northern Ireland's gross domestic product continues to fall. Those harsh facts, when translated into equally stark figures, mean that the Province suffers a jobless total representing 14·5 per cent. of the work force and a decline in GDP in real terms of 2·5 per cent. during 1991.

Mr. Irvine Patnick (Lords Commissioner to the Treasury): That is not in order.

Mr. Stott: The Whip tells me that this is not in order, but I shall wait for the Chair to tell me that it is not in order.

Mr. Deputy Speaker: The Chair will tell the hon. Gentleman that he is going very wide of the order.

Mr. Stott: I accept that my initial remarks allude to the problems that face the Department of Employment in Northern Ireland. That Department has a problem in the ongoing and continuing rise in unemployment.

However, article 3 provides for a trading fund to be established. The Government's explanatory document, which the Minister kindly sent me, says:

"where a trading fund operation would lead to improved efficiency".

I and my hon. Friends agree with the phraseology, and I am sure that the Minister will agree that we have actively demonstrated our commitment to improved efficiency throughout Labour local government in England and Wales. However, as we know from example, the Government's interpretation of efficiency is at variance with that of the Opposition. The Government should not see any trading fund as a halfway house to privatisation. I was interested to hear the Minister say this evening that that was not the case. However, I confess that I am not convinced. I still believe that this may well be a stalking horse for further privatisation in Northern Ireland.

Improved efficiency means maintaining value for money and high quality service. I hope that the Minister can assure the House that any operations that are transferred to a trading fund will not merely result in corner cutting or a slapdash decline in the quality of the service that the Departments provide.

I am sure that when the Minister replies he will gladly read into the record what is contained in the explanatory document, which says that the order has

"no direct implications for public expenditure"—

that presumably means that there will be no cut in public expenditure—

"and will not cause any change in staff numbers."

I hope that the Minister will confirm that that means exactly what it says.

The order will impinge on a number of Departments in Northern Ireland, one of which is the Department of the Environment. There is great concern in Northern Ireland and among hon. Members who represent Northern Ireland about water privatisation. The Government have already started the water privatisation procedure, and I hope that the order is not a behind-the-door way of facilitating privatisation.

Mr. Beggs: I am sure that the hon. Gentleman agrees that it would be appropriate for the Government to take account of the opposition of all Northern Ireland representatives elected to the House and to the European Parliament to any proposals to privatise Northern Ireland water and sewerage services.

Mr. Stott: Whenever the House debates narrow Northern Ireland orders, it is difficult to stay in order. That is because there is no primary legislation allowing myself or Northern Ireland Members an adequate opportunity to debate the principles behind such orders and to table amendments. Therefore, on occasions such as this, Mr. Deputy Speaker, we hope to enjoy your tolerance. I may be testing your tolerance to the extreme——

Mr. Deputy Speaker: Order. That may well be the case. Hon. Members must stick strictly to the order, which

concerns the establishment of trading funds in Northern Ireland. I do not know what that has to do with water privatisation.

Mr. Stott: Trading funds have been established on the mainland since 1974. They cover a multitude of activities. The trading funds established by the order cover every Department in Northern Ireland. They include the Department of the Environment, which is in charge of water services, ports and airports; and the Department of Social Security, which is concerned with social security benefits. Therefore, there could be a small degree of elasticity in alluding to certain problems.

I am not seeking to delay the debate, and I am desperately trying to keep within the rules of order. However, it is important to flag up certain issues that I and my hon. Friends feel are important.

Mr. Mates: Perhaps I can help the hon. Gentleman and the House. It was a little noisy at the start of this debate, as we had been proceeding at a fairly hectic pace. I will repeat more slowly my opening remarks. It is not the intention to deal in the order with any privatisation candidates. Such cases will in every instance be pursued by separate legislative measures. If there are to be any privatisation candidates, there will be an opportunity for full discussion of separate legislation. The order will not be used for that purpose.

Mr. Stott: The Minister has put that firmly on the record and in the public domain, and it will remain so for ever and a day. However, one thinks of other statements, not necessarily in the House, such as that during the general election campaign, by no less a person than the Prime Minister, that there would be no increases in value added tax. As soon as the Prime Minister was elected, there was an increase——

Mr. Deputy Speaker: Order. I insist that the hon. Gentleman confines his remarks to the scope of the order, of which he is fully aware.

Mr. Stott: I acknowledge your ruling, Mr. Deputy Speaker, and will endeavour to cease to cause you any further problems.

Mr. Beggs: The Minister did not spell out whether future legislation would come in the form of Bills or unamendable Orders in Council. I think that the hon. Member for Wigan (Mr. Stott) will agree that that should have been dealt with, and that representatives of the Northern Ireland community should have been told clearly whether we could effectively amend proposed legislation affecting Northern Ireland.

Mr. Stott: I hear what the hon. Gentleman says. I cannot recall his constituency——

Mr. Beggs: Antrim, East.

Mr. Stott: Antrim, East: the hon. Gentleman represents the wonderful port of Larne. I hear what he says, but I am not speaking from the Government Dispatch Box.

Mr. Andrew Mackinlay (Thurrock): Your day will come.

Mr. Stott: Yes; my reward may well be in heaven. However, I will leave the Minister to deal with the problem identified by the hon. Member for Antrim, East (Mr. Beggs), as he has offered us the opportunity of listening to his cast-iron guarantee that nothing in the order is a stalking horse for future privatisation measures.

Provided that the Minister's response convinces me that there is no hidden agenda behind the establishment of trading funds, the Opposition will not oppose the motion.

10.46 pm

Mr. William Ross (Londonderry, East): I apologise for arriving a little late; because the business moved rather more quickly than I had expected, I missed the Minister's opening remarks. However, I have heard enough to realise that the Minister was entirely in order—although, as my hon. Friend the Member for Antrim, East (Mr. Beggs) pointed out, we are very gratified that he touched the boundaries when he said that there would be proper discussion and proper legislative procedures in the future. We are also happy to have the support of Her Majesty's Opposition for Bills rather than Orders in Council.

The order raises a number of questions. I have listened to a number of debates on such orders over the years; some have been purely technical, while others have ranged rather more widely. One thing that puzzles me is the fact that the last debate on an order of this kind, which took place on 14 March 1991, was in the Sixth Standing Committee; the one before that, which took place on 22 May 1989, was held on the Floor of the House, as others have been. I should be grateful if the Minister would tell me what criterion dictates whether orders are taken here, late at night, or early in the morning. After all, they are all in the same class.

Is this a matter of convenience, or does it reflect the importance that the Government attach to such orders? The Minister points at the hon. Member for Wigan (Mr. Stott): perhaps he is responsible for the motion's being given the time of the House. We do not object to that, but consistency is always welcome.

Mr. Stott: Hon. Members will recall that, when we last debated the consolidation order, I pointed out that it was important for us to do so on the Floor of the House. The hon. Member for Upper Bann (Mr. Trimble) asked whether we would consider doing that more frequently; I acquiesced.

Mr. Ross: I am very grateful to Her Majesty's Opposition: this is a happy move. I believe that more Northern Ireland business should be taken on the Floor of the House; if that moves us on to proper legislation, so much the better. Every tottering millimetre in that direction is welcome to us.

The hon. Member for Wigan and the Minister will no doubt recall that the last order paved the way for water privatisation and showed that the Government hoped to have a Government-owned company to take over water and sewerage as from 1 October 1992. I shall return to that point at the end of my speech, but it is significant to note that that was a paving operation for water privatisation. Time has moved on, and we find that this order enables the establishment of trading funds in Northern Ireland.

I understand that the Minister drew the attention of the House to the remarkable fact that the order brings the law of Northern Ireland into line with the law of Great Britain. It is of some interest that in this respect the law of Great Britain, in its present form, had its beginnings in 1973, 20 years ago, after the passage of the Government Trading

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Funds Act. That Act was amended by the Government Trading Act 1990. It is evident, therefore, that there was some rethinking of the Government's policies, as embodied in the 1973 Act. I suspect that the developments in practice which flowed from the 1973 Act led to that rethinking.

The order is a fairly surprising outcome for a Government who always told us that they were against quangos. Now we find that, as a result of those Acts, a number of new quangos and agencies have been created. In the 1970s and early 1980s we were told that the Government were against quangos and that they were all for folk taking on personal responsibility. There are few signs of Government Ministers accepting personal responsibility for what happened in the intervening years. A large number of agencies—108—have been created.

I believe that in what is now the United Kingdom legislation there is the possibility of four different agencies being created—those created with gross running costs control, those created with net running costs control, trading funds and Government-owned companies. I believe that the latter has not yet been used; the Minister will no doubt correct me if I am wrong. However, as the hon. Member for Wigan and the Minister will probably recall, it was this fourth type of agency that was predicted for the first step of water privatisation in Northern Ireland.

I wonder whether it was possible to create a Government-owned company in Northern ireland without this legislation. If it was not, why is it now being brought into operation? Like the hon. Member for Wigan, I always take ministerial statements with a fistful of salt.

The hon. Gentleman mentioned VAT increases. The Government did not increase VAT. They simply extended its scope and base. They kept within the letter of the promises made. That, I suppose, is what Ministers pay high-quality civil servants for—to find ways round the promises that they make.

Of the 108 agencies that so far have been created, not so much in Great Britain as in the United Kingdom, there are seven which are Northern Ireland civil service agencies. They can be easily named. There may be a few that are not on my list, but they include the Compensation Agency, which is a Northern Ireland agency, the Driver and Vehicle Testing Agency, where there must be a Northern Ireland input, the Northern Ireland Child Support Agency, the Ordnance Survey of Northern Ireland—which, I note, is a separate body from the Ordnance Survey for the rest of the United Kingdom—the Rate Collection Agency, which, the Opposition will notice, we still need, unlike the position in Great Britain, the Training and Employment Agency and the Valuation and Lands Agency. Those are all civil service organisations, not trading organisations in the real sense foreshadowed in the order.

There are also 12 trading funds, some of which must operate in Northern Ireland. For instance, there is the Medicines Control Agency, which I suppose must have a Northern Ireland input. There is the Land Registry, too. I am not sure whether that is the land registry for Northern Ireland or for the United Kingdom, and I should be grateful to be told. We also have Her Majesty's Stationery Office and various others—the Central Office of Information and so forth. I should be grateful if when the Minister winds up he would tell me which of those operate on a United Kingdom rather than a Great Britain basis.

I have two basic objections to all those organisations. The first is that, whether or not the Government are willing to acknowledge the fact, by creating them they have admitted their own lack of ability to control the Government machine and to keep it efficient and clean. The second is that they put the Minister at arm's length in terms of accountability. I believe that "hiving off" is the term used in Government documents and statements.

When someone hives something off, it means that he is trying to get some distance away from it, so that he can say, "It is not really me at all; it is the agency." I know that the Minister would respond to that idea by saying that at the end of the day Members of the House can demand an answer from a Minister. But there is not the direct accountability that we used to have. I regret that, because I believe that there should be direct accountability. If the Government cannot run a lean and efficient machine they certainly have no business telling other people that they should do so. Not only do the agencies mean arm's-length accountability, they are a demonstration that the Government do not really believe in their own capacity to do the job.

In the light of all that, can the Minister assure me that the order leaves Northern Ireland law exactly the same as Great Britain law? Or are there some differences left, and if so, what are they? We deserve an answer to those questions.

The Minister touched upon some of the matters that I wish to mention. I notice that under article 7 receipts and payments are not to be treated as part of public income and expenditure in Northern Ireland for the purposes of the Exchequer and Financial Provisions Act (Northern Ireland) 1950. Can we be told what the practical consequences of that change are? I am thinking of changes that may come about in the estimates and in the manner in which they are compiled and presented to the House. What difference will it all make to the appropriation orders and the debates on them? If it will make a difference, we need to know the details, so that we shall be prepared for the changes.

Article 14 increases the limit on outstanding issues from the Consolidated Fund to the Northern Ireland Housing Executive. That is to be done because we are approaching the limit. Can we be told what the outstanding issue from the Consolidated Fund is now and when it is expected to be breached? The Minister will know that the Housing Executive is screaming its head off because it reckons that it will not get enough money over the next year or two, so perhaps in two, three or four years—perhaps in only one year; no one really knows—we shall be confronted with another order to raise the limits. We need to know how long the Housing Executive is expected to exist—it might say "subsist"—on the sums against which it can now draw. Can the Minister give an undertaking that if its assertions that it is being treated harshly and is running out of cash are subsequently proved correct, more money will be made available by an immediate increase in the limits?

The rest of the order is fairly clear. I have no objection to the necessary changes. However, if we consider those changes over time we shall see a considerable shift in how the Northern Ireland government machine has worked

and how it is intended to work in future. So I should be grateful for answers to the questions that I have tried to frame to the Minister.

10.59 pm

Mr. David Trimble (Upper Bann): I rise only because of the Minister's failure to respond adequately to my intervention in his speech. He will recall that I asked him why we have had to wait, at a conservative estimate, three years for legislation equivalent to Great Britain legislation in 1973 and in 1990. Taking 1990 as the datum point, we have had to wait three years to have an Order in Council drafted.

The Minister gave purely generalised arguments. He said that it is sometimes an advantage to wait until the Great Britain legislation is in operation so that one can fine-tune the Northern Ireland legislation. He did not address the issue specifically with regard to the order. I ask him to tell us whether this order had been fine-tuned compared with the Great Britain legislation. I noted that when my hon. Friend the Member for Londonderry, East (Mr. Ross) asked whether there were now any differences between the law in Northern Ireland and the law in Great Britain, the Minister shook his head. I hope that he will address that matter specifically.

Mr. Mates: I am ever the optimist. If that is the only reason why the hon. Gentleman rose, I shall help him. There was no need to follow Great Britain legislation, which was very restrictive and finely drawn, until we came to the next steps agency process. We are now enabling the next steps process, which has been going in the United Kingdom, to be introduced, because we have some candidates for it. So we need the same legislation.

Mr. Trimble *rose*——

Mr. Mates: I did not think that that was the only reason why the hon. Gentleman decided to speak.

Mr. Trimble: Do I take the Minister to mean that there has not been a three-year delay in producing the order and that the Government considered producing the order only when they decided to follow the next steps agency programme? That raises two questions. Why is the order so many years behind the Great Britain programme on the matter? Does that reflect any question of policy? Was there a decision not to follow Great Britain in terms of the next steps agencies? Was that policy then changed? Or is it merely a reflection of the general sloth that afflicts the Northern Ireland Office?

There are now, I presume from what the Minister has said, candidates in Northern Ireland for the next steps agency process. In that case, I hope that the Minister will tell us precisely who those candidates are and what the Government's plans are. If the Government did not consider it necessary to have legislation until they had candidates for next steps agencies and were preparing bodies for next steps agencies, clearly those plans must exist now. It is only right that the Minister should tell us what they are.

From my intervention and from my brief contribution in the debate, you will understand, Mr. Deputy Speaker, that we are most dissatisfied with the way in which the Order in Council procedure is used. It is not a satisfactory procedure. The Minister has given an explanation for the delay tonight. However, we could point to numerous other items of legislation in which there are significant delays. No adequate explanation is forthcoming. Delays are built into the system and it is utterly inadequate for proceedings here, as we have demonstrated this evening. I am glad that the hon. Member for Wigan (Mr. Stott) commented on that.

There are other faults in the system, such as its secretiveness. The Government have secret consultation procedures with certain interested bodies and keep others in the dark. We had an example of that only this week. Important legislative proposals were leaked in *The Independent* on Monday. It turns out that they have been a matter of consultation with other bodies for weeks. Yet no political party in Northern Ireland was consulted.

Mr. Deputy Speaker: Order. The hon. Gentleman heard me pull up the hon. Member for Wigan (Mr. Stott) because of the scope of the order. The hon. Gentleman is straying very wide. I must insist that the hon. Gentleman sticks to the order.

Mr. Trimble: I am sorry, Mr. Deputy Speaker, that you considered that I was straying wide. I was merely referring to the legislative process, of which this is an example. The Order in Council procedure is an inadequate legislative process. Has the Minister read the report of the Hansard Society on legislation and its comments on this sort of Order in Council? Does the Northern Ireland Office intend to take those comments seriously?

11.4 pm

Dr. Joe Hendron (Belfast, West): Normally, when one speaks on matters to do with financial provisions, one tends to do a bit of whining. I shall start by making a few positive remarks. Mr. Deputy Speaker, I am conscious of what you said to the hon. Member for Wigan (Mr. Stott) about going a little wide of the mark, so I shall be as relevant to this debate as I can.

Remarks have been made recently by the Secretary of State for Northern Ireland, the Foreign Secretary and the right hon. Member for Lagan Valley (Mr. Molyneaux) as the leader of the Official Unionist party. Until one understands, one might wonder about the relevance of that to this debate. I see a direct relevance between financial provisions and political progress. The people in Northern Ireland are crying out for peace and I hope that a political dialogue will start soon.

With regard to funding in Northern Ireland, I have studied this document. I must admit that it has nothing to do with appropriations. Perhaps the Minister could explain those matters which relate, for example, to the Department of Health and Social Services, the crucifixion of the royal group of hospitals in Belfast and the massive——

Mr. Deputy Speaker: Order. I hesitate to interrupt the hon. Gentleman, but he must stick to the scope of the motion.

Dr. Hendron: I hope that this is relevant to the debate. I am referring directly to the document. I am aware of trading funds and other financial matters. I draw the attention of the Minister to one of the most deprived areas of Northern Ireland, indeed, in these islands—west Belfast. I am talking about the Falls and the Shankill. Catholic, Protestant, unionist or nationalist—one can call it what one likes. Could he explain how, in the order, the

[Dr. Hendron]

Departments are using funds to help young people who are being exploited daily by the Provisional IRA and the Ulster Defence Association? I may be straying wide of the mark, but I have almost finished. I ask the Minister to refer to those specific issues because they are important to my area. I accept that this is not the most suitable debate in which to raise such matters.

Mr. Mates: With the leave of the House, I shall respond briefly to hon. Members' comments.

I deal first with the comments of the hon. Member for Wigan (Mr. Stott). I could not have been clearer in what I said. I think he heard it the first time, and he heard it quieter and more slowly the second time. The fact that he still claims not to understand it is a little of what I might call poetic licence, so I will not pursue the matter.

I have answered the question of the hon. Member for Upper Bann (Mr. Trimble) about the reason why we are doing this. *[Interruption.]* Perhaps he will listen; I listened to him. We already have seven next steps agencies. The hon. Gentleman was sharp to notice that I launched the valuation of lands agency at 2 o'clock today in Belfast. There are seven agencies, and three further candidates are under consideration. That amounts to some 9,000 civil servants—more than 30 per cent. of the staff of the Northern Ireland Departments in the Northern Ireland Office. That is not slothful. Nor is it a record of which we can be other than proud. But so far none of them has needed trading fund status or been candidates for it. Therefore, we are taking the steps that I have described. Far from being slothful, we are taking those steps in good time so that if we have any candidates for trading fund status, we have the legislation in place. I hope that that makes the position perfectly clear.

The hon. Member for Londonderry, East (Mr. Ross) was a little unfair when he talked about quangos. Several quangos were set up in two short intermissions of socialism in an otherwise long period of Conservative rule. But next steps agencies are not quasi-governmental organisations. They are distinct business areas within Government Departments. The chief executives are directly responsible to the relevant Ministers. As luck would have it, I am the Minister to whom the chief executive of all the agencies which he mentioned is responsible. Therefore, I am not answering at arm's length but answering directly to hon. Members from Northern Ireland constituencies for the actions of those agencies. The accounting officer is fully answerable too.

The hon. Member for Londonderry, East asked whether there was a relationship between next steps agencies and Government-owned companies. Government-owned companies are a distinct category and the legislation is not relevant to their establishment.

The last item that was mentioned by the hon. Members for Wigan and for Londonderry, East was water privatisation. As they put it, they were sailing on the perimeters of order in doing so. Perhaps I can sail down that limit and give them an answer. The House will want to know that a consultancy study into the options for the privatisation of water and sewerage services in Northern Ireland has been completed. It has confirmed the feasibility of privatisation. However, for technical reasons, privatisation will not be possible in the lifetime of this Parliament.

The Government remain committed to privatisation at the earliest practicable date. They believe that privatisation will offer benefits to the economy of Northern Ireland and, through appropriate regulation, directly to consumers, the environment and the general public. We are considering the best form of privatisation, including the benefits of a public offer for sale. In the meantime, we intend to explore the scope to introduce private finance into the provision of water and sewerage services in Northern Ireland to facilitate further improvements in drinking water quality and environmental standards in line with EC requirements. But, for the avoidance of doubt, let me say that it will not be possible, for technical reasons, to privatise the water industry in the lifetime of this Parliament.

Mr. Trimble *rose*——

Mr. Deputy Speaker: Order. Is the Minister giving way or finishing?

Mr. Mates: I give way.

Mr. Trimble: I thank the Minister for the more precise explanation about the legislation. He said that the legislation was intended to prepare the way for next steps agencies that will require trading fund status. Presumably, the legislation will not be necessary if no next steps agencies will require trading fund status. It is a fair assumption to draw from the legislation that if the Government are making provision for next steps agencies to have trading fund status, there are proposals to give agencies such status. I should be grateful if the Minister would tell us which they are.

Mr. Mates: I can go no further than I went. I have been as open and frank with the House as I possibly can. We are introducing the order to bring the position of Northern Ireland in line with the rest of the United Kingdom. We are doing it in good time so that when and if we require the legislation to proceed with the next steps process, we have it in place in good time and properly. On that basis, I commend——

Mr. Beggs: Will the Minister give way?

Mr. Mates: I am being very generous.

Mr. Beggs: I thank the Minister for giving way, and especially for the latter part of his response to this debate. I would not wish to claim that representations from Her Majesty's Opposition or from the elected representatives in Northern Ireland influenced the decision not to proceed at this time with the privatisation of water and sewerage services. Nevertheless, I welcome the announcement and trust that there will be no urgency on the part of the Government to proceed with that issue for some time.

Mr. Mates: It is amazing the number of times I have had to say things twice tonight. The Government are fully committed to the privatisation process. For a number of technical reasons, we have come to the conclusion that it is not possible to do it during the lifetime of this Parliament.

With those final words, Mr. Deputy Speaker, I commend the order to the House.

Question put and agreed to.

Resolved,

That the draft Financial Provisions (Northern Ireland) Order 1993, which was laid before this House on 11th February, be approved.

Housing (Basildon)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Nicholas Baker.]*

11.16 pm

Mr. David Amess (Basildon): I am particularly pleased to see my hon. Friend the Member for Billericay (Mrs. Gorman) here this evening. She is an inspiration to the House, and to me in particular. I know that she is highly delighted about the success of her constituent Eamonn Martin in the London marathon on Sunday. He is her constituent, living in Laindon, but he runs for Basildon athletics club.

Much as I and the House appreciate the very considerable attractions of my constituency, I have to make it absolutely clear that it is simply not possible, or indeed desirable, for the whole of the United Kingdom to be housed in my constituency of Basildon.

As any hon. Member will freely admit, the No. 1 demand from constituents as they come to one's surgery is always for accommodation. But throughout the 10 years that I have represented the town, some of the demands have become increasingly unreasonable. Much of this, I believe, is caused by what I describe as the breakdown of traditional family life in this country and the popularity of transient relationships. By this I mean men moving in and out of relationships with women, producing children and then abandoning those women and the children. This trend I utterly condemn. The women and the children are the victims of the irresponsible behaviour of many men. It is not acceptable for those men to regard the state as a substitute family; it can never be that.

This practice is certainly causing mayhem to housing demands throughout the country, not just in Basildon, together with the inability of many family units to support 16, 17 and 18-year-olds. All this I see as impacting on housing needs, not just in my constituency but throughout the land. It is just not possible for the state to meet all the demands that are being made on it at the moment.

Until May of last year, the socialists ran the council in Basildon, when they were thrown out of office. Their housing policy, such as it was, was an absolute disgrace, and led to continual charges of unfairness. There was complete hostility to the private sector, and the socialists saw housing simply as a means to foster their own insidious propaganda. Nowhere can this be more clearly seen than in connection with what happened over the transfer of housing and the ballot that then took place.

A number of officers put aside the respected tradition of political neutrality and were recruited to help their brothers and sisters in their political cause. Those people, I recall, said that they would never work with a Conservative council, if it were ever elected, or indeed serve under a Conservative Government. I trust that the officers who made those statements are examining their consciences at the moment and are no longer in the council's employ.

Quite what the housing policy was is not clear. Whether they saw senior citizens or young people as a captive market I do not know, but, whatever the demands, somehow they would pretend that the state could meet them.

So we had the ridiculous situation whereby no one on the engaged couples list ever got housed. I grew increasingly tired of parents coming to my surgery and complaining that their children were never offered accommodation. They said that they had come to the town as pioneers in 1952 and that they had been promised accommodation for second and third generations, but it had never happened.

People complained that they had been given off-the-record advice in the area offices that the way to get housed was to have a baby. What disgraceful advice that was, and what an environment in which to bring a child into the world. Charges were continually made of unfairness in the allocation of property. Time after time, constituents would imply corruption, which was difficult to substantiate. They would say that so-and-so knew someone in the housing department and managed to get housed. They asked me how that could have happened. I never had an answer, as the charges were never based on firm evidence.

Mrs. Teresa Gorman (Billericay): Is it not a fact that, despite all the appalling Labour party policies, the Conservative party policy to allow people to buy their own home took off wonderfully well in a new town which had formerly only rented property, so that today more than 57 per cent. of all households in Basildon are owner-occupied? It is a much higher percentage than in Battersea, for example, which is reckoned to be a yuppie place, calls itself "Battarsia" and has a postal address of south west one one.

Mr. Amess: I was not aware of the history of Battersea, but my hon. Friend is an inspiration to us all. She is quite right about the success of the sale of council houses. As we all know, the Labour party fought that policy word by word and line by line. Labour Members never wanted to enfranchise people by giving them the opportunity to own their own houses and enjoy the discounts. My hon. Friend was right to remind the House of that.

It has been a nightmare for the newly elected Conservative council to unravel the mess. However, it is well on the way to arriving at a fair policy whereby we shall have to draw a line under what has gone before, and everyone will be clear about the criteria for getting public accommodation.

I am advised that, later this month, the authority is to engage a new housing director with considerable expertise and that the new council enthusiastically embraces the Government's policies on the right to buy, share ownership and financial assistance for tenants to move back into the private sector.

I am delighted to tell the House that council arrears have now been tackled; the reduction in the past six months is double the total of all reductions in arrears in the past 10 years. That is quite incredible. Default action initiatives have been successfully piloted in Basildon and Billericay. I pay a warm tribute to the leader of the council, Tony Archer, the chairman of the housing committee, Councillor Brin Jones, and his deputy Councillor Mark Francois, for their splendid efforts. The housing committee has accepted the citizens charter, with performance indicators produced by the Audit Commission.

There was scarcely a clearer example of socialist hypocrisy in housing matters than in the ballot for the transfer of commission houses to either the local authority or a housing association. On a number of occasions, the socialist council had been offered the Commission for the

[Mr. Amess]

New Towns property and, when close to settlement, pulled out of the deal with the Departent of the Environment, producing considerable loss of income to local residents. That was in stark contrast to socialist-controlled Harlow, which accepted the property from the Commission for the New Towns.

In a wicked fashion, socialist activists embarked on a campaign to pretend that the Government would deprive tenants of their democratic right to choose the landlord of their liking. I recall their many bizarre distortions of the Government's policy. They deliberately tried to scare tenants, particularly the elderly, against the attraction of any other landlord. It is somewhat ironic that it took a Conservative council to conduct the ballot and enable local residents to choose their landlord.

I am delighted to tell the House that four out of five tenants felt sufficiently confident with the Conservative council to support a change of landlord—85 per cent. of them chose that council as their preferred landlord. The rest chose the admirable Basildon housing association. Sadly, some 2,000 tenants chose not to exercise their vote, and their properties are now in the course of being allocated. I know that my hon. Friend the Member for Harlow (Mr. Hayes) went through a similar process of housing transfer recently.

I would be grateful if my hon. Friend the Minister could tell me about the time scale of the transfer, how that matter will be handled and how those tenants who did not express a preference will be allocated their landlord.

The Government have already decided to provide finance for the Siporex redevelopment and rebuild, and the Basildon housing association will be responsible for the project. It is interesting to note, however, that their parallel consultation exercise resulted in more than two thirds of tenants choosing the Basildon housing association rather than the council as their landlord.

In the time that I have been involved in the whole sorry saga, a number of the unhelpfully designed and environmentally hostile estates in my constituency have come to need structural changes. I know that the residents of those estates are delighted that the Government, through the CNT, will ensure that the Siporex properties are brought up to the highest possible standard. The local authority was pleased with its housing investment programme allocation and the fact that £319,000 has been applied to another housing association scheme. It is also pleased that all requested capital programme improvements by council JEM—joint estate management—schemes have been agreed out of expected funds of £2·4 million.

The local authority and its tenants were also delighted that, thanks to Government support, the redevelopment of the Crudens estate has now started. I was privileged to be present at the recent start of work. I know that one of the Housing Ministers hopes to visit that scheme later this year. Because of the expensive works involved, that scheme must be carried out over a number of phases. Tenants have asked me to try to get some information from my hon. Friend about when the further stages, which include the remaining parts of the estate, will start. The council would, as ever, be grateful for any financial support when the appropriate allocations are made.

The council is also anxious for the Government to continue their support so that the extensive underpinning of works on properties opposite St. Mary's church hall, the Triangle, Langdon Hills can be finished. I hope that the contractors will bear local residents in mind, because they do not want their lives to be made hell by the constant flow of heavy lorries in and out of the estate.

The housing committee believes that it has kept its homelessness figures relatively low by utilising all manner of innovative housing. That includes leasing short-term properties and leasing police and Essex county council properties, unused sheltered housing schemes and so on.

The whole issue of bed and breakfast accommodation is a real worry for the council. My hon. Friends will agree that the amount of money being expended on that sort of accommodation is crazy, for it is not satisfactory, and most constituents must go to Southend which, although a lovely seaside resort, is not exactly close to our area. There must be a better and more cost-effective method of dealing with the problem.

The council is reviewing its points allocation system. Some members feel strongly that the Government should agree to all waiting list applicants, and not all so-called homeless families, taking social housing that is available. They believe that that policy would mean that those on the waiting list would get into the homeless situation. They think it unfair that couples should wait three, four or five years when the homeless are housed in 18 to 24 months. The whole concept and application of homelessness requires careful definition.

Mrs. Gorman: Is it not a fact that the Housing (Homeless Persons) Act 1977, a typical piece of socialist legislation, has been responsible for stimulating some very anti-social behaviour on the part of some parents, who deliberately throw their youngsters out of the house to put pressure on the council to house them, with the taxpayer footing the bill?

Mr. Amess: I agree with my hon. Friend. Such anti-social behaviour, with children being thrown on to the streets, causes general disturbance and is totally unacceptable. Parents must accept greater responsibility.

An Englishman's home, like a Basildonian's, is his castle. I thank and congratulate the housing ministerial team at the Department of the Environment for the support and encouragement we have been given over the years. I sometimes get angry, as does my hon. Friend the Member for Billericay, with the lack of individual responsibility on the part of some people and the abuse of publicly provided housing. It is not necessary to have a lot of money to be clean and tidy and behave well. The anti-social behaviour of some people in settled areas, upsetting everyone, is not acceptable.

Frankly, I and the council could never provide sufficient housing to meet the endless demand. A fair and reasonable policy is needed. I am absolutely committed to ensuring the provision of housing of the very highest standards for all local residents in my constituency. Clear evidence of the warm-heartedness of my constituents was revealed in the latest census of the possession of household amenities, which showed that Basildon enjoyed per household the greatest number of central heating units in Britain.

11.32 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Tony Baldry): I congratulate my hon. Friend the Member for Basildon (Mr. Amess) on securing this debate. The House knows that Basildon is close to the Government's heart, and I take this opportunity to congratulate Eamonn Martin, who typifies the spirit of Basildon, on winning this year's London marathon.

My hon. Friend is right to point out that much of the pressure on housing results from changes in the way we live. Too often, we speak of housing "need" when it is really expectation. Naturally, youngsters like independence, but I urge them and their families not to be too hasty in parting company if they cannot afford to house themselves.

There is no way in which the state can or could suggest, or has ever suggested, that it should house all young people when they become 18 and decide that they want to live on their own. There are already many spare rooms in private and local authority housing as families grow up and move on, and I hope that our tax incentives to people to let those rooms will help.

I share my hon. Friend's concerns about bed and breakfast. It is a wholly unsatisfactory system. It is unsatisfactory for those who are put in it and expensive on the public purse. I believe that there are currently over 70 households placed in bed and breakfast by Basildon district council—a legacy of Labour control—but I know that council members are looking at ways of bringing those numbers right down. Already they have shown enterprise in successfully bidding under our housing partnership scheme for resources that, along with housing corporation funds and private finance, will enable a housing association to build more than 50 homes to rent, and so reduce the need for bed and breakfast accommodation. Basildon council also bid successfully for a share of the extra resources announced in the autumn statement for a cash incentive scheme aimed at reducing homelessness.

We have recommended to council tenants that they think seriously about the right to buy. Now is the time to consider house purchase—with low prices, low interest rates and substantial discounts available. At the same time, to ensure that councils see the benefit in promoting sales, we are giving them an opportunity to put more of their capital receipts to work and to help homeless families. No doubt Conservative-controlled Basildon council will seize all those opportunities to benefit tenants who become home owners. The council will have the benefit of all the capital receipts which it can reinvest in housing in the district.

I am sure that Basildon's Conservative council will also want to develop its enabling role in order to offer the people of Basildon a better choice of housing than just the near-monopoly of municipal renting that they have had in the past. The previous Labour administration's slowness to team up with the housing association movement cost the people of Basildon dearly. Both we and the Housing Corporation were forced to conclude that money would be better allocated to areas where we considered that more cost-effective use would be made of it.

Basildon was under a Labour council with an unrealistic approach, which meant that it not only lost money from the Housing Corporation, so that housing associations could not build new homes to rent, but that it also lost the capacity to draw in further resources for housing from the private sector. I am glad to say that that is now in the past. The people of Basildon have voted, and Basildon now has a sensible Conservative council, determined to go forward and ensure that every family has a decent home in which to live.

As to the ballot among former new town tenants, I can understand that many voted for the familiarity of the council, encouraged by confidence in the newly elected Conservative council. The Basildon community housing association now has a useful stock as a basis for bigger and better things. I congratulate the association on its efforts. I am sure that those who voted for it will be pleased that they did so.

When the ballot was over, there was the question of empty houses and those of non-voters. Those have been allocated between the council and the housing association in the same proportion as the voting went, but in ways that make for good management. I understand that both the housing association and the council are content with that policy, which seems all very fair and sensible to me.

My hon. Friend referred to Siporex properties, which are coming to the end of their useful life and which it is proposed should be redeveloped. We have been very fair about them. Tenants of Siporex houses were given the chance to vote in the ballot in the same way as everyone else, even though it was not proposed that they should transfer for the time being. Most of them voted for the housing association, and as far as possible individual wishes will be met when redevelopment proposals have been worked out.

As my hon. Friend knows, the Crudens estate has benefited from estate action resources to the tune of £2,900,000 over three years. I do not blame my hon. Friend for hoping for more—indeed, as a result of his continued lobbying, we found another £200,000 for Crudens, and the district has also been able to pull in another £1,500,000 from the Housing Corporation. Basildon council has not asked us for any more money for that estate.

There is stiff competition for estate action resources, and I am sure that my hon. Friend appreciates that, if any further works are required on the Crudens estate, any bid would be considered alongside the requirements of estates elsewhere. We must recognise that some of those estates have problems that are even more serious than those of the Crudens estate.

I hope that I have shown my hon. Friend that we are well aware of the key local housing issues in Basildon. My Department's regional office is in regular contact with Basildon council, and my hon. Friend the Minister for Housing, Planning and Construction met leading members at the opening of a new housing association development there only three weeks ago. I know that Basildon council's current Conservative administration has inherited considerable difficulties, but I am confident that it will be both flexible and pragmatic in ensuring that its housing policies attract a fair and proper share of public resources for housing in Basildon and tap the maximum potential of private resources.

We are determined to have the best possible housing in Basildon, and I have confidence that, with a Conservative council, Basildon's housing strategy will continue to go from strength to strength.

Question put and agreed to.

Adjourned accordingly at nineteen minutes to Twelve o'clock.

House of Commons

Wednesday 21 April 1993

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

TRADE AND INDUSTRY

Political Contributions

1. **Mr. Winnick:** To ask the President of the Board of Trade if he will bring forward legislation to compel companies to ballot shareholders and employees before contributions are paid to a political party.

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. Neil Hamilton): No. The present law requires sufficient disclosure. Shareholders can raise questions about political contributions at the annual general meeting if they are dissatisfied.

Mr. Winnick: Why no change? The Government demand that the trade unions ballot their members every 10 years as to whether political funds should be retained. Why not have the same for companies? Is it because it is the companies that denote money to the Tory party? Is there no limit to the sheer hypocrisy of the Government in relation to political funds? They should be thoroughly ashamed of themselves.

Mr. Hamilton: Our system of company law is very wide ranging and imposes extensive obligations on companies. If trade unions had to comply with such extensive obligations, they would not thank the hon. Gentleman for what he has said. It is very easy for a shareholder who is dissatisfied to sell his shares if he does not like his company's policy, but it is not quite as easy to change trade unions.

Mr. Matthew Banks: Does my hon. Friend agree that those who make decisions on behalf of companies to make donations are rightly subject to the accountability of shareholders? Does he further agree that those who make decisions do so in the best interests of their shareholders, their company and the prosperity of the nation as a whole?

Mr. Hamilton: I agree with my hon. Friend. If there had not been such abuses in the trade union movement, which were always supported by the hon. Gentleman and his hon. Friends over so many years, it would not have been necessary to bring in the obligations in 1984.

Mr. Fatchett: Is the Minister aware of the *Sunday Times* survey which showed that chairmen of companies that donated to the Conservative party had a 50 per cent. better chance of receiving a knighthood? Is not that a further indication of the corruption and sleaze which surround the Government? Is not it time that shareholders had real rights and were consulted before companies donate to the Tory party, which has done so much damage to the prospects of Britain's manufacturing industry?

Mr. Hamilton: I can remember a time not so long ago when it was a hanging offence in the Labour party to read the Murdoch press. I am glad to see that the Labour party has changed in some respects.

Mr. Roger Evans: Will my hon. Friend reject in terms the very sinister word in this question which so far appears to have been overlooked? The hon. Member for Walsall, North (Mr. Winnick) asked not only for shareholders, the owners of the companies to be balloted but also employees? Will my hon. Friend reject this sinister attempt to extend trade union power?

Mr. Hamilton: I certainly do reject it. It is as a result of changes that we have made to trade union law over the last 13 years that trade unions no longer pose a danger to the economic prosperity of the country.

Post Office

2. **Mr. Cummings:** To ask the President of the Board of Trade what has been the contribution of Post Office services to Government revenues since 1979.

The President of the Board of Trade and Secretary of State for Trade and Industry (Mr. Michael Heseltine): The cumulative total of the Post Office's external financing limit contributions from 1979-80 to 1991-92 is £802 million.

Mr. Cummings: Now that the Secretary of State has admitted that the Post Office made £800 million, will he agree that we have the best Post Office in Europe, with the most efficient work force? The Post Office, which has increased profits by over 50 per cent., is a huge public sector success and should remain so. When will he present to the House his most extensive and far-reaching review?

Mr. Heseltine: I am sorry that the hon. Member is still indulging in the language of the past. The moment that a company indicates a success by making a profit, somehow it is seen to be milking the customer. It is important that companies should earn sufficient surplus to pay for their investment programmes and to earn a reasonable return on capital, which is what the Post Office is doing.

Mr. David Nicholson: My right hon. Friend will have recalled, when he gave the information in his original reply, the value of the dictum that when an institution is in good working order it is a good idea not to mess about with it. Will he therefore give all the support that he can to the management of the Post Office so that it can continue to give an excellent service to consumers, whether in rural or urban areas? In particular, where a post office changes from Crown status to agency status, as is proposed for Wellington in my constituency, will he ensure that that post office continues to retain a central position and to provide high standards of service?

Mr. Heseltine: My hon. Friend is right to seek an assurance that we are committed to enabling the Post Office to provide a high standard of service. That is why we have made it absolutely clear that the universality of service and of charge is not negotiable in any of the options that we are considering. However, I cannot ignore the fact

that company after company that has moved from the public to the private sector has been able to achieve significant improvements in productivity, has played a role in the international market and has earned greater returns for this country than ever it was able to do in the public sector.

Mr. Robin Cook: May I invite the President of the Board of Trade to correct a misunderstanding that he appears to have of my hon. Friend's question? My hon. Friend put it to him that the Post Office is one of the most profitable in the world, that it has the most reliable delivery service, at one of the cheapest prices, in Europe, and that in Britain it has achieved a growth in productivity that is double the average for the services sector over the past decade. My hon. Friend's question to the President was, why put all that at risk by privatising the Post Office, because of this Government's obsession with selling anything that they can sell off? Since the President has apparently announced that he cannot do it for another year, because he cannot figure out a way to do it, would not it be much better to end the damaging uncertainty, the delay in investment and the anxiety of staff by announcing that he intends to drop the whole idea and accept that the Post Office is a public service which should belong in the public sector?

Mr. Heseltine: That is the language with which the Labour party has sought to attack every change that this party has made over the past 10 years. It is because we have faced the Labour party down time and again that British Gas, the power companies and the water companies are winning in the world marketplace. Every time that we take a difficult decision on behalf of British industry, it is resisted by the Labour party. That is a very good reason why we should stay in power and have the courage to go on doing so.

Mr. Cormack: Does my right hon. Friend accept that many of us, who have strongly supported privatisation, still have reservations about privatising the royal mail? Does he accept that the figures that he gave to the House this afternoon illustrate a very good case for removing economic restraint on the Post Office, but not a very strong case for privatising it?

Mr. Heseltine: My hon. Friend is right to express concern, but what I have to make clear to the House is that the overwhelming majority of post offices are already in the private sector. My hon. Friend will also realise that within the public sector there are unavoidable public accounting disciplines which constrain the ability of a public sector organisation to compete effectively with the private sector. What is happening in the Post Office is that increasingly a sector of its market is being eaten into by private sector companies and by new technology, whether it is the fax machine, or the bike or the courier. All these things are putting the Post Office under competitive pressure. That is why many people think that we can preserve the standards of the royal mail but widen the opportunities for the people who work in it.

Mr. Hain: I remind the President of the Board of Trade that, unlike the other utility services that have been privatised, the Post Office's costs are 80 per cent. labour intensive and there is no way in which he can guarantee to rural and outlying areas the quality of service that they enjoy at present. May I also remind him, that on top of the £800 million that has been contributed, through negative external financing limit payments, to the Treasury coffers, the Treasury has received an additional £400 million in corporation tax over this period. By privatising the Post Office, the President will perhaps reap a one-off return of an equivalent scale, but he will forgo year upon year of income to the Treasury from a service which the public respects and is the best in the world.

Mr. Heseltine: I am the first to recognise the quality of the service, but the question that I have to answer is how can we enable the Post Office to build on the quality of its service and widen the opportunities for Britain in so doing? The issue is whether there would be an opportunity for the Post Office in a private sector context in an international competitive world, which would be bigger than that in which it can involve itself today.

3. **Mr. John Marshall:** To ask the President of the Board of Trade if he will make a statement about the future of the Post Office.

Mr. Heseltine: No decisions have yet been taken on the future organisation and structure of the Post Office. I will make an announcement to the House when we have reached conclusions.

Mr. Marshall: Does my right hon. Friend accept that the fears expressed about the consequences of privatising the Post Office are precisely the same as those expressed about the privatisation of British Telecom? Does he agree that the current uncertainty is bad for the staff, customers and management of the Post Office? Will he bring it to an end speedily by announcing the imminent privatisation of the Post Office?

Mr. Heseltine: My hon. Friend is right to make the point that the Labour party has opposed every liberalisation and every measure to free the public sector which we have introduced and would therefore have prevented the large number of the advances now being achieved by the privatised companies. [HON. MEMBERS: "Jobs for the boys."] Opposition Members talk about jobs for the boys. I am glad that they recognise that we are concerned to protect the jobs of people in the privatised industries by setting them free to take advantage of the new, worldwide marketplace. I cannot today give my hon. Friend the assurance that he requests, although I am the first to recognise that many people in the Post Office are asking for exactly what he suggests.

Mr. Simon Hughes: Does not the Secretary of State realise that there is all the difference in the world between releasing a nationalised public sector industry from the constraints traditionally imposed on it and guarding the unity and coherence of a service in the national interest? I thought that his political experience would have taught him that there is all the difference in the world between popular capitalism and unpopular dogmatism. Does not he realise that privatising the Post Office would be a privatisation too far?

Mr. Heseltine: That was a classic example of the Liberal party trying to have it both ways. The hon. Gentleman must make his own decision about whether it is a journey too far, but we shall decide whether we are going to embark on the journey.

Sir Michael Grylls: Does my right hon. Friend accept that there cannot be an organisation in the world, however good, that cannot be improved and that that must apply to the Post Office and the delivery of the mail and parcels? Will he press ahead with his plans for the privatisation of the Post Office and to increase competition because that will also improve the service to consumers?

Mr. Heseltine: My hon. Friend is right to ask about competition. I have tried to say how technology and the globalisation of markets are already subjecting the Post Office to a range of new services. However, the critical question at the heart of the matters is how, while protecting the absolute non-negotiability of the univer sality of the service and the price, we can allow the men and women who work in the Post Office to expand, to compete and to seek wider opportunities, which is not compatible with public sector discipline. That is the dilemma we face.

Mr. Cousins: Does the President accept that, on the matter of Post Office privatisation, his figleaf is becoming dangerously small? After nearly nine months and the expenditure of £500,000 on advice from Kleinwort Benson, he has no proposals to put before the House. The Post Office awaits its opportunity as a public sector company which can mop up the postal markets of western Europe. When will he allow the Post Office the commercial freedom to be that kind of public sector success?

Mr. Heseltine: The hon. Gentleman is completely divorced from the reality of public sector accounting. No Government have ever been able to set free a public sector enterprise outside the disciplines of the public expenditure round and Treasury control. There never has been nor ever will be such a Government. [HON. MEMBERS: "Why not?"] Because the Labour Government designed a structure that was not compatible with a free enterprise system. If there had been such a system, the Opposition would presumably have found it in the years when they experimented so disastrously with public ownership.

Exports (Scandinavia)

4. **Mr. Bates:** To ask the President of the Board of Trade if he will make a statement on measures introduced to promote exports to Scandinavia.

The Minister for Trade (Mr. Richard Needham): The full range of overseas trade services is available for companies wishing to export to Scandinavia. More specifically, my Department regularly undertakes special initiatives in relation to those markets.

Mr. Bates: I am grateful to my hon. Friend for that answer. Is he aware that the north-east exports a greater proportion of its manufacturing output than almost any other region and that an increasing amount of that trade is with Scandinavian countries, especially that involving the development of the extensive North sea oil and gas reserves, in which about 22,000 people in the north-east are already employed? Does my hon. Friend agree that those trading links with Scandinavia would be given a significant boost by the early inclusion of the Scandinavian countries in the single European market?

Mr. Needham: I agree with my hon. Friend and the sooner that we can get Maastricht out of the way, the sooner we can enlarge the Community. As my hon. Friend says, the oil and gas industry in the north-east is of paramount importance. The story is one of immense success and I have no doubt that it will continue. Last year, exports to the nordic countries grew by more than 5 per cent. and imports by only 2 per cent., so I am delighted to say that we are closing the gap, with the help of companies from the north-east.

Mr. Tony Banks: Will the Minister take an early opportunity to remind our Norwegian trading partners that if they insist on slaughtering minke whales in the north Atlantic, they will imperil both imports from and exports to this country, because many people feel that the Norwegians should desist from the obscenity of whaling?

Mr. Needham: I understand the hon. Gentleman's feelings on that subject, but I assure the House that the Government will continue to do everything that they can to promote and increase trade with the nordic countries, including Norway.

Mr. Fabricant: Does my hon. Friend agree that our sales into Scandinavia will be improved not only by the recent increases in Export Credits Guarantee Department cover, but by the fact that the pound is more competitive against the Norwegian, Danish and Swedish kroners? The fact that we have low inflation also improves our ability to sell abroad. If the high-spending, high-taxation, high-inflation policies of the Labour party were followed, we would be unable to sell not only to Scandinavia but to the rest of Europe and the rest of the world.

Mr. Needham: Of course, I agree with my hon. Friend. Another difference between us and the Labour party is that whereas we have a strategy for backing winners, the Labour party, as I know because I have just read the strategy of the hon. Member for Livingston (Mr. Cook), is returning to a strategy for picking losers.

Offshore Oil Wells

5. **Mr. Ainger:** To ask the President of the Board of Trade how many offshore oil exploration wells were drilled in the British sector in 1989, 1990, 1991 and 1992; and what is his estimate of the numbers in 1993.

The Minister for Energy (Mr. Tim Eggar): A total of 92 exploration wells were drilled in 1989; 152 in 1990; 106 in 1991; and 72 in 1992. My Department does not publish forecasts for the numbers of exploration wells.

Mr. Ainger: Is the Minister aware that since the changes in petroleum revenue tax announced in the Budget, the Chancellor of the Exchequer is now known by the United Kingdom offshore oil industry as the driller killer? Is he aware that the industry expects a 30 to 40 per cent. cut in the number of wells drilled, which could mean a cut of 40,000 jobs in the offshore sector? Does he agree that the damage that will flow from the changes in PRT is unacceptable? Did the Chancellor of the Exchequer consult the Minister before the announcement was made and what does the Minister intend to do to restore confidence in our offshore exploration industry?

Mr. Eggar: Clearly I have misunderstood the hon. Gentleman. Judging by his previous written questions on the subject, I thought that he was doing his best to prevent exploration of any kind off the coast of the United

Kingdom. Oil companies and oil supply companies have expressed both favourable views and reservations about what the Chancellor of the Exchequer announced in the Budget. A number of companies are meeting the Chancellor and my hon. Friend the Financial Secretary to the Treasury to discuss the changes in the light of the publication of the Finance Bill.

Mr. O'Neill: Does the Minister agree that the successful bidders in previous rounds have entered into drilling and exploration obligations which the new tax regime may preclude? Does the Department of Trade and Industry realise that the honouring of those obligations may become increasingly difficult? Does the Minister agree with the Treasury's view that those legal obligations may be set aside, or does he take a contrary view?

Mr. Eggar: I am amazed at the hon. Gentleman. He appears to be advocating that oil companies should break obligations into which they entered freely. I think that the hon. Gentleman should reconsider his view.

Eureka

6. **Mr. Garrett:** To ask the President of the Board of Trade what has been the level of participation of British companies in the EC Eureka project.

The Parliamentary Under-Secretary of State for Technology (Mr. Edward Leigh): Three hundred and eight British companies have participated in Eureka projects.

Mr. Garrett: What does the President of the Board of Trade think of the case of LJ Technical Systems in my constituency about which I have corresponded with his office? That very go-ahead, innovative electronics company in Norwich joined two French companies to make a bid for funding under the Eureka project. The French companies were visited within a month by a technically qualified civil servant who approved their bid. The British company in my constituency was messed about for seven months by some daft mandarin who actually did not know what the product was for and, at the end of the process, turned it down. How is that for the dynamic DTI?

Mr. Leigh: The House will not be surprised to learn that the hon. Gentleman has told only about a quarter of the story. The truth is that an application was made on 9 July. Not within one month, or two months, but within one day, the DTI contacted that company and requested information on 10 July. The whole point of the Eureka project is that it should equal significant technological advance. We asked that question, but there was no reply. We asked again on 31 July, but again there was no reply. We asked again on 2 September, but there was no reply. A reply was finally given in October. In November, because of the highly competitive nature of the competition and the fact that there were more innovative projects, we did not give a grant.

Mr. Garrett: On a point of order, Madam Speaker. In view of the inadequacy of that reply, I give notice that I will seek to raise this matter on the Adjournment.

Post Office

7. **Ms Eagle:** To ask the President of the Board of Trade what is the planned change in the Post Office contribution to Government finances between 1990-91 to 1992-93 and 1993-94 to 1995-96.

Mr. Heseltine: The Post Office's external financing limit contributions for the two years 1990-91 and 1991-92 were, respectively, zero and £74 million. The target for 1992-93 is £66 million. For the three years 1993-94 to 1995-96, the target contributions are, respectively, £181 million, £176 million and £158 million.

Ms Eagle: Does the Minister agree that seeking to increase the contributions that the Post Office makes to the Exchequer by close to three times in one year will imply a massive increase in postal charges once the price freeze ends in August? When those price increases arrive later in the year to pay for that, will we see the introduction of a Tory post tax to pay for the Government's economic mismanagement?

Mr. Heseltine: The hon. Lady may like to catch up with the facts. There has been a price freeze for 18 months and a further six months of freeze was recently announced.

Mr. Nigel Evans: My right hon. Friend has said how important the Post Office is to the country. In his drive to improve the postal service, will he assure me that regard will be given to rural post offices and that, if any changes are made, there will be assurances that the service that is currently provided to rural customers will continue to be provided?

Mr. Heseltine: My hon. Friend is well aware of the considerable importance of the rural post office network. We have made it clear in the consultation papers that we have produced that the maintenance of a very substantial rural post office network in the private sector, where it now is, is an important part of our policy, just like the universality of delivery and price.

Ms Hoey: Will the Secretary of State have a word with his colleague the Secretary of State for Social Security and try to persuade him of the folly of requiring pensions and benefits to be paid through banks rather than through post offices? Does he realise that that would ruin our rural post offices and cause many problems for many pensioners throughout the country?

Mr. Heseltine: Many people choose to have their pensions paid through the banking system. There are obvious issues to be explored. The Government have made it clear that automated credit transfer is part of their policy. Of course, we are aware of the complications and implication involved in that, but I would not give the sort of assurance that the hon. Lady seeks.

Pit Closures

8. **Mr. Janner:** To ask the President of the Board of Trade if he will make a further statement on the situation regarding the effect of pit closures on related industries.

Mr. Eggar: The Government's views are set out in the White Paper, "Prospects for Coal" and in their response to the Select Committee on Employment. It is because we

recognise the impact of pit closures that we have expanded to £200 million the value of the package of measures to help affected areas.

Mr. Janner: Does the Minister recognise that while the Government are making arrangements for special redundancy payments for miners who are made redundant as a result of the pit closures, they have made no announcement, whether to the Select Committee on Employment, in the White Paper or elsewhere, about special redundancy measures to help people who are made redundant in related industries, as opposed to additional help for the areas in which they live? What do the Government propose to do for the individuals and their families? Probably as many as 100,000 people will be made redundant if the pit closure programme goes forward in any form. What special redundancy pay will they get?

Mr. Eggar: I am surprised that the hon. and learned Gentleman, who is a distinguished Committee Chairman, continues to repeat a figure of 100,000 which seems to be a complete figment of his imagination. I wish that he would point to the positive side just once. For example, why have we not heard from him about the many jobs that will be created by the announcement that the Connah's Quay project will go ahead?

Mr. Alexander: As the related industries must by definition include those interested in purchasing the coal mines that are to close, is not it astonishing that British Coal is closing down those mines at the end of April and yet refusing to allow any interested purchasers to view the mines in the meantime? Is not it clear that British Coal is denying the opportunity for those coming in to purchase ongoing coal mines and does not want competition from outside at all?

Mr. Eggar: It is my understanding that, if British Coal were to decide to cease coaling at Bevercotes, which is my hon. Friend's concern, that mine would go on to a care and maintenance basis so there is no possibility of its simply not being available for sale to the private sector. However, I understand my hon. Friend's concern and that of his constituents. Clearly, it is important that British Coal moves rapidly to put mines such as Bevercotes on the market and make them available to the private sector. I take the message that my hon. Friend has delivered to me.

Mr. Robin Cook: Is the Minister aware of the anger among miners and the management of British Coal that their pension fund is to be raided to match the cost of the new subsidy? Is it the bottom line that in March the Government announced a subsidy of up to £500 million and instructed British Coal in April to save the Treasury much the same figure? Is not it true that Conservative Members did not tell us that in the debate or the White Paper because they know that no one else will accept it as fair that the miners' pension fund should pay the cost of the Government's mismanagement of the pit closures?

Mr. Eggar: What I think people are extremely angry about is the hon. Gentleman's irresponsible scaremongering. It has been made absolutely clear that there will be no rip-off of the pension funds—pensions will be safeguarded. That is the clear undertaking which has been given. What is more, British Coal will seek a court direction as to the way in which the surplus can be disposed of. I wish that just once the hon. Gentleman would bother to do his homework.

Mr. Dickens: Can the Minister explain why Labour Members always suppose that, by throwing resources after —*[Interruption.]*

Madam Speaker: Order. The hon. Gentleman has been here for some time. He should not be asking the Minister to explain anything about Labour Members: he must ask a direct question relating to Government policy.

Mr. Dickens: When the textile workers of the north were put out of work and the mills closed, they did not have handouts such as those that have been suggested in this question. *[Interruption.]* That matter is relevant to the question.

Madam Speaker: Order. I am moving on.

Mr. Barron: The Minister is aware of the blackmail tactics that are being used currently at Maltby colliery to get rid of the work force and stop production at one of the most profitable and modern coal mines in Europe. That would obviously take away the market for many forms of mining manufacturing industry. On Friday this week, I am going to visit NEI mining division in Sheffield, which employs some of the best engineers in Britain. What have I to say to them when they see their jobs being taken away by the Government's attacks on the British coal mining industry?

Mr. Eggar: I find it extraordinary that the hon. Gentleman should describe what is happening at Maltby as blackmail. Through British Coal, the Government have committed a net £29 million to investment in the development of Maltby in order to create the super-pit of the future. Why does not the hon. Gentleman for once point to the advantages that lie ahead for his constituents rather than any downside?

Manufacturing (West Yorkshire)

9. **Mrs. Mahon:** To ask the President of the Board of Trade when he will next visit West Yorkshire to discuss job losses in manufacturing.

The Minister for Industry (Mr. Tim Sainsbury): My right hon. Friend the President of the Board of Trade and other Ministers in my Department make frequent visits to Yorkshire. My right hon. Friend next plans to visit Leeds in mid-May to attend the Association of British Chambers of Commerce annual conference dinner.

Mrs. Mahon: Is the Minister aware that in Yorkshire and Humberside between 1989 and 1992, 35,000 jobs were lost in manufacturing? Will he do something for the thousands of unemployed in Halifax by unequivocally supporting Calderdale council's bid for objective 2 status and by granting Calderdale assisted area status? He must be aware that Calderdale is like the hole in the middle of the doughnut, surrounded by areas that receive help, but receiving nothing.

Mr. Sainsbury: We all regret—*[Interruption.]* We are all sorry to see job losses, but I hope that the hon. Lady will appreciate that inevitably improvements in productivity are sometimes accompanied by job losses. I cannot anticipate for her the outcome of the review of the assisted

area map. I hope that she recognises that we have only just received from the European Community its proposals for the rules that will apply to objective 2 status. They are being considered and are not likely to be agreed by the Council of Ministers until later in the summer.

Mr. Batiste: What does my right hon. Friend advise those who, like the hon. Member for Halifax (Mrs. Mahon), bemoan job losses in West Yorkshire, but advocate policies such as the social chapter, which would cost so many jobs by making British industry uncompetitive on the world markets?

Mr. Sainbsury: I would advise, as I am sure that my hon. Friend would, that they consult industry. If they did, they would find that industry is aware that if it is to succeed, create jobs, win export orders and win a larger share of the home market, the key is productivity. That is what they seek and that is what the Government are helping them to achieve.

Small Businesses (North-west)

10. **Mr. Kilfoyle:** To ask the President of the Board of Trade how many new small businesses have been established during the last 12 months for which figures are available, in the north-west region.

Mr. Neil Hamilton: An indication of the number of new businesses set up in the north-west can be obtained from VAT data. During 1991—the latest year for which figures are available—there were 21,000 registrations for VAT in the north-west. More recent figures are published by Barclays bank, which estimates that during 1992 there were 51,000 new start-ups in the north-west. The figure includes businesses with a turnover below the VAT threshold.

Mr. Kilfoyle: More than an indication of the state of the economy in the north-west are surely the Dun and Bradstreet figures for the year up to March 1993, which show that 5,046 businesses went under in the north-west in that time. Does not that give the lie to the claim propagated by the Tory party in the current county council elections in the north-west that it is the party of responsible economic management for the north-west?

Mr. Hamilton: There are 3 million businesses in Britain and even in times of boom, businesses cease trading and new businesses are created. Even at a time of recession, many businesses are coming forward to take up the opportunities which are increasingly available to them. Lower interest rates, a more competitive exchange rate and all the north-west's advantages make me optimistic for the future. It is a great pity that the hon. Gentleman and his Opposition colleagues always seem to talk down the region rather than capitalise on its strengths and advocate them as loudly as possible.

Mr. Hendry: Is my hon. Friend aware that most of the small and medium-sized firms in my constituency and throughout the north-west report strong signs of economic upturn? Does he agree that their continuing prosperity depends on the continuation of Government policies that deliver low inflation, low borrowing costs and freedom from the job-destroying social chapter?

Mr. Hamilton: I entirely agree with my hon. Friend. Were it not for the legacy of Labour party militancy on Merseyside it would be easier for us to advocate the advantages of the north-west.

Mr. Loyden: Will the Minister take note of the issue raised by my hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle) that many of the businesses that the Minister mentioned are opening, then closing after about six months? If he lived in the city or the region, he would understand that. Are the several hundred people selling cigarette lighters in the centre of Liverpool classified as small businesses?

Mr. Hamilton: It is a great shame that Liverpool has Members of Parliament like the hon. Gentleman, because if those watching our proceedings this afternoon regard him as typical of the city it is no wonder that we have difficulty in attracting people into it. However, in spite of the best efforts of people like the hon. Gentleman, we have been instrumental in attracting jobs to Liverpool, to places such as Wavertree technical park. We provided £6 million in grants, which has led to £30 million in private sector investment and the creation of 1,600 long-term jobs in the city of Liverpool.

Mr. Clifton-Brown: Does my hon. Friend agree that some new businesses that are started in the north-west do so with assisted area status aid? My hon. Friend will be aware that aid has already been granted to one business that has been relocated from my constituency to Wigan, with the aid of £1 million? I have written to my hon. Friend with details of another firm that is about to relocate to the north-west with assisted area status aid. Is it sensible use of Government money to give aid that involves a net loss of jobs—putting people out of work in one district and putting them into work in another?

Mr. Hamilton: I am aware of my hon. Friend's concerns. Such policies inevitably create difficulties from time to time. Some parts of the country have great disadvantages on account of historical change and transition from old-fashioned industries to new ones. My hon. Friend the Minister for Energy has discussed the case with me and I take his concerns seriously. We want to see economic prosperity in all parts of the country, and regional selective assistance plays a part in achieving that objective.

Miners (Unemployment Insurance)

11. **Mr. Enright:** To ask the President of the Board of Trade when he will hold discussions with insurance companies on the problems facing miners who wish to insure against unemployment; and if he will make a statement.

Mr. Eggar: The issue of policies and their terms are for the commercial judgment of insurance companies. It would not be appropriate to intervene in their commercial decisions. However, as my hon. Friend the Member for Littleborough and Saddleworth (Mr. Dickens) said, miners who are made redundant are eligible for generous redundancy payments of up to £37,000 per man.

Mr. Enright: Will the Minister persuade his right hon. Friend the President of the Board of Trade to take time off from dipping his hand in the till of miners' pensions with

the same ease with which he used to whirl the Mace, and consider the problem of miners in pits such as Stillingfleet, who have a long future ahead of them but are unable to obtain insurance due to the document uttered by the Minister, "Prospects for Coal"? Insurance companies no longer think that any pit has a future. We are not talking about redundant miners, but miners who are in work—what is the Minister going to do about it?

Mr. Eggar: I hope that the hon. Gentleman will reflect on the use of language. I do not understand how he believes that the cause that he seeks to promote is furthered by using language as he has just done.

Mr. Quentin Davies: How many jobs are being created for miners who have been made redundant by British Coal Enterprise and other Government initiatives in coal mines or former coal mining areas?

Mr. Eggar: British Coal Enterprise is playing an active role in finding additional jobs and relocating individuals. Between 1987 and 1992, no fewer than 84 per cent. of all those who registered with British Coal Enterprise were found long-term employment within a year to 18 months. That is a very impressive record.

Mr. Stevenson: Is the Minister aware that any insurance that may be available against job losses is no substitute for a job? In my constituency, it is estimated that the proposed cruel closure of Trentham colliery will lead to 4,400 people losing their jobs with a loss to the local economy of £84 million. Is the Minister prepared to assure us that the resources available to create employment will reflect that tragic and massive loss in that area?

Mr. Eggar: The Trentham colliery is part of the continuing consultation process on the closures. Should it be decided that Trentham be closed, of course the private sector will be able to lease or, in due course, purchase Trentham. I am sure that that is something which the hon. Gentleman will welcome.

Mr. Oppenheim: Is my hon. Friend aware that thousands of former miners in my constituency were made redundant and given a pittance for redundancy pay under previous Labour Governments, so the Opposition have no right to preach to us about hands in tills when it comes to miners? Do not millions of workers in other industries rely for their jobs on competitively priced energy, and to give coal a monopoly on energy, as Labour would like, would put thousands of jobs at risk elsewhere in the economy?

Mr. Eggar: The hypocrisy of the Opposition knows no bounds.

Mr. Enright: On a point of order, Madam Speaker. In view of the unsatisfactory nature of the Minister's answer, I propose to ask for an Adjournment debate.

Aerospace Industry

12. **Mr. Hanson:** To ask the President of the Board of Trade what plans he has to meet the Society of British Aerospace Companies to discuss future prospects for the industry; and if he will make a statement.

Mr. Sainsbury: My right hon. Friend has no current plans to meet the Society of British Aerospace Companies, but my Department keeps in close touch with the society and its member companies. Two weeks ago I led a SBAC mission which discussed United Kingdom export opportunities with the Boeing company in Seattle.

Mr. Hanson: Is the Minister aware that even as we speak there is a lobby of the House by aerospace workers who are seeking to stop the haemorrhage of jobs—50,000 in the past few years, including many in my own constituency in north Wales? Will the Minister take action on the aerospace industry and today publish the report by his own aviation committee which is critical of the Government's policy? Will he act upon its recommendations and give the House an assurance that he will undertake to accept the recommendations of the Trade and Industry Select Committee which is meeting today?

Mr. Sainsbury: The hon. Gentleman is, I hope, aware that the aerospace industry world wide is suffering both from the welcome reduction in defence orders, and the recession in the airline industry which has obviously reduced the number of orders that the industry has to satisfy. The industry receives a great deal of Government support and will continue to do so.

Mr. Nicholas Winterton: Does my right hon. Friend accept that the British aerospace industry, particularly British Aerospace itself, is one of Britain's largest exporters and has an outstanding record of achievement? Will he ensure that British Aerospace, particularly the regional jet division which is located on the periphery of my constituency, always receives sympathetic consideration from the Department in respect of launch aid for new projects and the research and development which is so essential to the success of the industry?

Mr. Sainsbury: I am very happy to take this opportunity to pay tribute to the export success of British Aerospace and the British aerospace industry in general. As my hon. Friend will know, since 1979 that industry has received considerable support from the Government—no less than £1·5 billion. As I said in my earlier reply, it will continue to receive support.

Mr. Barry Jones: May I tell the right hon. Gentleman of the devastating loss of 269 British Aerospace jobs in my constituency at the Broughton works, and of the amazement of the work force who have learnt that nearly 100 of those jobs are to be directly exported to the constituency of President Clinton at Little Rock? Will he intervene? Will he receive the petition that I have today received from a lobby of my constituents, who are angry and disappointed and who look to the Government to give them help?

Mr. Sainsbury: I am sure that the hon. Gentleman will be aware that decisions on its corporate jet business are clearly commercial matters for the company. It must make the decisions as it sees fit in the best interests of the business. The hon. Gentleman will be assured to know that the company has said that it has no intention of closing down the Chester or Broughton production facilities.

Mr. Ian Bruce: Has my right hon. Friend received any representations from the Society of British Aerospace Companies about the European Community Konver programme? Has he yet had a chance to look at the strange classification of the areas that should be helped by the European Community? That classification seems to exclude counties such as Dorset and the travel-to-work

area of Weymouth and Portland, which has a 43 per cent. defence dependency and which clearly should be helped by any money that comes from this programme.

Mr. Sainsbury: I have not received any representations on that point from the SBAC, but if I do, I will be happy to look at them. I share some of my hon. Friend's concerns about the proposals emerging under the Konver programme—especially for the reasons that he has advanced: it does not seem to direct enough support to the areas that would most deserve it.

Nuclear Review

13. **Mr. Tipping:** To ask the President of the Board of Trade if he will announce the timetable for the 1993 nuclear review.

Mr. Eggar: The Government set out in the White Paper, "Prospects for Coal", their intention to bring forward the review of the future prospects for nuclear power originally scheduled for 1994. A further announcement about the review will be made in the summer.

Mr. Tipping: Does the Minister understand the real anger in Nottinghamshire and throughout the country arising from the fact that, while nuclear electricity receives a subsidy of £1·3 billion, half the coal industry has been closed down? Will he bring forward the review of nuclear electricity as quickly as possible so that mothballed collieries such as Bilsthorpe, Calverton and Rufford will at last have a chance to compete on equal terms?

Mr. Eggar: I am sure that the hon. Gentleman is aware that large numbers of trade unionists very much welcome the decision on nuclear power. The trade unionists for safe nuclear energy came to thank me for the decisions announced in the White Paper, and agreed with the hon. Gentleman that the review should be brought forward so as to end the apparent fear of some uncertainty about the future of the nuclear industry. At the time of the review, we will look at a large number of issues that relate to the future of the nuclear industry.

Mrs. Lait: Is my hon. Friend aware that nuclear power is clean, safe and good value? Is he further aware that the project team at Sizewell B is bringing in that project on time and at cost, which will make it a world-beating project team for further nuclear power stations? Will he assure the House that the benefits and achievements of our nuclear industry will be borne in mind when he undertakes the review?

Mr. Eggar: Certainly we will. My latest information is that Sizewell B is likely to be brought in under project cost and ahead of time.

Dr. Kim Howells: Will two critical decisions affecting the future of the nuclear industry be delayed until after the publication of the nuclear review? I refer to the deep repository for spent nuclear fuel and to the start-up of the thermal oxide reprocessing plant project. The Minister will know that it has already cost the taxpayers of this country £2·8 billion and it is costing British Nuclear Fuels plc a great deal of money every week because is is not starting up.

Mr. Eggar: I am aware of the widespread concern on all sides of the House about the delays to the THORP project. BNFL estimates that the delay in the start-up of the project is costing about £2 million per week. Of course, the matter is being considered urgently by my right hon. Friends.

Exports

14. **Mr. Pawsey:** To ask the President of the Board of Trade what are the top 10 export industries; and what level of exports they are each responsible for in percentage terms.

Mr. Needham: Aerospace, industrial chemicals, office equipment and computers and motor vehicles industries each contributed 6 per cent. Oil and gas, the electronic consumer goods and components industry, telecommunication equipment and control systems and machinery for general industrial use contributed 4 per cent. Motor vehicle parts and pharmaceuticals industries contributed 3 per cent.

Mr. Pawsey: May I thank my hon. Friend for that complete reply which underlines the importance of manufacturing industry to the economy and, harking back to the question by the hon. Member for Halifax (Mrs. Mahon), also to jobs? Will my hon. Friend therefore join me in congratulating companies like GEC Alstom Ltd and Cegelec Ltd in my constituency, which have outstanding records in exports? Does he agree that much more might be done to help exporters, for example, by further reducing rates of export credit guarantees?

Mr. Needham: I agree with my hon. Friend about the importance of manufacturing industry to exports. I am sure my hon. Friend would like to know that since 1981 the volume of United Kingdom manufactured exports has increased by four fifths, faster than France, Germany, Italy, the United States and Japan. The range of industries that I read out shows the depth and breadth of industry involved and its success. My hon. Friend is right to point to GEC Alstom Ltd in his constituency. GEC, one of the most successful companies in the country, is already saying that in the 1990s it will double its exports to the Pacific rim. I am sure that it will succeed in that.

Ms Short: Does the Minister agree that, after the longest recession since the 1930s, the fact that Britain has a balance of payments deficit means that we have had a serious failure over the last 14 years in our strategy for manufacturing industry? Does he agree that that is very worrying for the future? Can he tell us whether the Government have any policies or strategy to increase investment in manufacturing, or will they just write off the future?

Mr. Needham: The hon. Lady and her hon. Friends write off the future every time they stand on their feet, by knocking British manufacturing and its successes. British industry is now in a position to capture an increasing number of markets in the world; the Department of Trade and Industry is standing alongside it in achieving that objective. As I remarked just now, if the hon. Lady was listening, the capital goods industry has already said that in the next seven years it will double its exports from £10 billion to £20 billion. No doubt the hon. Lady would like to come out selling.

Mrs. Peacock: My hon. Friend will be aware of the importance of textiles in our export market. Can he tell the House whether he has received any representations on the report that south Korea is about to add fairly high tariffs to our wool textile goods exported to that country?

Mr. Needham: I have not as yet. As I intend to go to Korea tomorrow, I shall raise the matter with the Korean Government.

Mr. Bell: In reference to the question put by the hon. Member for Rugby and Kenilworth (Mr. Pawsey) about export credit guarantees, may we welcome the extension of the guarantees to Russia following the G7 talks in Japan? Will the Minister confirm that the major issue facing exporters is the future of the 20 per cent. political risk cover guaranteed by the Department of Trade and Industry? It is supposed to expire at the end of 1994. When may we expect a statement from the Minister that it will be extended?

Mr. Needham: We are considering the matter through ECGD with NCM and Trade Indemnity. I believe that the hon. Member is referring to the reinsurance aspects of political risk. Companies have been successful in managing to place some 90 per cent. of that in the private market this year, but I am keeping the matter under close review.

Post Office

15. **Mr. Harry Greenway:** To ask the President of the Board of Trade if he will make a statement on the future of the Post Office.

Mr. Heseltine: I refer my hon. Friend to the answer that I gave earlier to my hon. Friend the Member for Hendon, South (Mr. Marshall).

Mr. Greenway: Is my right hon. Friend aware of the wonderful support that I have had from my constituents in battles to save five post offices? Public meetings which I organised were attended by hundreds of people. Each of the post offices was saved and enhanced as part of Post Office Counters. Will my right hon. Friend assure me that, in the event of privatisation, the services of those post offices will be further enhanced? Will he also look at the issue of postal collections across London on Sundays, which are currently rare? More collections are needed. If the Post Office is privatised will there be more postal collections on Sundays?

Mr. Heseltine: I have no doubt whatever of my hon. Friend's unremitting efforts on behalf of the post offices in his constituency. I am delighted to hear of the success which I am sure he richly deserves. I should properly refer matters such as post office services on Sundays in London to the Post Office board and I shall rapidly do so.

Mr. Bryan Davies: Is not another attractive feature of Post Office privatisation for the Government the fact that yet another board will be created which superannuated Ministers can join and draw healthy emoluments for their services?

Mr. Heseltine: The hon. Gentleman will remember that that precedent was established by Labour when it created nationalised industries and transferred Ministers to run them.

Points of Order

3.31 pm

Mr. John McAllion (Dundee, East): On a point of order, Madam Speaker. Last night, a Northern Ireland Office Minister announced that, for technical reasons, the Government intended to withdraw their plans to privatise Northern Ireland's water. That means that only Scotland faces the prospect of water privatisation in this Parliament.

Could we have a business statement from the Secretary of State for Scotland today to explain the technical reasons for the withdrawal of plans to privatise water in Northern Ireland? We in Scotland think that the technical reason may be that the Government do not have a democratic mandate in Northern Ireland. But neither do they have a democratic mandate in Scotland for water privatisation.

Madam Speaker: That is not a matter for me. The hon. Gentleman will have to pursue his point through some other channel.

Mr. Geoffrey Dickens (Littleborough and Saddleworth): On a point of order, Madam Speaker. You were not to know that, in my constituency, there are textile mills that manufacture the canvas on which coal is conveyed underground. My question was much more relevant than you anticipated. Perhaps I should have introduced that element earlier in my point.

Madam Speaker: That is right. The hon. Gentleman ought to lead with a question rather than just make comments. I was born not far from his constituency, and I know it well.

PRESENTATION OF BILL

CRIMINAL PROCEDURE (SCOTLAND) *(AMENDMENT)*

Mr. George Robertson presented a Bill to make provision for the abolition of the not proven verdict by the amendment of the Criminal Procedure (Scotland) Act 1975; And the same was read the First time; and ordered to be read a Second time upon 2 July, and to be printed. [Bill 183.]

STATUTORY INSTRUMENTS, &c.

Madam Speaker: With permission, I shall put together the motions relating to statutory instruments.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(3) (Standing Committees on Statutory Instruments, &c.).

FIRE SERVICES (NORTHERN IRELAND)

That the draft Fire Services (Amendment) (Northern Ireland) Order 1993 be referred to a Standing Committee on Statutory Instruments, &c.

TRAFFIC WARDENS

That the draft Functions of Traffic Wardens (Amendment) Order 1993 be referred to a Standing Committee on Statutory Instruments, &c.

FAMILY LAW (NORTHERN IRELAND)

That the draft Family Law (Northern Ireland Consequential Amendments) Order 1993 be referred to a Standing Committee on Statutory Instruments, &c.

That the draft Family Law (Northern Ireland) Order 1993 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Andrew Mitchell.]*

Question agreed to.

Criminal Justice (Amendment) (No. 2)

3.32 pm

Mr. Mike O'Brien (Warwickshire, North): I beg to move,

That leave be given to bring in a Bill to amend sections 1 and 29 of the Criminal Justice Act 1991 to enable the Courts to take account of relevant factors when dealing with custodial sentences and related matters.

My Bill will give the House an opportunity to amend key defects in the 1991 Act. Since it came into force last year, that Act has allowed criminals who ought to have gone to prison to get away with it. It has unacceptably restricted the ability of the courts to imprison persistent offenders.

Yesterday, the hon. Member for Canterbury (Mr. Brazier) introduced a Bill which also deals with these matters. My Bill differs from his in several ways. Before I outline those differences, I should like to compliment the hon. Gentleman on his impressive and eloquent speech, which clearly identified the issues that I wish to address. I associate myself with many of the arguments that he so ably put before the House. I differ from the hon. Gentleman, in that I do not seek a return to the position that existed before October of last year. Rather, my aim is to amend the Act to strike a new balance within the framework of the legislation.

The Government introduced the Criminal Justice Act with some important and still valid aims. They just sought to achieve those aims in the wrong way. My Bill would give the courts wider discretion, without returning to the defects that the Act sought to remedy.

The second difference is that the Bill is fully drafted and, after considerable discussion and consultation, has the endorsement of those on the Labour Front Bench. I can offer the Government the Labour party's co-operation in speedily implementing my Bill should they decide to take that opportunity.

I am putting the Bill forward now because, like the hon. Member for Canterbury, I believe that there is a need for urgency in amending the Criminal Justice Act. The Home Secretary said recently, before the Home Affairs Select Committee, that he was reluctant to amend the Act until a year had passed since it came into force. I do not feel that he has yet grasped the urgency of the need to deal with the matter. I hope that the fact that, in two days, two Bills have been introduced, by hon. Members on each side of the House, dealing with the same issue will emphasise the importance with which the House regards the need to amend the Act.

I call on the Government to provide legislative time to respond to the demand, from both sides of the House, for urgent action. That is why my Bill has been introduced so close on the heels of the debate last week on criminal justice, which saw repeated calls for the issues to be tackled.

That is why the opportunity has been taken to focus two Bills on the same subject, on consecutive days, albeit from different points of view. It is an attempt to put pressure on the Home Secretary to act. He must understand that Conservative and Labour Members are not prepared to wait until October for a year to pass, while criminals are released when they should be behind bars, and then claim more victims. He must treat the matter with the priority that it deserves.

Sections 1(2) (a) and 29 of the Criminal Justice Act are the offending sections that must be amended. Under section 1(2) (a), in deciding whether to send a criminal to prison, the court can consider only two of the offences before it. The defendant may have more offences before the court. He may be a shoplifter or a social security fraudster who has committed a large number of offences over a substantial period, and admits so.

There may be 20, 30 or 50 offences to be taken into consideration yet, as happened recently at Reading, the court can take a decision based only on two offences. That is ridiculous. The decision whether to send someone to prison will be different if it is based on two offences than it would be if it were based on a large array of offences, and that factor must be contained within new legislation. My Bill would amend section 1(2) (a) to allow the court to look at all the offences before it in deciding whether to imprison.

The other offending section, section 29, deals with the length of the sentence to be imposed. It prevents the court from taking into account a previous criminal record, except in particular circumstances.

Although the Labour party believes that we need to be tough on crime and the causes of crime, we are not seeking to join the "hang 'em and flog 'em" brigade. We just want to see defendants get justice in the courts and our constituents protected.

Therefore, let me concede that the Minister who was responsible for section 29, the right hon. Member for Oxford, West and Abingdon (Mr. Patten), then a Home Office Minister and now the Secretary of State for Education, introduced that section to deal with a real inadequacy in the law before the Criminal Justice Act was passed, and he had some support for that from the Labour party.

It was then possible for the courts to sentence offenders not for the offence before the court but for their previous convictions. In a case in 1988, that resulted in a thief who had stolen fish worth £12 getting three and a half years. That was wrong, as Lord Justice Stocker said at the time. It was right that that sentence should be cut.

That fault had to be tackled but, unfortunately, the Act sought to do so by hamstringing the courts with a series of complex hurdles before they could imprison anyone. It was the wrong approach to the issue.

The right approach was to allow all the relevant previous convictions to be considered within the context of the seriousness of the offence. That is what my amendment will do. It is a workable solution to the problems of the Act, which will allow courts to imprison but not to imprison unjustly. It will give the courts more discretion than the present section 29, without the defects of the old rule. It will allow the courts to protect the public by sending to prison those who should go to prison.

The Lord Chief Justice has called sections 1 and 29 misconceived motions. Judges who appeared before the Select Committee on Home Affairs, of which I am a member, began their evidence by demanding that these provisions should be changed. Only the other day, a judge told me that the effect of the provisions was to turn many courts and their decisions into a shambles.

The House will be aware that 30 magistrates have resigned in protest. Police officers and lawyers have denounced the new law in the most forceful terms. It is frustrating for police officers, and for the public, to see criminals arrested and brought before the courts, only to find that the courts are forced to do no more than fine them. The courts release them due to the Criminal Justice Act. The Act has more regard for inmates of overcrowded prisons than it has for the victims of crime on council housing estates, for example.

I know that many Conservative Members were elected in the belief that a Conservative Government would be tougher on crime. I suspect that it must be galling for them that Labour can criticise the Cabinet for presiding over a doubling of crime, and for passing the most liberal piece of legislation on crime in the form of a Criminal Justice Act. The credibility of the Government's policy on law and order is at stake.

As an Opposition Member, it gives me no great pleasure to say that the Government are weak on law and order—well, perhaps a little pleasure. I know that it is the people who are the victims of this weakness. My constituents, for example, are the victims of increasing burglaries, car thefts and vandalism—crimes which are sometimes committed by criminals who were saved from prison by the Criminal Justice Act.

The Home Secretary has said that he will revisit the Act. He gives no date and we cannot afford to spare him the time, during which criminals who deserve to go to prison will be protected from prison. This is a time for urgent action, not prevarication. While the Home Secretary consults, debates, prevaricates and waits, victims of crime will suffer. As I have said, the Bill could be enacted quickly. It is designed to protect the victims of criminals, criminals who should have been sent to prison within the terms of the Criminal Justice Act, but were not. I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Mike O'Brien, Mr. Stephen Byers, Mr. Chris Mullin, Mrs. Barbara Roche, Mr. Gerald Bermingham, Mr. Alan Meale, Mr. Jimmy Boyce and Mr. Paddy Tipping.

Criminal Justice (Amendment) (No. 2)

Mr. Mike O'Brien accordingly presented a Bill to amend sections 1 and 29 of the Criminal Justice Act 1991 to enable the Courts to take account of relevant factors when dealing with custodial sentences and related matters: And the same was read the First time; and ordered to be read a Second time upon Friday 7 May, and to be printed. [Bill 184.]

Chairman of Ways and Means (Ruling)

Madam Speaker: It will help the House to know that I have not selected the amendment standing in the name of the hon. Member for Eltham (Mr. Bottomley).

3.42 pm

Mr. Tony Benn (Chesterfield): I beg to move,

That this House regrets that the Chairman of Ways and Means, having selected Amendment 27 to the European Communities (Amendment) Bill, which has support from honourable Members on both sides of the House, having called a Right honourable Member to speak on that amendment, and having allowed a debate upon it to take place, should then have decided, contrary to normal practice, not to permit a division to take place upon that amendment, thus denying the House an opportunity to reach a decision on an issue relating to the applicability of the Protocol on Social Policy contained in the Maastricht Treaty, a protocol which Her Majesty's Government held to be so important that it sought and obtained a special opt-out from it for the United Kingdom; and, in the light of these considerations, and the long term significance of this ruling for parliamentary debates on all future legislation, calls upon the Chairman of Ways and Means to reconsider his ruling forthwith, and to permit the Committee to reach a decision on that amendment.

First, I wish to make it clear that the motion is supported by 80 hon. Members who represent opinion in all parts of the House. It represents the only way in which the House can register its opinion of a decision of the Chairman of Ways and Means. It is not possible to appeal to Madam Speaker in respect of decisions taken by the Chairman.

Those of us who have signed the motion believe that it is a profoundly mistaken ruling and that the statement made by the Chairman has the most serious implications for the rights of hon. Members and their constituents in the future. It relates solely and simply to that one ruling, and invites the House to ask the Chairman of Ways and Means to reconsider it. It is nothing more than that. It is not a motion of censure on the Chairman of Ways and Means, who is widely respected by hon. Members on both sides of the House, especially for the way in which he has chaired the debates on the Bill.

I shall never forget that, at the outset of the Committee stage, the Chairman invited me and other interested Members to go to his room so that he could hear our points of view and explain his approach. I have never in my life known that to happen in connection with any Bill going into Committee. The motion is therefore nothing whatever to do with his impartiality; it is a question of his judgment in this one ruling.

Sir David Steel (Tweeddale, Ettrick and Lauderdale): Would the right hon. Gentleman be kind enough to correct his opening statement that the motion that he has moved has support in all parts of the House? That is not true.

Mr. Benn: It depends whether one is speaking geographically or in terms of political parties. Geographically, it has support from all sides.

This is a motion for the House as a whole to consider. It is not, and should not be seen as, a matter of party controversy, and I hope that the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) has not applied a whip to members of his party to prevent them from supporting the motion.

This motion is exactly the same as an appeal to an appeal court in order to consider a judgment from a lower court. It follows closely a similar motion moved by Sir Elwyn Jones in 1972, when the House was debating the European Communities Bill. The issue then related to rulings by the then Chairman about his selection of amendments to the Bill. In moving the motion, Sir Elwyn —later the Lord Chancellor—said this——

Mr. Michael Spicer (Worcestershire, South): Will the right hon. Gentleman give way?

Mr. Benn: Certainly.

Mr. Spicer: I am most grateful. Does the right hon. Gentleman accept that many of my right hon. and hon. Friends, who share many of the anxieties that he has in this matter, will not be voting with him on the motion—not only out of respect for the Chair but also because we believe that the fault for this issue very largely lies with hon. Members on the Opposition Front Bench? They have been consistently tabling new clauses which are seen to be substitutes for amendment No. 27. I hope that the right hon. Gentleman will not push the motion to a vote at the end of the day.

Mr. Benn: The hon. Gentleman has not heard the case yet. If he has already reached a view on the basis of a few introductory words, it gives an indication, as civil servants would say, of the way his mind is moving. He should hear the argument before reaching a final view.

When Sir Elwyn Jones moved his motion of censure against Sir Robert Grant-Ferris—who was as popular as the present Chairman of Ways and Means—this is what he said:

"The Chairman's interpretation of the rules of order therefore is quite crucial to the whole rôle and function of Parliament and this House in its consideration of this historic and unprecedented Bill."

That was the European Communities Bill.

"The Chairman himself rightly described it yesterday as one of the most fundamental and important Bills which have ever been before the House of Commons. If the Ruling stands unamended and unqualified by subsequent action, it will as a matter of order muzzle proper consideration and decision by this House on a Bill which, if it becomes law, will restrict the power of Parliament to debate and resolve: first, questions vital to the finances and economy of our country; secondly, important changes in our law; thirdly, the control by the House over public expenditure; fourthly, restrictions which will be placed on the rights and powers of our courts of law —matters which affect every subject in the land.

If as a matter of order Parliament can be so circumscribed that important Amendments which the Opposition have tabled cannot be made debatable, the consequence will be to reduce the rôle of this House in the consideration of the issues raised by this momentous Bill to discussion merely of the comparatively trivial and superficial."—[*Official Report*, 1 March 1972; Vol. 832, c. 434-35.]

Mr. Tom King (Bridgwater): Is there not an essential difference between this Bill and the right hon. Gentleman's analogy? He knows that no amendments were made to the European Communities Bill, and that there was no Report stage. The right hon. Gentleman says that there should be an opportunity for appeal to another court. One reason why a number of us find the motion deeply offensive is that the right hon. Gentleman knows that he has another opportunity to make his arguments without seeking to impugn the impartiality and judgment of the Chairman of Ways and Means.

Mr. Benn: On the latter point, I have made it absolutely clear that I am not impugning the impartiality of the Chairman of Ways and Means. [HON. MEMBERS: "Oh."] I am not. I gave the Chairman a copy of the speech that I am making so that he could read it in advance of the debate. I am making the point that the only way in which the House can query the judgment of a Chairman or of the Speaker is to table a motion. It is absurd to say that that is impugning the impartiality of the Chair. As the right hon. Gentleman will learn, if he allows me to finish my speech, the issue is very similar to the one in 1972.

Sir Russell Johnston (Inverness, Nairn and Lochaber): The right hon. Gentleman listed the apocalyptic consequences which Sir Elwyn saw if the Chairman's ruling was upheld. The Chairman's ruling was upheld. Does the right hon. Gentleman think that those consequences followed?

Mr. Benn: If the hon. Gentleman, who is a passionate supporter of the European Community, does not realise that everything that was said by Elwyn Jones was correct in terms of the superior power of Community law over European law, which is what that Bill was all about, I wonder whether the hon. Gentleman has followed the debates on issues to which he is so committed. Perhaps that is why he was able to support earlier legislation on this matter.

This debate is not about the merits of amendment No. 27 but about the right of the House to reach a decision upon it. It is not about the merits of the social chapter, or the protocol on social policy, but about the right of the House to give its judgment upon it. It is not about the merits of the Bill itself, or of the Maastricht treaty, but about whether the House should be able to amend it in one important respect.

I do not intend to dwell in great detail on the issue, apart from saying that the social chapter is a very important part of the agreement that was reached by the other 11 member states. It is an issue to which the Government, as my motion makes clear, are opposed. They wish to be at the heart of everything in Europe, except social policy.

According to article 1 of the social protocol agreement of the treaty on European union,

"The Community and the Member States shall have as their objectives the promotion of employment, improved living and working conditions, proper social protection, dialogue between management and labour, the development of human resources with a view to lasting high unemployment and the combatting of exclusion. To this end the Community and the Member States shall implement measures which take account of diverse forms of national practices, in particular in the field of contractual relations, and the need to maintain the competitiveness of the Community economies."

The social chapter—I list the headings only—deals with the improvement of the working environment to protect workers' health and safety; working conditions; the information and consultation of workers; equality between men and women with regard to labour market opportunities so as to ensure that each member state shall maintain the principle of equal pay for male and female workers; social security and social protection of workers; protection of workers where their employment contract is terminated; representation and collective defence of the interests of workers and employers; conditions of employment, and so on.

It is a very important protocol. The Government are determined to prevent it from applying to this country. I do not comment upon its merits, but it is an issue so important to the Government that they persuaded the other 11 member states to let them off having to apply it. That is the Government's position. The Opposition's position, by contrast, is that my right hon. Friends attach great importance to the social chapter. I do not even comment at this point on whether they are right or wrong, but there can be no dispute that that is what the party of which I am a member wants.

When the Chairman of Ways and Means called a group of amendments which was headed by amendment No. 7 and which contained amendment No. 27, he knew perfectly well that that was the occasion on which these great issues would be debated. On 20 January, my right hon. Friend the Member for Copeland (Dr. Cunningham) said:

"Amendment No. 7 is a probing amendment which we intend ultimately to withdraw . . . I shall address my remarks to amendment No. 27 on which, in due course, we shall press the Committee to a vote."

He then read out amendment No. 27, which would, of course, change the relationship.

We now come to the nub of the matter, because we are talking about an important parliamentary difference of opinion which is not able to be resolved by voting on amendment No. 27. My right hon. Friend the Member for Copeland also said:

"The Bill excludes Britain from provisions which our 11 partners have agreed to facilitate greater protection for employed people in their working conditions, better rights of consultation and information, equality of treatment and opportunity for men and women, and the integration into the labour force of long-term unemployed people, including disabled workers."

The Minister of State, Foreign and Commonwealth Office, the right hon. Member for Watford (Mr. Garel-Jones), then made an important statement. He said:

"The hon. Gentleman will be aware that, under the terms of the amendment, United Kingdom law would not conform to the treaty's provisions, so it would be impossible for the United Kingdom to ratify that treaty".

My right hon. Friend responded at once, as I would have expected. He said:

"I . . . willingly explain . . . As the right hon. Gentleman well knows, I would not move the amendment on behalf of my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) and my other hon. Friends if we did not fully understand its implications. Those implications would be to remove the protocol on social policy, which refers to the exclusion of the social chapter from the treaty. That would require Her Majesty's Government to negotiate with the other 11 Community members . . . Of course, I recognise that that would present Her Majesty's Government with a dilemma, but we have taken the precaution to check that the other 11 member states would be happy for that outcome to obtain." —[*Official Report*, 20 January 1993; Vol. 217, c. 402-03.]

One cannot imagine a more fundamental question.

We now come to the Chairman's latest ruling. On Thursday last week, he said:

"to be selectable for a separate Division the purport of an amendment needs to have been substantially covered during the course of the debate on the group in which it has been included."—[*Official Report*, 15 April 1993; Vol. 222, c. 961.]

Amendment No. 27 was the main debate, and no one can honestly believe that amendment No. 27 passed almost unnoticed in a clutch of amendments about the social chapter.

[Mr. Benn]

My right hon. Friend the Member for Copeland, ever quick to point to the importance of what had been announced by the Chairman, replied using stronger language than I would use. He said:

"Many people far beyond the confines of the Chamber will feel that the House of Commons has been cheated of a legitimate reason to have a vote. I do not use that word lightly, but because I am singularly unconvinced—I believe that the majority of the House is unconvinced—about the reasons for your decision."—[*Official Report*, 15 April 1993; Vol. 222, c. 963.]

This is a major issue, a major ruling which prevents a vote, and a clear statement by my right hon. Friend that it is his view and that of others that the House has been cheated.

On Monday, again offering to be helpful—he has genuinely aimed to be helpful throughout—the Chairman made a further statement. I shall not say "reasons" because Chairmen do not give reasons. He said—this is the nub of the motion:

"the Chair must have regard to a number of factors, including the Committee's debates, the clarity of effect of an amendment, and its impact on the Bill which, if brought into effect, must be both workable and understandable."—[*Official Report*, 19 April 1993; Vol. 223, c. 39.]

If we do not challenge that ruling, the terms "workable" and "understandable"—as I hope to show—will remain in the rules of the House for all time and all Bills. How can I tell the electorate in Chesterfield and people who want the Bill but with the social chapter that they cannot vote on it because the Chairman of Ways and Means says that an amendment that would bring Britain into line with every other country is not workable or understandable? It is the most workable and most understandable amendment that one could find; it is the one that 11 other countries in the Community have accepted. That is the difficulty.

Mr. Ray Whitney (Wycombe): Will the right hon. Gentleman give way?

Mr. Benn: If the hon. Gentleman insists, but I do not want to detain the House for too long.

Mr. Whitney: I am grateful to the right hon. Gentleman. He is making great play of the importance of adhesion to the social chapter. Why does the fact that the House will have a chance to vote on the social chapter on new clause 74 not satisfy his keen interest in the subject?

Mr. Benn: I am trying to avoid dwelling on the merits of the argument in order to concentrate on the parliamentary aspects of the matter. What should happen when the leader of a major Opposition party puts his name at the head of an amendment which is accepted by the Chair, and the party spokesman begins by saying that he will concentrate solely on that amendment? There are masses of ways of dealing with every issue, but that was the one chosen by the Opposition party.

Before I deal with the long-term implications, I shall consider briefly the arguments against voting. One, which has been repeated by the right hon. Member for Bridgwater (Mr. King), is that the motion would somehow require the Chairman to resign, because it would impugn his impartiality. The argument has nothing to do with that. It is about three words that the Chairman used—"workable and understandable".

It is also said that a vote would not work because part of the Bill has already been passed. That is the point raised by my right hon. Friend the deputy leader of the Labour party last night. But if the motion is read carefully, it will be seen that it asks "the Chairman . . . to reconsider . . . forthwith".

It would be perfectly easy to find a procedural motion to put the matter back in its proper place in the Bill. I am afraid that, if the House votes against our motion, that will make it harder for Madam Speaker to select the same issue on Report. The argument would be put to her that the House had had a chance to reconsider and had rejected it.

Now I come to the wider questions which ought to concern people, and which go well beyond their interest in the Maastricht Bill. The real issue is that, if we leave the ruling in the record, the Chairman will have to consider every amendment to every Bill to decide whether it was "workable and understandable".

With the best will in the world, how does a Chairman know what is workable and understandable, unless he asks the Minister? He will say, "I have an amendment here, Secretary of State. Is it workable?" The Secretary of State will say, "I shall ask my civil servants," or he may say, "I shall ask the Law Officers—and I shall tell you whichever of the two judgments they give me suits me best." The Chairman of Ways and Means cannot decide whether an amendment is workable and understandable, so the ruling puts him at the mercy of the Executive—but the Chairman is our man, not the servant of the Government. That is the issue.

I might add that, if the Speaker of the House of Commons would not accept Bills that were not workable and understandable, a lot of legislation would not have gone through the House at all, including the poll tax legislation and some legislation on pay and other matters introduced by my right hon. Friends—but I shall not go into that now.

The Clerks are like elephants; they never forget. They have already noted the Chairman's ruling. I dug out my "Erskine May"—I have had a copy ever since I was first elected—and page 187 of the current edition says:

"The Chairman of Ways and Means or a Deputy Chairman has final authority over all points of order arising when he is in the chair and there is no appeal from his ruling to the Speaker."

The Clerk of the House will add a bit to that, in the next edition, which will say, "The Chairman will not allow a vote on any amendment that is not 'workable and understandable'." I do not want to see that written into the rules of the House, because it will affect the Liberal party. After all, most of the Liberals' proposals are neither understandable nor workable, so I confidently expect to have them with me in the Lobby.

It is the minority Members who are affected. After all, it is an official Opposition amendment that has been rejected. What about little parties, tiny parties and minuscule parties? What about Back Benchers? What chance have they of persuading the Chairman, under the influence of the Secretary of State and the Attorney-General, that their little amendment is workable and understandable?

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Will the right hon. Gentleman give way?

Mr. Benn: Yes, of course I shall, especially in the light of the hon. Gentleman's intervention yesterday.

Mr. Kirkwood: If the right hon. Gentleman is successful in browbeating the Chairman of Ways and Means into doing what he thinks is not right, does he believe that using majority power in the House to affect the decision of the Chair is in the interest of minority parties?

Mr. Benn: If I ever had the power to browbeat the Chairman or anyone else, I might have been tempted to do that. I am inviting the House to do what it does every day —to reach a judgment on whether it agrees with a proposal that is before it. I do not know what ideas the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) has about how Parliament should be resolved. However, if he does not want majorities to decide, the place should be packed up and given over—*[Interruption.]* Elections determine the majority and minority parties.

Mr. Alex Salmond (Banff and Buchan): This is a serious point, and I know that the right hon. Gentleman will treat it as such. If it is the right hon. Gentleman's case that majorities should always decide what amendments are selected, in normal circumstances that means that the Government will decide every amendment that comes before the House.

Mr. Benn: The hon. Gentleman is assuming that the Chairman is not independent. The purpose in my proposal is to keep him independent. The House cannot close a debate without a vote, but it is prepared to give the Chairman the right to deny a vote without support. That is the point and the issue.

I know that the atmosphere is highly charged, that the media claim that we are Euro-sceptics and that my hon. Friend the Member for Linlithgow (Mr. Dalyell) has suddenly become a Euro-sceptic because he believes that this is an important parliamentary point. It is an important parliamentary point. In my opinion, it will damage the understanding of our proceedings among the people we represent. With the best will in the world—I have touched on it already—I cannot explain to people outside who want the social chapter to apply in Britain why one Member of the House, the Chairman, can say that it was not workable or understandable.

I am an old parliamentarian. I once moved a motion of this character because the Speaker refused me an emergency debate when military action was contemplated in Oman. I know that, for many hon. Members, procedure is dull and irrelevant. However, I believe that democracy is about procedure. It is not about what we decide, but about how we decide it. That is what the whole democratic argument is about.

Perhaps I am a sentimentalist, but I deeply believe that we have one responsibility above all others, and that is to pass on to those who come after us a decent democratic machinery which can be used by them as we have used it. That democratic machinery allows us to table amendments and have them considered, voted upon and so on.

I finish as I did 35 years ago, when I moved a similar motion against Mr. Speaker Morrison. When all the speeches are forgotten, when the election manifestos are in the British Library, when the Queen's Speeches have disappeared and the Bills have been repealed, "Erskine May" is what this place is about, because it gives us the machinery to decide what we were elected to do. If that is denied by an error of judgment—no more than that—by a Chairman, I think that we shall pay a heavy price for it in future.

4.7 pm

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): I hope it will be thought right, Madam Speaker, that I should rise at once to follow the right hon. Member for Chesterfield (Mr. Benn) and to set out some of the considerations which I believe the House should have in mind in judging what he has said and the motion he has brought before the House.

I do not think that I need to make a long speech, because it seems to me that the central issue is simple and clear: it is the issue of the authority of the Chair, and therefore its capacity to discharge effectively, on behalf of the House as a whole—not least the minority parties—the difficult task which the House as a whole has laid on it.

I note, of course, that the right hon. Gentleman has sought to resist that suggestion, but I must say frankly that I do not think he has done so successfully. Nor do I think he can, because in signalling the appearance of this motion, he could not have made his intention clearer, when he asked the Chairman:

> "If a motion of this kind is tabled, may I take it that you would not feel able to take the Chair of the Committee until the matter was resolved?"—[*Official Report*, 19 April 1993; Vol. 223, c. 41.]

Against that background, no amount of disclaimer, in whatever measured language, can alter the basic fact that the effect, and the intended effect, of this motion is to render it impossible for the Chairman to perform the duties that the House has laid on him unless and until it is defeated or withdrawn. As I said, that is the central issue which the House must resolve—whether it is to sustain the authority of the Chair to do its job.

Mr. Nigel Spearing (Newham, South): I am surprised by the line that the right hon. Gentleman is taking. My right hon. Friend the Member for Chesterfield (Mr. Benn) used words which are his. Is the Leader of the House saying that, on that Monday when we pursued points of order and had a debate, there was no difference whatever in the accession of the Chair to what we were putting to him or his attitude to us? I put it to the right hon. Gentleman—he was not here, as many hon. Members were not here—that that was no different, because we respect the authority of the Chair in general. It is a matter of judgment on a single issue.

Mr. Newton: I do not accept that for a moment. Although I was not present throughout, I have carefully studied the lengthy points of order that were raised not only on Monday but on other occasions. If I may say so, the Chairman has listened and responded to those points of order with great care and courtesy.

There is the world of difference between legitimately putting points of order to the Chairman, albeit over a long period, and tabling a motion of this sort, which is, as the right hon. Member for Chesterfield made absolutely clear in his remarks on Monday, intended to make it impossible for the Chairman to function as the Chairman unless it has been disposed of.

Before I return to that matter, I should say something about the motion. I realise that, in many ways, it is not the central issue. Apart from anything else, it seems to reflect some misapprehension about the procedures of the House with respect to the selection of amendments. I think that this will be common ground.

Standing Order No. 31 is clear: in the Committee of the whole House, the Chairman is given the power—the right

[Mr. Newton]

hon. Gentleman fairly said that it is an entirely unfettered power—to select the amendments, new clauses or new schedules to be proposed. That is understood. However, it seemed to render fairly meaningless the right hon. Gentleman's efforts to present his motion as some form of appeal or exercise of appeal rights. If he wishes to institute a right of appeal he should seek to change the Standing Order rather than table motions that criticise the Chair.

Mr. William Cash (Stafford): Can my right hon. Friend tell me where Standing Order No. 31 gives the right certainly with respect to the selection of amendments and with it the right to choose whether a Division will take place? On page 405 of "Erskine May" and the sub-notes, can he tell me where the practice which has grown up is set out as to the question whether a specific matter should be subjected to a Division? If he would be good enough to do that, I would be interested to hear his comments.

Mr. Newton: My hon. Friend is accepting what I said about Standing Order No. 31, which I shall read to him if he wishes. Sub-section (2) of that Standing Order is absolutely clear:

"In committee of the whole House, the Chairman of Ways and Means and either Deputy Chairman shall have the like power"—

to the Speaker in other circumstances—

"to select the amendments, new clauses or new schedules to be proposed".

The right hon. Member for Chesterfield also quoted from page 405 of "Erskine May":

"It is a common practice to allow several amendments to be discussed together, although they have not all been selected to be moved. The Speaker or chairman may at his discretion call for division one or more of those amendments selected for debate with another or other amendments, if requested to do so."

The key words are "at his discretion".

Mr. Roger Knapman (Stroud): Will my right hon. Friend give way?

Mr. Newton: No, I will not give way for the moment.

What seems less clear to some, to judge both from the terms of the motion and some of the points of order made recently, is that the power of selection is separate from what the Chairman does when he groups amendments for debate. When he groups amendments, he calls the lead amendment—that is, he selects it under the provisions of Standing Order No. 31—and tells the Committee that, for the convenience of debate, he will allow the discussion of other amendments appearing later on the Order Paper.

Thus, when the right hon. Gentleman said that the Chairman of Ways and Means had selected amendment No. 27, that was not strictly the case. As I have just said, the occupant of the Chair selects an amendment when he calls an hon. Member to move it so that the House or Committee can take a decision on it. Amendment No. 27 has not been moved: it was grouped for debate with another amendment on which the Committee has voted.

Nor is it correct to say, as the motion does, that it was contrary to the normal practice not to allow a Division to take place on an amendment which has been debated. Many amendments are grouped for debate with selected amendments; whether they are subsequently selected for a separate Division is a matter for the discretion of the Chair, as is clear from the extract that I have just quoted from "Erskine May". There is nothing automatic about it.

So when the right hon. Member for Chesterfield claims that the Chair's ruling has some great long-term significance for parliamentary debates on all future legislation, his argument simply does not stand up. The exercise of the Chairman's discretion in respect of amendment No. 27 has been entirely in accordance with the practice of the House, and his ruling has no long-term significance of the nature that the right hon. Gentleman suggests.

Mr. Benn: If what the Leader of the House says is to be accepted, the Chairman could have given a simple answer. He could have said, "I will not allow a vote on the amendment. I did not select it." But he did not say that. He said that the amendment was not understandable or workable. That is the difficulty, because "Erskine May" makes it clear that the Speaker or Chairman does not give reasons. I can understand the reason why they do not give reasons. The reasons given in this case were wholly different from the ones which the Leader of the House has cooked up to resist the motion.

Mr. Newton: These are not arguments that I have cooked up, but ones on which I have taken careful advice. They represent a straightforward description, as I understand it and as I am advised, of the procedural position in respect of the amendment.

I should make just one other point about the motion. It is the one brought out by the right hon. Member for Derby, South (Mrs. Beckett), the deputy Leader of the Opposition, in her intervention during my business statement yesterday, and acknowledged by the right hon. Member for Chesterfield today. It is the simple fact that, because the Committee has finished with the clauses of the Bill and is dealing with the new clauses, it is not possible for the Chairman to do as the motion asks. Indeed, amendment No. 27 has disappeared from the amendment paper.

The whole House knows that it is not the technicalities that are at issue here: it is the fundamental purpose and effect of the motion to which I referred earlier. The House has placed on the Chairman difficult and demanding responsibilities, within terms of reference which the House itself has determined. It has asked him to undertake those responsibilities during proceedings as difficult as any a Chairman has had to face for a long time.

For my part, I will say simply that, on all I have heard, seen and read in *Hansard* of those proceedings, he has exercised his responsibilities, whether in selecting and grouping amendments, listening and responding to many representations and innumerable points of order, or simply presiding over debate, with great care, great diligence and courtesy.

It is not a question whether any or all of us have liked each and every decision. The Chairman's is in some ways a role which produces a variant of one of the oldest political adages: it is a job in which you cannot please anyone all the time. There have been decisions unpalatable to those who want the social chapter and decisions unpalatable to those who do not. There have been decisions unpalatable to those who strongly support the Bill——

Mr. Tam Dalyell (Linlithgow): Will the Leader of the House give way?

Mr. Newton: No, I will not give way for the moment —and decisions unpalatable to those who vigorously oppose it. That is the nature of the job. As the Chairman himself put it in responding to a point of order on Monday:

"I must and do take every factor into consideration, but at the end of the day the buck stops here: I have to choose the amendments."—[*Official Report*, 19 April 1993; Vol. 223, c. 44.]

The point could not have been put better than it was by my right hon. Friend the Member for Bridgwater (Mr. King) yesterday. He said that the motion sought to establish a dangerous precedent for the House, would have serious implications for the Chair, and is highly unfair to the Chairman of Ways and Means, who has conducted himself with good humour and tolerance.

The question for the House is whether it will reject the challenge which the right hon. Member for Chesterfield has mounted to the support which the Chairman is entitled to expect, both when we like his decisions and when we do not. If the motion is not withdrawn, as it should be, I urge the House to reject it, and reject it decisively.

4.19 pm

Mrs. Margaret Beckett (Derby, South): All of us in the House are conscious of the importance of the relationship, balanced as it is between conflict and confidence, that exists between the House and the Chair. As the Leader of the House has just acknowledged, there cannot be an hon. Member here who has not, from time to time, disagreed with a decision of the Chair, even if it is only that the hon. Member believes that the occupant of the Chair has failed to recognise that the debate in hand would be immeasurably enriched by his or her contribution. Equally, every Member recognises the good faith and integrity that the occupants of the Chair bring to their onerous and difficult duties, and the extent to which those duties place them at the centre of the storm when difficult and contentious decisions arise. One such decision and one such ruling is cited in the motion that we are debating.

The whole House and many in the country are well aware that the announcement that there would not be an opportunity for the Committee to vote on amendment No. 27 on the social chapter has caused widespread concern on both sides. That concern was fully expressed by my right hon. Friend the Member for Copeland (Dr. Cunningham), the shadow Foreign Secretary, when the ruling was first given on 30 March. You, Madam Speaker, and the House will recall that further concern was expressed at length in our debates on 15 April and that my right hon. Friend the Member for Copeland moved on that day to report progress on the Bill so that a sustained debate could be held in which our grave concern could be—and was—fully expressed.

My right hon. Friend the Member for Copeland made it clear then, and we have repeatedly sought to make it clear since, that we are still seeking and will continue to seek an opportunity to vote on amendment No. 27 before the Bill completes all the stages of its passage through the House. We look for the opportunity for that vote on the Report stage of the Bill, on which decisions have yet to be made.

With all respect to the care and devotion shown by the Chairman of Ways and Means in his conduct of the Committee stage, which we do not criticise—I was pleased by the remarks of my right hon. Friend the Member for Chesterfield (Mr. Benn) when he moved the motion—we do not accept that amendment No. 27 and new clauses 74 or 75 are alternatives. My right hon. Friend the Member for Copeland explicitly made that case, as can be seen in *Hansard*. He said:

"I do not regard new clause 74"—

or 75—

"as an alternative to amendment No. 27, nor do I believe that it can be reasonably or realistically posed in those terms."—[*Official Report*, 19 April 1993; Vol. 223, c. 39.]

Sir David Steel: Will the right hon. Lady clear up one point? When he moved the motion, the right hon. Member for Chesterfield (Mr. Benn) did not refer to the narrative of how new clauses 74 and 75 appeared on the amendment paper. If the Opposition were so confident of amendment No. 27, why did they table the two new clauses?

Mrs. Beckett: If the right hon. Gentleman had been attending the debates, I am sure that he would know the answer to that question, which is that we regard the subjects covered in the amendment and the new clauses as entirely separate issues. I shall return to that issue later. We believe that the new clauses and the amendment are complementary.

Concern has been expressed that a precedent might be set by the handling of amendment No. 27. My right hon. Friend the Member for Chesterfield referred a number of times to the use of the words "workable and acceptable". We can all understand that there might be concern about the juxtaposition of a vote on amendment No. 27 and new clause 75. I am not suggesting that that was the reason for the ruling given by the Chairman of Ways and Means, because, as we all know, for reasons that we all understand, the Chair does not give reasons for his or her decisions.

However, the argument might have been considered whereby it was thought that if amendment No. 27 were carried—removing the social protocol—it might remove the occasion for a vote on new clause 75. I can well understand that concern. However, we remain of the view that it would have been quite practical and possible for amendment No. 27 and new clause 75 to be debated separately, and that the one did not require a different decision from the other.

Mr. Dalyell: My right hon. Friend rightly said that the Chair does not normally give reasons, but part of the trouble is that the Chairman of Ways and Means, wisely or not, appeared on the Scottish television programme, "Scottish Lobby" on 18 April and gave his reasons. I quote from his script:

"And just on balance, because it was slightly more workable, I chose to have the debate on new clause 75."

This may be part of the hazard of the Chairman going on television, but a reason was given.

Mrs. Beckett: I would not criticise the Chairman of Ways and Means for his remarks which were no doubt intended to elucidate for the viewer what on earth it is we are going on about here. I well understand his difficulty in doing so without straying into the territory that my hon. Friend has quoted. However, it would not be right for us to suggest, and I am sure that my hon. Friend did not

[Mrs. Beckett]

mean to do so, that the Chairman had strayed into giving reasons, as that would be a precedent and we all recognise that such a precedent should be avoided.

The Leader of the House said that the motion was not about the technicalities of the issue. I take his point, but he went on to defend at length the judgment that has been made on the vote on amendment No. 27. I must therefore say to him and to the House that, as my right hon. Friend the Member for Copeland made crystal clear from the Front Bench on behalf of the official Opposition on 19 April, we have not accepted that an amendment that is in order, has been debated and has the official backing of the Opposition—it is tabled in the name of the Leader of the Opposition—should not be available for decision in the Committee. We do not accept that such a precedent has been set.

We had every reason to expect that there would be a Division. The Chairman of Ways and Means said in Committee:

"We are some way off a vote on amendment No. 27."—[*Official Report*, 22 February 1993; Vol. 219, c. 685.]

That carries the connotation that there would be a Division and at that stage no one expected that there would not be a Division on amendment No. 27. He then suggested on television on 18 April that a Division on the amendment might have been expected at one stage. That is the real significance that we attach to the Chairman's remark. It immeasurably strengthens the case for a vote on amendment No. 27 on Report, which is perhaps a way of tidying up this extremely difficult matter.

As was identified yesterday and reiterated by the Leader of the House today, we cannot now proceed, whether or not it is desirable, in the manner proposed by the motion tabled by my right hon. Friend the Member for Chesterfield. "Erskine May" makes it absolutely plain on page 496 that once the Chairman has put the Question that the clause stand part of the Bill—and the Question was put on Monday—

"No other amendment can be proposed to a clause after this question has been proposed from the Chair."

My right hon. Friend suggested that some procedural method might be found, but he also suggested that we should take "Erskine May" as our bible and "Erskine May" leaves us in no doubt on the matter. That means that the question of an understanding approach to the desire of a majority in the House to decide on amendment No. 27 on Report—we know that there is a majority in the House, because otherwise we would not be having all this difficulty today—must inform our debate and decision.

That brings me to my final point which I hope will be borne in mind, especially by Conservative Members. The hon. Member for Worcestershire, South (Mr. Spicer) and the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) sought to place the blame for these difficulties at the door of Her Majesty's loyal Opposition. I thought that the hon. Gentleman had incredible nerve. The scale of the difficulties faced by the Chairman of Ways and Means is the Government's creation.

It was the Government who claimed that amendment No.27 would wreck the Bill and the treaty. It was they who then claimed that, on the contrary, it would make no difference. It was they who brought in the Attorney-General, who failed to answer fully half the questions put to him by my hon. Friend the Member for Hamilton (Mr. Robertson), to tell us that this was all of no significance. It was the Government, in the shape of the right hon. Member for Watford (Mr. Garel-Jones), who went about their usual business of placing ideas in the minds of the Lobby and everyone else to the effect that the Opposition must find another way of raising these issues. And then the Government have the nerve to come to the House and ask why we sought to find other ways to raise them.

Sir David Steel: Will the right hon. Lady give way?

Mrs. Beckett: I have already given way to the right hon. Gentleman once and I have answered his point. I am almost at the end of my remarks and I do not want to take up too much time. No doubt the right hon. Gentleman will catch your eye, Madam Speaker, and be able to make his own speech.

It is the Government, too, who, since the other new clauses have been tabled, have not only continued to cast doubt on the validity of a vote on amendment No. 27 but have claimed that every other amendment or new clause tabled by the Opposition is in some way ineffective. I am certain that it is not the desire of the Chair, but it is most certainly the desire of the Government, to prevent the House from reaching a decision on the social chapter or, if they cannot prevent it, to find a way of discounting or ignoring it. Their manoeuvrings are the direct cause of the difficulties that have understandably been experienced by the Chairman of Ways and Means.

For that reason, because we cannot do what the motion suggests, because the opportunity to vote on amendment No. 27 is not yet completely lost to us, and because of the remarks of my right hon. Friend the Member for Chesterfield about the respect in which the Chairman of Ways and Means is held in every part of the House, I very much hope that my right hon. Friend will follow the usual precedent once concerns of this nature have been aired in debate in the Chamber. I must tell the right hon. Member for Bridgwater (Mr. King) that these concerns have been aired on a number of occasions before—by the official Opposition when the Conservative party was the Opposition, by ourselves, and by Back Bench Members on both sides of the House. The phenomenon is not unknown, but usually when such concerns have been aired and such a debate has been held, the motion is either withdrawn or negated by voice only and not pressed to a Division.

My right hon. Friend the Member for Chesterfield told the House that the only way to bring the matter before the House and to express concern was to table the motion. That is his view; it may or may not be the view of all Members. Unquestionably, however, he is not required to press the motion to a Division because he has brought it before the House, and I hope that he will not do so. If he chooses to do so, I must tell him that I will advise my right hon. and hon. Friends to vote against it.

Mr. Jeff Rooker (Birmingham, Perry Barr): On a point of order, Madam Speaker. May I ask you to rule on a matter? I regret having to do so, but you are the only person in a position to make such a ruling.

All three speakers so far have referred to a Report stage for the Bill. I want you to rule on whether the Report stage of a Bill that has been considered in a Committee of the whole House is different from the Report stage of a Bill considered in a normal Standing Committee. In past years,

I have moved more amendments in Committee that have been found to be defective than I have had hot dinners, but subsequently I have been able to find opportunities on Report to raise exactly the same issues.

For the avoidance of doubt, can you tell us whether the procedures are any different? Does the content of amendment No. 27—whether the wording is the same does not matter—mean that we are precluded from considering such an amendment on Report? It could only be selected by you, Madam Speaker, so it is only you who can give the ruling. Does the fact that the Bill has been considered on the Floor of the House prevent the House from coming to a conclusion on the precise contents of amendment No. 27?

Madam Speaker: The whole situation and the matter raised by the hon. Gentleman are very hypothetical. In order not to leave the House in any doubt, I will make no ruling whatever. I will determine it when these matters are put before me at the appropriate time.

4.34 pm

Mr. Roger Knapman (Stroud): I listened with care to the right hon. Member for Derby, South (Mrs. Beckett). If I heard her correctly, she said that she was actively looking for other ways of dealing with the matter than amendment No. 27. I suspect some of us can understand why.

My right hon. Friend the Leader of the House quoted extensively from pages 404 and 405 of the procedural book, "Erskine May". Unfortunately, he finished at the end of the second paragraph on page 405, whereas to me the most important point is at the beginning of the third paragraph:

"Selection is made by the Chair in such a way as to bring out the salient points of criticism".

Therein for me lies the difficulty.

May I draw the attention of the House to the European Communities (Amendment) Bill, hardly as long as the 63,500 words of the treaty, and to something which does not normally get much attention, the explanatory memorandum which says:

"The Bill will have no direct financial effect in the United Kingdom."

I invite the House to reflect on whether that is so. I suspect that it is not true and never has been. Only amendment No. 27 bears on the matter.

My constituents in Stroud will be obliged, through VAT, to pay moneys to the advantage of countries which are presumed to have the benefit of the social chapter. In short, my constituents in Stroud will, through VAT, push money across to Sicily, Sardinia or other areas which are regarded as suffering poverty.

Many people say that there is an opt-out from the social chapter. What we mean is that we are giving the other 11 nations the opportunity to have a social chapter because they believe that it is in their interests. Perhaps the two great lies in the debate are, first, that opt-outs mean very much and, secondly, that if we do not have Maastricht we will not get inward investment. Perhaps the opt-out will be effective but by the time we have seen article 100A, on majority voting, and by the time that we have looked at health and safety legislation, and, most of all, the European Court of Justice, our opt-out may not be as effective as many think. Only amendment No. 27 addresses those points. If it is not called, we will get no opportunity to make our view known on behalf of our constituents.

Mr. Rupert Allason (Torbay): I am sympathetic to many of the views which my hon. Friend has expressed in the House in recent weeks. Can he explain why the issue cannot be raised on Report?

Mr. Knapman: May I draw the attention of my hon. Friend to the fact that there is a movement towards new clauses 74 and 75? No doubt we shall be asked to look at new clauses which have not yet even been framed. The debate will be at a later stage. Therefore, there is little chance of amendment No. 27 being called by Madam Speaker at the appropriate time; of course, Madam Speaker, that will be a matter for you.

New clause 74 says:

"This Act shall come into force only when the House of Commons has come to a Resolution on a motion tabled by a Minister of the Crown".

At this stage we have no idea what that motion might say.

The motion is not to me a form of challenge to authority. I speak as one who has been here for the 21 days of Committee proceedings. It is encouraging that the longer we carry on debating the Maastricht treaty, the more hon. Members are here.

Mr. Tony Marlow (Northampton, North): New clause 74 says that the powers of the legislation shall not take effect until there has been a debate on the social chapter. If the new clause is accepted in Committee, does not that make it difficult for the Chair to accept amendment No. 27 on Report? Is not that the problem?

Mr. Knapman: My hon. Friend is exactly right. That must be so, and it was among the points that I was trying to make.

I promised in my note to you this morning, Madam Speaker, that I would not detain the House for more than one or two minutes. You will know that the whole House holds you in the greatest respect because we know that you are the guardian of Back Benchers' interests. My constituents are being asked, probably for the first time, to have their taxes sent abroad—I still feel that Sicily and Sardinia are abroad—at the very time when our county council is short of money for education. The matter is important and I want an opportunity to vote on it. Unless my right hon. Friend the Leader of the House can contradict me, I say that amendment No. 27 is the only one that deals with that matter.

4.40 pm

Sir Russell Johnston (Inverness, Nairn and Lochaber): I shall begin with five short general observations which will enable my subsequent specific comments to be even briefer. The way in which the House deals with treaties may certainly be defective. The right hon. Member for Chesterfield (Mr. Benn) often draws attention to that in his not infrequent comments and criticisms of the Crown prerogative. However, that is not one of the responsibilities of the Chairman of Ways and Means, who must handle debates according to the rules as they are. Neither do I understand it to be an objective of the Labour party to change those rules, although since that party is in an evolutionary phase my information on that may be dated.

Yesterday and today the right hon. Member for Chesterfield compared his motion with that moved by the late Sir Elwyn Jones in 1972 and said that it was,

"supported by all Opposition Members."—[*Official Report*, 20 April 1993; Vol. 223, c. 184.]

[Sir Russell Johnston]

The right hon. Gentleman's memory is faulty. If he consults the Division lists for 1 and 6 March 1972 he will find my name and those of my right hon. and hon. Friends in the Liberal party. We voted against such motions and my right hon. Friend the Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel), who was then the Whip of the Liberal party, spoke against it at that time. At that time his constituency was Roxburgh, Selkirk and Peebles.

Thirdly, the hon. Member for Linlithgow (Mr. Dalyell) said that the Chairman of Ways and Means gave an interview on 18 April on the "Scottish Lobby" programme. However, I think that the interview was on 3 April. I have a transcript, which seems bland and inoffensive. He gave that interview with the best of intentions. However, I think that, while it is accepted on all sides that a Chairman or, indeed, you, Madam Speaker, should not have to give reasons for decisions because of the inevitable disputation that will follow, television, radio and press in-depth probing interviews should not be taken up but left to other hon. Members who are not subject to such inhibitions.

A long time ago the late Horace King "ignited" the Blackpool illuminations. I did not greatly approve of that and interviews have potentially a much greater detonatory effect. Fourthly, the hon. Member for Stroud (Mr. Knapman) gave an interview this morning. It is difficult for me to comment on it because I was in the land of nod when the interview took place and have had to depend on my more wide-awake colleagues to tell me about it. *[Interruption.]* Perhaps we could ignore the rumbustiousness of some Opposition Front-Bench Members. I am told that the hon. Gentleman said that the Chairman of Ways and Means was in cahoots with the Government on closure motions and that, in the tailoring phrase of the hon. Member for Bolsover (Mr. Skinner), the whole thing was stitched up. My version of the interview may be slightly wrong and if so I will gladly withdraw.

One could say that I am in a uniquely appropriate position to comment since I have been in cahoots with the Government throughout debate on the Bill on timing and procedure and I know what it is all about. It is not true that the Chairman of Ways and Means is in cahoots with the Government. Throughout the progress of the Bill the timing of closures has been decided solely by the Chairman of Ways and Means according to his judgment of an appropriate time for debate. The Government have known no more about it than anyone else in the House. It is quite wrong for an hon. Member to make such allegations.

To my sure and certain knowledge, throughout our proceedings in Committee the Chairman has behaved with impeccable impartiality and has given no advance indication of his intentions to any Member that he was unwilling to give to another. I shall give that point the added stress that membership of a minority party allows me to give. We are extremely sensitive to any possibility of collusion between the Chairman and the Government and to the possibility of the Chairman being cavalier in the treatment of minority opinion. The Plant committee, which was established by the Labour party, has again drawn attention to the fact that if our support in the country was reflected in the House we would have more than 100 Members. In the light of that, I repeat that the Chairman of Ways and Means has behaved with impeccable impartiality.

Mr. Knapman: I draw the hon. Gentleman's attention to the comments by my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) which are contained in Monday's record of our proceedings. I can confirm those, as can my hon. Friend the Member for Beverley (Mr. Cran).

Sir Russell Johnston: That is a somewhat opaque comment. I regret that at my age instant recall is now denied to me.—*[Laughter.]*

Sir Nicholas Fairbairn (Perth and Kinross): As one who suffers from a similar difficulty, may I tell the hon. Gentleman that all the allegations, which he has correctly denied, are entirely hearsay, would not be allowed in the High Court or the lower courts of Scotland, and should not be allowed in the High Court of Parliament. They are a great slight on the Chair.

Sir Russell Johnston: I note the hon. and learned Gentleman's remarks. I do not think that he and I have similar problems; we may have parallel problems.

It is certainly true that the whole Committee could have been handled in a different way. That would have made not only the job of the Chairman less stressful but would have enabled the Committee to have a more engaged, more real, debate.

I have been taking part in debates on the European Community for two decades. They have reached the stage of a sort of religious disputation in which nobody ever wins. Nevertheless, I have come to respect the consistent opposition of people such as the hon. Member for Southend, East (Sir T. Taylor) and the right hon. Member for Bethnal Green and Stepney (Mr. Shore). His constituency is no longer called Stepney and Poplar. They are minorities, like me. They deserve to be heard and their arguments must be addressed.

Mr. Michael Lord (Suffolk, Central): Although his memory may not be what it was, I am sure that the hon. Gentleman is a fair man. Amendment No. 27 has been the most talked about amendment in the debate, and the amendment most discussed in the press and on television. It has been the amendment that Ministers have talked about, and debated on television. Being a fair man, does he not think that it is unreasonable that the House of Commons will not be allowed to vote on an amendment of such importance?

Sir Russell Johnston: I shall come to that point shortly.

I was talking about the handling of the Committee. Given its official support for Maastricht, the Labour party should have sat down with the Government and the minority parties and agreed a sensible timetable, and a limitation on speech length. I know that, in Committee, speech length is not normally limited, but it makes no sense for the hon. Member for Stafford (Mr. Cash) to speak for hours. Apart from anything else, it does not progress the debate in any rational fashion. It was wrong that the Labour party felt unable to do so, mainly because of its Euro-sceptics. While both major parties frequently extol the virtues of the House as a unique example of democracy, they have been guilty of being unwilling to

reform its procedures to make debate more of a meaningful discussion and less of a pyrotechnic confrontation.

Mr. George Robertson (Hamilton): This is not perhaps a terribly substantial point, but the hon. Gentleman spoke about the conduct of the Committee, through which I, like him, have sat virtually in its entirety. He made one of the first speeches, on one of the first amendments, and took an hour to do so. Is that the sort of limitation on speech length that he wants?

Sir Russell Johnston: I am grateful to the hon. Gentleman for his not terribly substantial intervention on my not terribly substantial point. I remind him that on that occasion I gave way to 24 interventions—no wonder the speech took so long.

The motion is about the refusal of the Chairman of Ways and Means to allow a vote on amendment No. 27. My party argued for a vote on amendment No. 27 because we want the House to vote on whether the United Kingdom should accede to the social chapter of Maastricht. In practice, it has turned out to be difficult to find an appropriate form of words to ensure that. The Attorney-General told us that amendment No. 27 would not have such an effect. Indeed, he said that it would have no effect at all. Presumably, unless we have a vote of no confidence in the Attorney-General—as far as I know no one has suggested that—his decision has to be accepted.

Mr. Cash: Does the hon. Gentleman accept that those constitutional experts who are well acquainted with the constitutional usage and practice of the Law Officers of the Crown are deeply disturbed at the way in which the Attorney-General was brought into the argument? If anybody wishes to follow that up, he will find that there are substantial criticisms of the manner in which the Attorney-General was involved. No doubt, in due course, those will emerge.

Madam Speaker: Order. I remind the House that this is a limited motion. It deals only with the exercise of the Chair's discretion on amendment No. 27. I hope that the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston), who has the Floor of the House, and any others who are called to speak in the debate will limit their comments to the expressions in the motion before us.

Sir Russell Johnston: I am grateful for your guidance, Madam Speaker. I will leave what the hon. Member for Stafford has said, apart from saying that I have met few constitutional experts who do not spend most of the time being disturbed.

We are left with the judgment of the Attorney-General, so what does the Chairman of Ways and Means do then, poor thing? He is faced with that as a fact that he has to take into account. He knows that the House wants a vote on the social chapter, but his job is not to arrange that but to examine the amendments that are put before the Committee with that intention. What does he do when faced with an amendment that, according to the highest legal authority in the land, has no effect? His job is not to judge whether amendments will be carried but whether, if they are carried, they produce a clear result that can be implemented in law.

The right hon. Member for Chesterfield (Mr. Benn) proclaimed at length the undesirability of being confined to what is workable and understandable. That is not an unreasonable confination, if there is such a word, and it would have been a happy thing if it had been applied to him over many years.

Mr. Benn: Without implying partiality by the Chairman—a point that neither the hon. Gentleman nor I have put forward—the hon. Gentleman said that the Chairman was guided by the law in deciding whether to allow a vote on amendment No. 27 because of the question of workability. Is that the road along which the House wishes to go, with the Chairman depending on the Law Officers—I made that point in my speech—to know whether he should call an amendment? That would be a dangerous course to follow.

Sir Russell Johnston: The right hon. Gentleman knows, probably better than me, that the Attorney-General is supposed to advise the House, not the Government. He is supposed to tell the House what, in his judgment, the law means. Therefore, I suppose that I would have to answer yes to the right hon. Gentleman.

None of us comes out of this covered with glory. Those of us who wanted a clear vote on the social chapter have failed to find a form of words to achieve that. The Liberal Democrats are also culpable in that, but the Labour party has far greater resources than we have, although both of us have equal access to the Clerks. Perhaps on Report we shall be successful. I hope so because I want such a vote.

We also have to recognise that, even if we achieve that elusive form of words on Report, such a vote would be carried only with the support of two groups. The first consists of Conservatives who are against Maastricht and the social chapter but who would vote against their views on the social chapter to achieve their objective of defeating Maastricht. The second consists of Labour Members who do not want Maastricht at all, even with the social chapter, and who will vote on the social chapter with the aim of defeating the whole book.

The justification for continuing through these byzantine tunnels and accepting some strange allies is the attempt to find some way to make the Government choose between having Maastricht with the social chapter or no Maastricht. I accept that that has been the object of my party and those on the Opposition Front Bench. None of that is either the fault or the responsibility of the Chair.

The right hon. Member for Chesterfield said that the House had been—"cheated" was the word that he used.

Mr. Benn: No. I was quoting my right hon. Friend the Member for Copeland (Dr. Cunningham).

Sir Russell Johnston: Perhaps the right hon. Gentleman quoted with approbation. I do not see how he or anyone can say that and simultaneously claim that what he proposes casts no doubt on the Chairman's judgment.

Mr. Benn: I must correct the hon. Gentleman, because he misheard. I quoted my right hon. Friend the Member for Copeland but I said that that was stronger language than I would have used. I would not have used the word "cheat" in respect of a decision by the Chair. I hope that the hon. Gentleman will withdraw that allegation because it would be unfair to give a false impression.

Sir Russell Johnston: I am not going to argue that something is when it was not. However——

Mr. Dalyell: My right hon. Friend was very careful.

Sir Russell Johnston: It does not matter. At the end of the day, whatever the right hon. Member for Chesterfield says, the essence of the debate comes down to this: do we trust the judgment of the Chairman of Ways and Means or not? I trust it, and, if necessary, I shall vote that way in the Lobby tonight.

4.58 pm

Sir Peter Emery (Honiton): The debate is obviously not about Europe or about amendment No. 27, which is otiose because there is no way that it can be included in the Bill as it stands. Rather surprisingly, the debate is, in itself, one of the more important debates that have been held this Session, and the reason should be clear. We have no written constitution. The method and operation of Parliament are not because of a written constitution; in the place of a written constitution, we have precedents and procedure. It is the procedure of the House that governs the working of this place and ultimately safeguards the liberties of us all, both within the House and outside. That is why our procedures must be followed and must, in my judgment, be supported on all occasions.

I wish to make it absolutely clear that, in my view, the debate must end with an overwhelming vote of confidence in the Chairman of Ways and Means. There must be no escape, such as the withdrawal of the motion or a failure to appoint Tellers, which would prevent a vote taking place. We must not allow the matter to be left hanging around, suggesting an entirely unsatisfactory outcome to the debate. The reason for that is absolute. Indeed, it goes to the heart of our parliamentary system.

Parliament works not because it exists but because it is allowed to operate by the mutual consent of its Members, who over many years have established a procedure that allows individual Members, often of highly conflicting views, to be able to conduct debates and consider legislation in a way that enables Governments to govern and Opposition Members to debate fairly in expressing their points of view.

To that end, Madam Speaker, we elect you and senior Chairmen—they are similarly elected by the House—to rule over us and to ensure that debates and the general proceedings of the House are conducted in a proper and orderly manner, as established by the procedure that has been put in place.

Mr. Spearing: I am grateful to the right hon. Gentleman, who is the Chairman of the Procedure Committee, for allowing me to intervene. Will he concede, particularly as the motion before us is a rarity—I think that the previous debate on such a motion took place about 20 years ago—that the procedure of the House allows for the safety valve of a debate of this sort? Such debates provide guidance for Chairmen in future and are integral to the practice of the House. They are therefore permissible, whatever the merits or demerits of any such motion.

Sir Peter Emery: The hon. Gentleman is correct. The motion is in order. Indeed, we would not be debating it if it were not. However, when the authority of the Chair is questioned, as it is in the motion, we undermine the structure that I am determined to defend.

Those who claim that the motion is no criticism of my hon. Friend the Member for Northampton, South (Mr. Morris), the Chairman of Ways and Means, do not live in the real world. It must be seen as an attack on the Chairman's impartiality and the integrity of the Chair. It is—*[Interruption.]* Those who say no should listen for a moment. If the motion were passed, the Chairman, being a man of honour, would have no alternative but to resign. That needs to be clearly understood.

Mr. Benn: Will the right hon. Gentleman give way?

Sir Peter Emery: No. Let the right hon. Gentleman sit for a moment.

As I have said, it must be clearly understood that the Chairman would have to resign. Whether the right hon. Gentleman likes it or not, that is the action that an honourable man would take.

Mr. Benn: The right hon. Gentleman is hyping up the issue beyond reason, and I shall tell the House why. There are many occasions when the House varies an earlier decision. That happens quite often. We are the High Court of Parliament, and in this instance we are reviewing the judgment of one of the Officers of the House. No judge resigns when his decision is overturned on appeal.

The right hon. Gentleman is trying to make it personal, which is the great corruption of modern politics. It seems that we cannot discuss principle without the discussion being turned into a punch-up with someone. That is something that will destroy democracy perhaps more readily than anything else.

Sir Peter Emery: The right hon. Gentleman may not understand what honour is all about. I believe beyond a shadow of a doubt that, if the motion were passed, we would put the Chairman in an untenable position. We have seen it happen once before, and that will be in the memory of some right hon. and hon. Members. The issue did not result in a motion, but the then Chairman of Ways and Means decided that he must resign.

Has the Chairman of Ways and Means erred? I suggest that his only error, being the extremely nice man he is, has been to try to explain things to his critics and to set out the reasons for his decisions to show his impartiality. Indeed, some of his decisions have certainly not pleased Her Majesty's Government.

Had the Chairman not been so reasonable—had he not tried to make others understand the reasons for his decisions—today's problems would probably not have arisen. The Chairman could have held to the time-honoured procedure that has been established over the years, which is that the Chair does not give reasons for the selection of amendments for debate or for Divisions. If anyone is in doubt about that, let him remember that reference has already been made to page 405 of "Erskine May".

Mr. Dalyell: Will the right hon. Gentleman give way?

Sir Peter Emery: I shall give way to the hon. Gentleman when I have referred the House to an exactly similar matter that arose when Sir Charles MacAndrew was Chairman of Ways and Means. Mr. Eric Fletcher said that, if the then Chairman ruled that certain amendments could be discussed together, that could only be on the "assumption that they have all been selected for discussion." He added:

> "If you rule that certain Amendments can be discussed together . . . surely it follows that, if any Member wishes to vote on any Amendment that has been discussed, he is entitled to ask that there should be a Division."

The then Chairman replied:

"Certainly not. That has never been the rule. I have been doing this work for many years and this has always been the rule that I am now applying. It is often indicated, as the hon. and learned Gentleman has just done, that a Division is desired, and I am allowing a Division on two Amendments. Otherwise, all that would happen would be that my selection would be very much narrower."

Mr. Fletcher asked:

"The Chair has power of selection?",

and the then Chairman replied yes. Later, Mr. Fletcher said:

"I suggest, in all seriousness, that once the Chair has ruled that certain Amendments have been selected for discussion, and might all be discussed together, the Chair has no authority to decide that there shall not be a Division on any of the selected Amendments."

The then Chairman replied:

"The Chair has every power to do so. Up to that point, there has only been one Amendment called. If the Chair does not call any of the others there can be no Divisions. It is very simple. Now we had better get on with the business."

Mr. Tom Proctor, whom some of us will remember, intervened as follows:

"Is it now contended that the Chair has two selections, selection for discussion and selection for voting? I have never heard of two before."

The then Chairman said:

"Well, the hon. Member has heard of them today."—[*Official Report*, 14 February 1957; Vol. 564, c. 1459-61.]

The same issue arises this afternoon.

Mr. Dalyell: I want to be clear on who the Chairman of the Procedure Committee was referring to in relation to the censure of a Chairman of Ways and Means. Was he referring to the MacAndrew incident or something else?

Sir Peter Emery: I said that there was not a censure motion. There was a debate concerning Sir Gordon Touche, who resigned.

Mr. Cash: Will my right hon. Friend give way on that point? Was there an amendment in the name of the Leader of the Opposition? It might be helpful to know that.

Sir Peter Emery: I do not think that that matters.

Mr. Bob Cryer (Bradford, South): Is the answer to the question no?

Sir Peter Emery: I shall answer the question in my own way, if the hon. Gentleman will allow me to do so. He has enough to say in the House without making my speeches for me.

I say in response to my hon. Friend that selection rests entirely with the Chair. If that were not so, junior Members, or Members representing minority parties, would never get any consideration. It must be on the matter of the amendment itself. Page 490 of "Erskine May" states:

"The Chairman may at his discretion allow separate divisions on one or more of the subsequent amendments."

It seems to me that those who speak in favour of the motion are directly challenging the discretion and impartiality of the Chair. By questioning the discretion they are undermining that authority. The motion must be rejected. I again stress that the motion must be defeated by a massive vote so that it is clear beyond peradventure that we have absolute confidence in the Chairman of Ways and Means.

5.10 pm

Mr. Denzil Davies (Llanelli): As we have been reminded, the motion is about the decision of the Chairman of Ways and Means not to allow a vote on amendment No. 27. To some extent, the motion is a product of the difficulties that the Committee and the Chairman have faced, and the frustration that the Committee has felt because we are trying to debate a Bill which incorporates a treaty that will have an effect on much, if not most, of the commercial, financial and economic life of the nation.

The real legislation that we are debating is not the European Communities (Amendment) Bill, but the treaty of European union. We cannot amend it. We can exclude, but we cannot amend. The last time something similar happened was 21 years ago, and it happened then for the same reason. Sir Elwyn Jones moved a motion—I forget the words—regretting the lack of selection of amendments because we were in precisely the same situation then as now: the Bill that we were debating was not the real Bill. We were debating the treaty of Rome—that was the real Bill—and we could not amend it then. I am not sure that then we could even exclude parts of it. That Bill was slightly different from this one, but we were experiencing the same frustrations and problems.

Sir Elwyn's motion was not a personal criticism of the then Chairman of Ways and Means, just as the present motion is not a personal criticism of our Chairman.

The Standing Committees of the House are there to debate Bills. Bills are presented after they have been given a Second Reading, and Second Reading Bills are draft Bills. They are completed after consultation with Ministers —sometimes after White or Green Papers—but they are draft Bills. They then go before a Committee. The function of the House is to debate them, to try to change them and to make representations to Ministers. It is the opportunity that hon. Members have to change legislation.

Again, we cannot do that here. We are not debating a "Second Reading" Bill; we are debating, in effect, a "Third Reading" Bill. The treaty of European union is a Third Reading Bill which cannot be changed. That is one reason for the frustration, and one reason why we are here today in the same circumstances as 21 years ago.

The problem has been compounded—I make no criticism, although I will criticise on another occasion—by the fact that the official Opposition—except in regard to the social chapter—is in general agreement with Her Majesty's Government. The House works best when the official Opposition are opposing.

The Executive in Britain sits in the legislature, and I think that it is a good system. I do not go along with the trendy views of *The Independent* and *The Guardian* and the chattering classes that it is a terrible system. Because the Executive sits in the legislature, the Executive in the main has control over the legislature. It has enormous power, but that power is limited, checked and balanced by the fact that Her Majesty's loyal Opposition, in general, oppose. In this case, they do not, apart from on the social chapter, thus increasing the problem that the power of the Executive over this legislation is even greater than it normally is within our legislative and constitutional system. That also has contributed to our frustrations and, in the end, to this motion.

In addition to those difficulties, we have also had problems with the debates. The Chairman of Ways and

[Mr. Denzil Davies]

Means had no alternative but to make groupings of amendments. As my right hon. Friend the Member for Chesterfield (Mr. Benn) said, the Chairman of Ways and Means saw us in his room and we discussed these matters. Because we could only exclude chunks of the Bill, he had no option but to group a large number of amendments together.

I think that Ministers treated those debates as if they were Second Reading debates; certainly the Minister of State, Foreign and Commonwealth Office, the right hon. Member for Watford (Mr. Garel-Jones), has done so. I will exonerate the Foreign Secretary and partly exonerate the Financial Secretary to the Treasury from this criticism, but in general Ministers have treated them as Second Reading debates. They have intervened early, not replied to the debates and often replied to only a few of the points raised. The cue was taken by my hon. Friends, quite naturally, because that is the way the system works.

As to the question of closures, many of us were cut off in full flight. My hon. Friend the Member for Oxford, East (Mr. Smith) was actually writing his speech on the Front Bench, but he did not have a chance to speak. I have spoken to people outside the House who watch our proceedings on satellite and cable television on something called the parliamentary channel. They have expressed amusement, and asked "Who is that gentleman who so often jumps up? He sits not far from where the Chairman of Ways and Means sits. Sometimes he is a little gentleman, sometimes a large gentleman, but when hon. Members speak he suddenly jumps up and that is the end of the debate." I have to try to explain that the gentleman is not a lord high executioner. I think the hon. Member for Sheffield, Hallam (Mr. Patnick) has done the same thing on one or two occasions.

Madam Speaker: May I jump up and intervene? I am being very tolerant, but the right hon. Gentleman has had a long introduction to what he is really seeking to say. He will understand that I have many hon. Members to call. I hope he will now speak more directly to the motion.

Mr. Davies: The way in which the closure was operated added to our frustration.

Amendment No. 27 is not only about the operation of the social chapter, but about money, because it deals with the part of the treaty relating to payments to be made by Her Majesty's Government towards the administration of the social chapter by the other 11 member states. So there are two factors involved which unite the different groups in the House who are against the Maastricht treaty.

The problem started, I am sorry to say, when the Chairman of Ways and Means appeared to most of us to have agreed that there would be a vote on amendment No. 27. It would be unfair to subject the Chairman's statement to a kind of Byzantine textual criticism, because, by definition, the Chairman's job is to react to certain situations and circumstances.

The Chairman of Ways and Means said:

"We are some way off a vote."

Later, he said:

"I am minded to take seriously the need for a further debate".

To the Chairman's credit, he accepted that further debate, and the Attorney-General had to come and speak to the Committee. Then he went on to say:

"before the Committee votes on that amendment."—[*Official Report*, 22 February 1993; Vol. 219, c. 685.]

In my opinion, that was a clear statement that there would be a vote on the amendment. It was not a decision; it was a statement at the time. The Chairman then changed his mind. He was entitled to change his mind and decide in the way that he did, but to give a strong indication to the Committee that he was prepared to call a vote and then to change his mind means that we are entitled to scrutinise and consider carefully whether there were any reasons for that change of mind, bearing in mind, as has been said, that the amendment had been selected for debate, was in order and was not a wrecking amendment. The Minister of State, the right hon. Member for Watford, thought that it was, but he was wrong. The Attorney-General made it clear that it was not a wrecking amendment. It was tabled not by the cavaliers on the Back Benches but by the roundheads on the Opposition Front Bench. It is a sensible and respectable amendment.

When it appeared to us, therefore, that the Chairman of Ways and Means had changed his mind, we were, and are, entitled to scrutinise why he did so. The Chairman of Ways and Means, being a very brave, nice and, perhaps, foolish man, did not give reasons, but he came close to giving reasons. No doubt that was a dangerous thing to do, because barrack-room lawyers on the Back Benches could then pore over the reasons, or non-reasons, that had been given.

Then the Chairman quite properly indicated—I applaud him for it, because he had changed his mind—at column 39 on 19 April that he had to consider, in allowing a vote, the clarity of the amendment, its impact on the Bill and the fact that, if brought into effect, it had to be workable and understandable. Without having subjected the amendment to that amount of textual criticism, I had always thought that amendment No. 27 was pretty clear. The Minister of State got it all wrong, but if he was wrong he was clearly wrong, as was said of a judge in the Court of Appeal some time ago.

The Attorney-General did not think much of amendment No. 27, for it did not make any difference to anybody, but it was perfectly clear to him. I have read again the Attorney-General's speech. Nowhere did he say that amendment No. 27 was not clear. The Foreign Secretary made a statement before the Attorney-General spoke. He did not say, either, that amendment No. 27 was not clear. With the greatest respect, therefore, there is nothing wrong, so far as I can see, with the clarity of amendment No. 27.

Is amendment No. 27 workable and understandable? The Government seemed to think that it was workable and understandable. Many of us have been Ministers and have latched on to little nods from parliamentary draftsmen and civil servants, indicating that we should resist certain amendments because they are badly drafted; unclear and unworkable. There was no such indication from the Government about amendment No. 27. The promoters of the Bill, the Foreign Secretary and the Attorney-General, never told us, as far as I can tell—I leave aside the Minister of State who says lots of things—that amendment No. 27 is unworkable, cannot be understood and will do something terrible to the Bill.

I cannot understand the reasons or the indications given by the Chairman of Ways and Means. They do not convince me. They may convince others. I make no

criticism of the honesty or integrity of the Chairman of Ways and Means, but looking at it as a statement, that is my feeling about it.

As my right hon. Friend the Member for Chesterfield said, or implied, if every future vote has to be taken on an amendment that is workable and clear, there will be far fewer votes in Committees. There will also be far fewer votes on Government amendments. I remember Government amendments, inserted in Committee into groups of amendments and voted upon, that were not particularly clear or workable or understandable. There lies the rub. It is a very brave Chairman of any Committee who, on a Bill promoted by the Government, who have a panoply of assistance from parliamentary draftsmen and civil servants, says, "This amendment is not clear and is not workable; therefore I will not call it." That is why I am not convinced by the reasons or indications that have been given to us.

I hope, Madam Speaker, that it may be possible, somehow, to have a vote on amendment No. 27, or on one similar to it. Many people outside the House will find it strange if we are unable to do so. Therefore, I hope that a way of doing so can be found. After all, a vote takes only 15 minutes.

5.24 pm

Mr. Hugh Dykes (Harrow, East): I am grateful to you, Madam Speaker, for calling me to speak in the debate. My intervention will be brief so that other hon. Members will have an opportunity to contribute to the debate.

I listened with increased misgivings to what was said about the motion. However much the right hon. Member for Chesterfield (Mr. Benn) tries to give the impression, as he does with great skill, that what he has put forward is reasonable, restrained and far from being a fully fledged censure motion, one listens to such points with mounting anxiety. As the Chairman of the Procedure Committee, my right hon. Friend the Member for Honiton (Sir P. Emery), rightly said, the implications of the motion are sinister for the future of the House and the conduct of its business. The implications of the motion are outrageous, even though it is cleverly couched in restrained and slightly reticent language.

I am old-fashioned enough to believe in the procedures of the House—so much so as to say that I do not believe that the reasons given by the Chair for selecting or not selecting amendments should be questioned in any way. That may sound excessively docile, but it is the only way in which the House can proceed in a practical way, particularly on major legislation that is taken on the Floor of the House, when there is a highly charged atmosphere and when people are looking for the slightest reason to be suspicious, with barrack-room lawyers looking not just for television interview reasons but for the slightest reason to suspect conspiracy or collusion between the Treasury Bench, the Chair, and so on.

I have detected no evidence of that in any way whatsoever throughout the 19 or 20 days of the prolonged Committee stage on the Floor of the House. One has to compare these proceedings with the much more fundamental and profound Bill on entry into the Community and the treaties—the treaty of Rome and treaty of accession—that we enacted in 1972 and 1973, when I think I am right in saying that fewer days were spent considering the measure in a Committee of the whole House. That was a much more epoch-making step for this country to take, at the request of the then Government, than this legislation, although I welcome it, and the treaty, for all the reasons that have been put forward in our debates.

There has been a huge amount of debate on the Bill by a minority of Members. I reckon that between 85 and 90 hon. Members in all parts of the House are rigorously against the provisions of the Bill, in its final enactment, and the treaty behind it. When one compares that with the overwhelming majority of hon. Members who want the Bill to be enacted and also want the treaty, the amount of time devoted to debate has been more than reasonable. It is outrageous to suggest that the Chair has given erroneous reasons, or has done the wrong thing by the House of Commons in respect of amendment No. 27, or has, in general, oppressed the House. But that is the meaning of the motion. That is why it is unacceptable and should be crushingly defeated today.

Mr. Knapman: I am sorry that my hon. Friend believes that the motion has sinister implications. It would be interesting to know what they are. I am sure that my hon. Friend does not wish to suggest that the outcome of tonight's vote will in any way reflect upon the need, or otherwise, for a vote on amendment No. 27.

Mr. Dykes: My hon. Friend's intervention is totally astonishing. If we assume that the motion of the right hon. Member for Chesterfield is carried, is it not right to reflect on the implications of the collapse in the credibility of the business of the House in general, not just in respect of this piece of legislation? The reasons for the silly suspicions of a conspiracy are self-evident. I need not go into them. Instead, I shall refer to the assertions that, in my estimation, were wrongly made about a Scottish television interview.

I did not see the interview, but the assertions relate to an answer given to television viewers by the Chairman of Ways and Means. Subject to an examination of the text of his answer, it seems to me incredible that the Chairman of Ways and Means would say on television that he never gives reasons and that, despite the fact that he was giving a television interview, it was none of the interviewer's business and that he would not answer the question. Answers in a television interview are, surely, totally different and, in any case, discursive, wide-ranging, colloquial and different from literal answers that are given in the Chamber of the House of Commons.

The idea that that is the same as giving reasons for selecting or not selecting an amendment for debate or vote is completely spurious, and I am surprised that people are even suggesting it.

Mr. Cryer: Will the hon. Gentleman give way?

Mr. Dykes: I may give way, but not for the moment.

The Leader of the House presented his argument briefly but with great skill. He is known to be not only a very good Leader of the House but a very fair-minded person who always makes his points in a calm, balanced and dispassionate way. I was glad that on this occasion he had a note of justified indignation in his voice when he rejected the motion and asked for it to be defeated in the appropriate manner. The majority of hon. Members are extremely annoyed and fed up about the fact that the motion has even been presented.

[Mr. Dykes]

Although a majority have spoken against the motion, the anti-Europe and, for the purposes of this debate, the anti-Chair speakers—I use that description deliberately although they deny it—have repeated exactly the points of order made for more than an hour at the beginning of this week. Their arguments were a complete rerun, and nothing new has been added. There has been no justification for the motion. Even the right hon. Member for Chesterfield has fallen asleep—he is either bored with my words or with the text of his own motion. It is essential for the House to reject the motion decisively with a crushing defeat.

I am not defending a personality, although I agree with the repeated assertions, which have also been made by the critics, that the present Chairman of Ways and Means has done an outstanding job throughout the Committee stage. The reason I am genuinely indignant about the motion —as are other hon. Members—is that I am worried about paralysing the authority of the Chair in the future. From now on, there would be perpetual questioning of the Chair's motives——

Mr. Cryer: The hon. Gentleman keeps asserting that the Chair's decisions are always universally accepted. However, on a controversial issue in 1976, for example, the Speaker—not the Chair—made a decision against the hybridity of a Bill. He said that that was his final ruling and that, if hon. Members disagreed with it, they should table the usual motion—a motion of no confidence. The Conservative Opposition at the time did not wrap their cloaks around them and go home but persuaded the Speaker to change his decision because they did not agree with it. Were they wrong to do so?

Mr. Dykes: I did not mean that one should automatically reject the remote possibility of such an event arising in the House on rare occasions. That would be manifestly absurd. What I object to is the fact that the right hon. Member for Chesterfield did not table the motion as a motion of censure or of no confidence but tried to tone it down to make it more acceptable. That is the danger of the text.

I hope that the Opposition Front Bench spokesman is listening. I noticed that the shadow Leader of the House carefully did not respond—I do not think that she could at that stage—to the question asked by the former leader of the Liberal Democrats who is now a foreign affairs spokesman. The question was about the comparison between new clauses 74 and 75 and amendment No. 27 which, as has rightly been said, we have already passed by in Committee, subject to any re-presentation on Report. I hope that the question will be answered because it is important.

I am not assuming the construction of any reasons why the Chair should have selected an amendment or new clause for a vote. In my opinion, no reasons need to be given. I accept the Chair's decision. Many of the Chair's selections have been very much against the Government's interest and there have, quite rightly, been no complaints about that.

Mr. George Robertson: The hon. Gentleman should have listened to my right hon. Friend the Member for Derby, South (Mrs. Beckett) as he is accusing other people of not having listened. My right hon. Friend spelt out the position in some detail. Amendment No. 27 and new clauses 74 and 75 may have the same ultimate objective —to put pressure on the Government to accept the social chapter—but they do so in two entirely different ways. From the beginning, we have never accepted that they were alternatives. They have separate functions, which is why amendment No. 27 was pressed and why subsequent amendments were tabled, officially and by Back Benchers, to find a way to achieve the basic objective. My right hon. Friend made that point and we stand by it.

Mr. Dykes: In that case, it is funny that the shadow Leader of the House did not answer the question in that way. I think that there is a disagreement among members of the Labour Front Bench and among Labour Members. Be that as it may, we are getting back to the idea that the Chair should, through the motion and outrageous pressure from a minority of hon. Members, apparently be coerced to give reasons for the selection or otherwise of amendments, either for debate or vote. I reject that idea out of hand, except perhaps once every few decades in 1 per cent. of parliamentary opportunities and in a truly outrageous case.

The Chair's decision was a routine and justified decision, although I concede that amendment No. 27 is very important. The motion is disgraceful, and the quicker it is unequivocally defeated, the better.

5.35 pm

Mr. Michael J. Martin (Glasgow, Springburn): Like all members of the Opposition, I am keen to get the social chapter included in the treaty. I hope that it will be possible on Report, because many of my constituents and people in Scotland generally have very low-paid jobs and need the protection of legislation, whether it comes from the House or from Europe. However, I support the Chairman of Ways and Means. I am reminded of a discussion that took place last night in the Tea Room. A young colleague summed up the issue very well by saying that one cannot have a football match without a referee, which is what the motion is trying to do.

For seven years, I have been a member of the Chairmen's Panel, and have throughly enjoyed it. I have learnt a great deal about the procedure of Committees and the House, and about amendments. Above all, I have learnt that one cannot please everyone. It is very difficult to do so, and it is natural that, when the Chairman decides in favour of one side, the other side is displeased. I do not think that any Chairman, including the Chairman of Ways and Means, would do anything to harm the integrity of the position that he or she holds. The strength of the House of Commons is that those who chair our Committees are constituency Members of Parliament. When they listen to the arguments made by hon. Members, they can easily put themselves in their position. They know what it is to be in a minority, trying to appeal to the Chair.

I recall a humorous situation that occurred in the Scottish Grand Committee. I was in the impossible position of trying to call as many Back Benchers as I could, including those from the minority parties. Inevitably, some hon. Members were squeezed out. One hon. Member spoke to me during one sitting, and the language he used would have made a navvy blush—it certainly made me blush. He gave me a great deal of abuse. I told him that the reason he was not called was that I had to call the Scottish National party, but I still got the abuse. Six months later,

that Labour Member was in the SNP and was shouting about the SNP not getting enough time on the Floor of the House. One cannot win.

On another occasion, the Clerk informed me that I could allow the Committee to sit 10 minutes beyond 1 pm to dispose of the business. I thought that everyone would be delighted about that, but a member of the Committee told me that he was not pleased because it meant that he would be late for his luncheon engagement, so he intended to report me to the Speaker.

I was in the House last Thursday and heard the discussion. I was aware of the high feelings. You will have noticed, Madam Speaker, that for many years I have chosen to sit here below the Gangway, and I enjoy the banter of my hon. Friend the Member for Bolsover (Mr. Skinner), who sits nearby. I admire his sharp wit and the way that he gives Ministers and Conservatives in general a hard time—he gives the Opposition Front-Bench spokespersons an even harder time. He is at his best in such situations, but he is certainly not at his best when he starts making personal attacks. I dissociate myself from terms such as "stitch-up" and "deals with the Government". I do not think that such remarks are helpful.

If we want people to accept positions of responsibility, by all means we can criticise them, so long as it is fair criticism, but personal attacks do not help. I was brought up in the trade union and labour movement, and because of the disadvantaged situation from which I came, I acquired most of my education from attending trade union and Labour party meetings. I would not have had that education, and I would have not been capable of being a Member of Parliament, had it not been for strong chairmanship. One thing that I learned early was that, when things go against someone, he should fight his corner and keep fighting, but the last thing he should do is blame the chairman.

5.41 pm

Mr. William Cash (Stafford): The hon. Member for Bradford, South (Mr. Cryer) referred to the occasion on which the Speaker's ruling on the Aircraft and Shipbuilding Industries Bill was—disgracefully, I believe—overruled by the Government. The manner in which the decision had been arrived at was significant. I was involved to some extent, because I was then the legal adviser to the ship repairers, so I was well acquainted with what was going on. The decision was disgraceful, and there was no basis whatever on which anyone could derive any satisfaction from ignoring a ruling of the Speaker or, indeed, of the Chairman of Ways and Means.

I have not put my name to the motion, but that does not mean that I have not been seriously concerned about the difficulties that have arisen over amendment No. 27, primarily because, as I said about the Aircraft and Shipbuilding Industries Bill, the object of the procedure is more important than all the arcane technicalities that prevail at the end of the day. Underneath all the precedents, we are really discussing a simple question: should the House of Commons be able to put to the vote a matter of vital interest to the people outside, whether in terms of the social chapter or of taxation and the agreement? The real problem is that the people outside simply will not be able to understand why, in simple language, after all the debate that has taken place, we cannot have a vote on amendment No. 27.

Miss Emma Nicholson (Torridge and Devon, West): Surely the argument is not about whether the people outside understand why we do or do not have a vote. The people outside frequently do not understand our complex procedures. The object of the debate is to determine whether the Chairman of Ways and Means has authority over the Chamber. That is the question today. We cannot have a form of mob rule. As the hon. Member for Glasgow, Springburn (Mr. Martin) said, it is difficult enough being a Member of Parliament. We must make our own judgments, and occupants of the Chair must make theirs. They should not be a football to be kicked about on the whim of other hon. Members such as my hon. Friend the Member for Stafford (Mr. Cash).

Mr. Cash: I do not believe that I have put forward any views on the subject on the basis of a whim. The problem is that the issue has become Byzantine because, although we are told that no reasons are given, unless we subscribe to the notion of the hypocrisy of democracy, we know perfectly well that reasons have been given. In the light of the television transcript that we have seen and of statements that have been recorded in *Hansard*, it is perfectly ludicrous to say that no reasons have been given.

We have been clearly told that one of the problems involved with the selection of the amendment is that apparently it would wreck the Bill, and we must have regard to the effect that it would have on the Bill. That was said in so many words in the television programme. I see that the Chairman of Ways and Means is shaking his head, so I shall read out the transcript, because we must have a clear understanding. In reply to an interviewer's question the transcript records that he said:

> "Well you have to go back to the fact that there was a significant 2nd reading vote for the Bill therefore the House has already said, as it moved into Committee, that it wanted the Bill to go through and that it would accept amendments on the workings of the Bill, like the one we have got on the Committee of the Regions where they change the basis of who shall be appointed, but you cannot wreck the Bill but you can put in these sort of caveats and in a sense this one is a caveat and a very strong moral one actually, because what it really says is that yes the Bill can go through but the House will have to have a vote after the Royal Assent on whether or not it wants the Social Chapter in there."

Earlier, referring to another amendment, which must have been new clause 75, the Chairman said:

> "to put down an amendment which is more workable than 27 and that is what has actually come out."

I am now at a slight disadvantage, because I see that the Chairman of Ways and Means, in a sedentary position, is shaking his head. I should be more than happy to withdraw my reference if what I have is not a verbatim transcript, but I can use only the evidence before me. I am simply making a point that is reiterated in column 39 of the *Official Report* of 19 April—perhaps we are entitled to put more emphasis on that than on a television interview. I am glad to see that my hon. Friend the Chairman of Ways and Means is now nodding his head. In respect of amendment No. 27 he said:

> "In arriving at such a decision . . . any occupant of the Chair must have regard to a number of factors, including the Committee's debates, the clarity of effect of an amendment, and its impact on the Bill which, if brought into effect, must

[Mr. Cash]

be both workable and understandable. In the very nature of this case, there can be no exact precedent."—[*Official Report*, 19 April 1993; Vol. 223, c. 39.]

My right hon. Friend the Member for Honiton (Sir P. Emery) referred to the MacAndrew case, but the Chairman of Ways and Means has made it clear that he had to form his judgment on the issue before him. The problem that I have with the reasons that he has given leads me to be concerned about the basis upon which that decision was made. It is conceded that there is no precedent, because such matters must be regarded as being taken separately on each occasion.

That being said, let us consider the questions that are put to us. In my view, they merely compound the Byzantine nature of the position that we are already in, because if the reasons that we have been given were applied on future occasions they would cause an unbelievable amount of difficulty. Who is to decide on the "clarity of effect" of an amendment? It is sometimes exceedingly difficult, without waiting for the matter to be referred to the courts, to know what decision will be taken on the meaning to be drawn from a specific form of words. In the European dimension, considering the methods of interpretation now applied in the European courts as compared with those used in our own courts, that becomes even more difficult. The considerations are to be:

"the clarity of effect of an amendment, and its impact on the Bill".

The reference to the amendment's impact on the Bill is similar to the reference in the television transcript to which I have just referred. I am very concerned about the impact on the Bill. Although no reasons have been given for the reference, I believe that it refers to Second Reading, which was mentioned in the television transcript, and the impact that amendment No. 27, if passed, would have on the process of the treaty and the Bill. It has been decided effectively to remove amendment No. 27 from the amendment paper.

The Bill received a majority of 244 on Second Reading. However, Second Reading occurred a very long time ago, on 2 May last year. Since then, there has been a referendum in Denmark. Therefore, we are not dealing with the same agreement or treaty that was signed on 7 February because the Danish people are——

Madam Speaker: Order. I have been very tolerant, but I am now insisting that the hon. Gentleman should speak to the motion before the House. The debate is limited to the exercise of the Chair's discretion on amendment No. 27. It is limited only to that and not to the Danish referendum or to what anyone else does in any other country. It is limited simply to the judgment and discretion of the Chairman of Ways and Means: that is all.

Mr. Cash: Indeed, Madam Speaker, and I am happy to follow your ruling. I am referring to the impact on the Bill and that was the reason given by the Chairman of Ways and Means. That causes me concern because the principle of the Bill on Second Reading has been breached by our withdrawal from the exchange rate mechanism. If we are not to have a Division on amendment No. 27 and the reason for that—although it is not entirely disclosed—is the effect that it would have in respect of Second Reading, that is not a justifiable reason for there to be no Division on the amendment.

According to the motion and to the comments of the right hon. Member for Chesterfield (Mr. Benn), the amendment must be workable and understandable. That point has already been discussed. By providing new criteria, there will be enormous difficulties in respect of future rulings.

Mr. Andrew Rowe (Mid-Kent): I have listened with great care to my hon. Friend who, unlike me, is not one of the minority of hon. Members to whom the procedures of the House are sometimes arcane. I have examined pages 491 to 493 of "Erskine May". It is clear that the intelligibility and the workability of an amendment are criteria which Chairmen of Committees have taken into account for many years. Is my hon. Friend saying that they are new criteria?

Mr. Cash: Those of us who have examined the same provisions are perfectly aware that it may be a question of grammar or logic. However, there is no question about the meaning to be attached to amendment No. 27. It is crystal clear. The problem is about workability and understandability in relation to the Bill which received its Second Reading by a substantial majority and in respect of which the landscape has changed fundamentally since then.

The Chairman of Ways and Means told me that it was not the length of debate in question, but the content that was the issue. However, I want to query another issue that has not been mentioned so far in this debate. If we were to be confined in this way, it would be impossible for anyone to know whether the content of an amendment would lead to its being ruled out of order in respect of a Division.

That raises yet another problem: what is the content of a debate? Some debates are immensely interesting and some are exceedingly difficult to understand. The reality is that we cannot become locked into an argument about content as opposed to length because that would confuse matters.

It is equally clear that, in respect of amendments tabled on Report, "Erskine May" states:

"In particular, amendments are sometimes tabled to reverse Government defeats in Committee and these are always selected."

That means that Governments always have the right to obtain a reversal on Report. Presumably that will apply to the vote on the Committee of the Regions. "Erskine May" continues:

"In general, amendments which were debated at length"—

it does not say anything about content—

"in Committee, and brought to a vote, are not selected by the Speaker for further debate on Report. Amendments only briefly debated and which were then withdrawn, may well be selected if time permits."

However, the Chairman is on record as having made it perfectly clear that one of the prime reasons why amendment No. 27 was not selected for a Division was that the length of the debate and presumably also its content were not substantial. I believe that that is extraordinary having regard to the column inches devoted to that amendment. If we move to another stage, I find it difficult to understand how such matters might not be considered.

We must also bear in mind that the House of Lords would not be able to consider the tax implications of amendment No. 27. Furthermore, with respect to the whole issue of tax which has been thoroughly debated this

afternoon, we must consider whether we have a right to determine the issues that arise under the agreement vested in amendment No. 27.

When considering the remarks of the Minister of State, Foreign and Commonwealth Office, my right hon. Friend the Member for Watford (Mr. Garel-Jones), and the Chairman of the Ways and Means last week, I found it strange and opaque to discover that a new kind of doctrine appeared to be emerging—that the Government deserve protection if they find themselves in a minority. Some of the proceedings last week, in respect of the comments of the Minister of State and the Chairman of Ways and Means, would repay detailed consideration.

Mr. Whitney: Before my hon. Friend concludes his remarks, will he clarify a problem that is puzzling some of us? Some of us have noticed that three of our hon. Friends have signed the motion that we are debating. However, the name of my hon. Friend the Member for Stafford (Mr. Cash) is missing from that list. Many of us would be interested to know why his name does not appear, given the strength of feeling that, at his usual generous length, he is now offering to the House in respect of the views and conduct of the Chairman of Ways and Means. Can my hon. Friend tell us which way he will be voting in the Lobby, as that would also be of interest to hon. Members?

Mr. Cash: I do not have the slightest intention of disclosing in advance how I will vote. However, I do not believe that the motion is sensible, for the simple reason that I do not believe that we need to hype the issue into a censure motion. Substantive questions arise and I am addressing them.

We would be neglecting the responsibility vested in us, given the fact that I raised points of order on the matter in the past, if we did not follow through the logic of what has been happening. It is not in the interests of the House, for the reasons that I have given, for us to be taken down this route by the judgment on amendment No. 27. That is the point that I am making.

With respect to the implications of declining a Division on amendment No. 27, "Erskine May" states:

> "The Speaker's guiding principle is to avoid debate on the Floor of the House which is simply a repetition of the debate in Committee and where exactly the same decision may be expected on the amendment or amendments concerned."

If there is no vote, exactly the same decision will be taken because no opportunity for a vote will have been offered. There is ample opportunity for this matter to be reconsidered without getting into a tremendous hysterical turmoil about whether the Chairman made the right decision. I am happy to accept that he made the best judgment at the time. The question must be: was it the right judgment and has it led us into an impossible Byzantine position which can be resolved on Report?

Another reference to the Speaker's criteria, which was set out by Speaker King, is that all Government amendments are usually selected. Therefore, given the importance of this matter to the Government, and the fact that amendment No. 27 is in the name of the Leader of the Opposition, that presents an extremely good reason for selecting it subsequently.

Mr. Rooker: Surely the hon. Gentleman is overstating the case. The amendments in the name of the hon. Member in charge of the Bill are selected virtually automatically. If this were a private Member's Bill, the amendments of the hon. Member who introduced it would be selected. Government amendments have been selected only because the Minister is in charge of the Bill.

Mr. Cash: That is a fair point: I agree with the hon. Gentleman. I have simply set out what "Erskine May" says:

> "The Speakers usually select . . . important issues fully debated in committee, but still containing vital matters worthy of a 'last look'."

That seems to be the basis on which there will be ample opportunity, after this debate is finished, to re-examine amendment No. 27, which is of enormous importance politically and constitutionally. Undoubtedly, it is an important and vital issue. I believe that it is worthy of a last look.

6.2 pm

Mr. Dennis Skinner (Bolsover): I hope that I do not have to travel or take anyone down these Byzantine ways. I have heard hon. Members on both sides of the House talking about the matter, and I want to be as clear as I possibly can. I shall kick off by saying that we do not need any lectures from Euro-fanatics such as the hon. Member for Harrow, East (Mr. Dykes) about ensuring that democracy in the House of Commons remains. He has been at the forefront of ensuring that power has been taken away from the House of Commons to Brussels, Bonn, Strasbourg, Luxembourg and anywhere else on the continent. We do not need any lectures from Euro-fanatics about undermining democracy in the House.

Mr. Dykes: The hon. Gentleman is wrong about the treaty. As he knows, the treaty as debated provides for a reinforcement of the powers and involvement of all national parliaments, including the House of Commons.

Mr. Skinner: There has been a hidden agenda in the Common Market since it began on 28 October 1971. Before the hon. Gentleman became a Member of Parliament, he was campaigning outside for the European Movement. He is telling hon. Members in the House, " We are not going to do anything important today. We will pass a little treaty, but don't worry—nothing will happen". There has been a hidden agenda.

Madam Speaker: Order. I am sure that the hon. Gentleman will not allow himself to be moved away from the motion on the Order Paper by such interventions.

Mr. Skinner: It is important to remember that we are talking against the background of a shift in power from this place to the Common Market. The whole argument, like the previous one in which Grant-Ferris was involved, was about the Common Market. It has bedevilled the House of Commons almost all the time that I have been a Member of Parliament.

Some of the greatest problems which have arisen in the House of Commons have done so because we are a member of the Common Market. The split in the Labour party, the split in the Tory party and all the rest of it are attributable to the fact that many hon. Members in the House and many millions of people outside believe that we made a big mistake.

Mr. Stephen Milligan (Eastleigh): Will the hon. Gentleman give way?

Mr. Skinner: No—we must allow other hon. Members to speak. *[Interruption.]* Madam Speaker is nodding her head, so we are together; we have established a partnership.

As for all that talk about not undermining the Chair, let us have none of that nonsense. A few years ago, when Speaker Weatherill was in the Chair, there were briefings from the Government to get rid of him. All the newspapers got the stories about how the Prime Minister wanted to get the Speaker out of the Chair. We know the stories. Conservative Members were briefing all the time.

Let us not be lily-livered about the fact that the Chairman of Ways and Means is under the microscope because Mrs. Thatcher and the rest of them were quite happy to tell Weatherill, indirectly through the newspapers, "Get on your bike. We have had enough of you. We want somebody else in your place". Weatherill was smart enough to talk to Members of Parliament that he thought might help him to stay in his job. That is the background.

Let us not have any more talk from those pompous people that somehow or other we cannot discuss the Chair in the House of Commons. It happens in every other organisation that I know about. I had not been chair of the Labour party for five minutes before nearly every right-wing member of the national executive committee tried to move me out at the first meeting. My right hon. Friend the Member for Chesterfield (Mr. Benn) stood by me, but he had a job to get a seconder.

All the hon. Members on the Labour Front Bench, who were members of the NEC, were not bothered about undermining the authority of the chair. I was right. I had only quoted the standing orders, but that was enough for them. They did not like the standing orders—they are all standing orders—and they were prepared to kick me out of the chair at the first meeting. I stood my ground. I did not go whining to people and saying, "Isn't it terrible? How can I manage?" I fought on.

I do not know what this place is coming to when hon. Members cannot make comments about the Chair. The Chairman made a series of mistakes—not just one. He got caught up in the 20th century and television. Some people said that television would not alter this place. It has altered this place, and the Chairman of Ways and Means. I do not say that in a machiavellian way. The Chairman went on television. Like all people who go on television, he was asked awkward questions and responded.

It is time that we stopped this nonsense of saying that the Chair cannot explain. Is it time to stop it? We are approaching the 21st century, and a leading Member in the House of Commons is not able to tell the assembled Members, "The reason why I am not selecting your amendment or putting it to the vote is the following." Let us grow up. Let us start to explain so that people fully understand. What is it about the mythology of this place that somehow or other we wrap the Chair in a cocoon? What is it all for? It is high time that we understood more clearly. The Chair was wrong on 22 February when he said that there would be a vote. Surely we should be allowed to make the point in the House.

My right hon. Friend the Member for Chesterfield and I were brought up in different ways, although we agree on many things. He is a sensitive old soul. Today, he said that the motion was not an attack on the Chairman of Ways and Means. I think it is. I have never thought any different —I had to tell my right hon. Friend that last night. The motion is an attack on the Chairman. It is not a personal attack in the sense that hon. Members do not like him: it is an attack on his judgment. Some of us feel that he made the wrong one.

What is wrong with being able to say that from time to time? That is against a background of a Tory party which, only a few years ago, told the Prime Minister, "Get on your bike". They chucked her out like a dog in the night.

Now, those same sensitive souls, such as the right hon. Member for Honiton (Sir P. Emery), who was probably one of those who chucked her out, and the hon. Member for Harrow, East—they were part and parcel of that great vote—try to tell us that we cannot discuss these other matters in here. They stand here talking about the pomp and ceremony of this place. The previous Prime Minister got thrown out without a majority vote. There was no majority to kick her out, but she went, just as many others have done.

I will tell the House why I believe that some of the people here are not keen on passing a motion against the Chairman of Ways and Means. They are afraid that he might resign. He is an honourable man. I am sure that he would resign. I put another proposition to the Chairman of Ways and Means. I think that he should not resign. He should come back and say, "We should have a vote on something similar to amendment No. 27." I would back him in the Chair if he said that.

So what is it? Do people not want him to resign because the Government have at least 15 members of the Cabinet who ought to resign? It might catch on. They might say, "We cannot afford to let him go, because people might think we should go. He has been an honourable man." That is the last thing that this Tory Government want.

There is a hidden agenda. I do not have any hang-ups about it. It was a stitch-up from beginning to end. I do not believe that, in this modern age, especially with television, it is possible for the Chair not to know what the Government are up to. I find that incredible. When a debate is closed after three, four or five hours in the middle of the night, do people expect me to believe that there has not been a discussion between the Chair and the Chief Whip or one of his people? I do not believe it. Of course it is done, and I expect it to be done. This place could not be run without that sort of collaboration.

I am also in favour of the motion because I have seen power removed from Back Benchers in the 23 years that I have been a Member of Parliament. The motion is not merely about Mr. Morris. When my hon. Friends go into the Lobby, as assuredly we will, they should realise that, in the past 23 years, this Government and Governments before them have taken power to themselves over and over again.

There was a time when the Government had to close the summer and spring Adjournment motion debates. Now the debates last only three hours. We used to fight on the Consolidated Fund Bill right through the night and the following morning and cock up the Government's business for the next day. Now all that has gone. There was a time when there was no such thing as 10-minute limits on speeches for Back-Bench Members after 6 and 7 o'clock. Now there is a limit, but the Front-Bench spokesmen still have their 30, 40 or 50 minutes.

We never used to have guillotines such as we have now. When I came into the House, it was extremely rare for a guillotine to be put on. The practice has grown over the years. That is all part of the same business.

The power that the Government have today is enormous by comparison with what Governments had previously. On this occasion, Back Benchers want to assert some authority, but in the end it is about Speakers and their role in relation to Back Benchers. Speakers all claim to be on the side of the Back Benchers. They say that they will preserve and safeguard the interests of Back Benchers. The truth is that that is not always the case.

Speaker Lenthall said, "I have neither eye to see," and the rest of it. On this occasion, my view—for what it is worth—is that the Chairman of Ways and Means did not act like Speaker Lenthall. He acted on behalf of the Government. The result was that we lost a great opportunity to score a great wounding victory against the Government on amendment No. 27. That is what really happened. It sticks in my craw. No one will convince me otherwise. I believe that, instead of standing his ground, Morris surrendered not only to the Government but, sadly, whether he knows it or not, to Brussels. That is why I shall vote for the motion.

6.14 pm

Mr. Iain Duncan-Smith (Chingford): It is a case of "Follow that", but I shall endeavour to do so in a short speech, to allow others to speak.

I have listened to right hon. and hon. Members on both sides of the House. Having heard many of the speeches made throughout the Committee stage, I had a sense of deja vu, but at least it was a comfortable one. I listened particularly carefully to the right hon. Member for Chesterfield (Mr. Benn). Clearly, his knowledge of procedure is far ahead of anything that I could possibly rival. I do not intend to be caught up in that argument.

I am against the Maastricht process and treaty. That is fairly clear to hon. Members on both sides of the House. I have made my position pretty clear. I was and am disappointed that amendment No. 27 was not put to a vote. However, I believe that the important thing is to make my views clear on the Chairman of Ways and Means, who has behaved wholly honourably and in a fair manner throughout the Committee stage.

Therefore, one must ask whether the motion will be perceived in the way that the right hon. Member for Chesterfield explained it. I have no doubt that the right hon. Gentleman and others, especially the hon. Member for Bolsover (Mr. Skinner), believe that it is not absolutely a motion of censure. It is not written exactly in those terms. But the problem is that the motion will be perceived as a motion of censure on someone who has behaved honourably in reaching his decision.

As I said, I am disappointed that the Chairman's decision precluded a vote on amendment No. 27. I hope that, on Report, you will review that decision, Madam Speaker, and for your own reasons come to a decision that may well allow the House to vote on amendment No. 27.

The problem with the motion is that the mechanism —as far as I can tell from the procedure of the House—is such that there is no way in which the outcome of the vote tonight, whatever it may be, will allow a vote on amendment No. 27. Therefore, it is bound to be perceived wholly as a motion of censure. That is why I am opposed to it.

Therefore, I hope and wish that the right hon. Member for Chesterfield and the other right hon. and hon. Gentlemen who put their names to it will carefully examine the motion again and, before we reach the stage at which it is necessary to proceed to a vote, withdraw it. It would be in the best interests of the House not to have the motion pressed to a vote, to proceed to the remaining stages of the Committee proceedings and the Report stage and, hopefully, to a vote on amendment No. 27.

6.17 pm

Mr. Peter Shore (Bethnal Green and Stepney): I make it clear from the start, speaking as the second signatory to the motion, that no personal attack is intended. I do not agree with the attack in the forthright speech of my hon. Friend the Member for Bolsover (Mr. Skinner) on the conduct and motivation of the Chairman of Ways and Means. I take the view that Sir Elwyn Jones, as he then was, took when he moved a similar motion against the Chair in 1972. He said:

"Least of all is it an imputation . . . against his good faith and integrity."—[*Official Report*, 1 March 1972; Vol. 832, c. 434.]

There is no such intention.

I respect the Chair, as I believe other Members do. I have considerable regard for those who have the difficult task of occupying it and conducting the business of the House. However, while I have respect for the Chair and its occupants, I do not believe that they are infallible. From time to time, we perform a service to the House and the country when we subject certain rulings to serious debate and scrutiny.

That is precisely what we are doing. Through our actions this afternoon, we have done a considerable service to the House. I refuse to be buried by a load of humbug —the suggestion that Members never have the right to question the Chair about any matter. The people making that accusation know jolly well that it is over 20 years since, on another matter of vast importance, such a motion was moved. Therefore, let us dispense with that argument straight away.

Happily, I do not have to go over the background, as that has inevitably been done by previous speakers. I shall turn to what is almost the crux of the matter. Amendment No. 27 was moved from the Front Bench. My right hon. Friend the Member for Copeland (Dr. Cunningham), who moved the group of amendments, immediately made it plain that, although the lead amendment was amendment No. 7, he was not interested in that one, would not be talking to it and would withdraw it. He emphasised that the debate was about amendment No. 27. It was not only my right hon. Friend who asserted that: the rest of the Committee concurred, because it knew that amendment No. 27 was the most important amendment in the group. The Committee then debated it as such.

We know that the Government were horrified at the prospect of the amendment. The Minister of State said that it would wreck the Bill and the treaty as soon as he heard of my right hon. Friend's intention to insist on pressing the amendment to a vote. We then had the extraordinary incident of the Foreign Secretary coming to the House to repudiate on the advice of the Law Officers what the Minister of State had said. He said that the Minister had got it wrong and amendment No. 27 would have no effect on the treaty's ratification and the conclusion of the Bill. We took that advice with the scepticism that such contradictory advice deserved.

The Chairman of the Committee was not particularly impressed, either. In a statement on 22 February, he said

[Mr. Peter Shore]

that he was minded to take another debate on the important matter before he allowed a vote on amendment No. 27. The clear implication was that we should vote on the matter, and the Chairman had not been swayed by what the Attorney-General or the Minister of State had said in earlier debates.

We now come to the heart of the matter. What happened? Why did the Chairman of Ways and Means change his mind after serious consideration? He first announced that he would select, not amendment No. 27, but different amendments, particularly new clause 75. He told us that first, I think, on 30 March. He then met a number of anxious hon. Members who thought that that would be a great mistake, and he reconsidered the issue and came forward on Thursday 15 April with further confirmation of his intention to select new clause 75 and not allow a vote on amendment No. 27.

The Chairman's restatement led to considerable concern in the Committee and, after a long period of questions to the Chairman of Ways and Means, there was a debate in which the matters were thrashed out yet again. We came to the last stage of this when, on Monday, the Chairman reaffirmed his decision not to call amendment No. 27.

As the hon. Member for Stafford (Mr. Cash) and my hon. Friend the Member for Bolsover said, the Chairman has helped the Committee by making statements on the reasons for his decisions. He opened proceedings on 19 April with a statement to the Committee about

"the context in which my decision not to allow a separate Division to amendment No. 27 was taken."

He said that the context included a number of factors such as the extent of the Committee's debate

"the clarity and effect of an amendment, and its impact on the Bill."—[*Official Report*, 19 April 1993; Vol. 223, c. 39.]

The Chairman gave an interview, not just on Scottish television, but on BBC2 on Tuesday 13 April, the full text of which a number of hon. Members have seen, and a copy of which I have with me today. The Chairman was specifically asked about his selection of new clause 75 in place of amendment No. 27—indeed, why else would he appear on the programme? The Chairman was reported to have said:

"You have got to go back to the fact that there was a significant Second Reading for the Bill. Therefore, the House had already said, as it moved into Committee, that it wanted the Bill to go through, that it would accept amendments on the workings of the Bill, like the one we have got on the Committee of the Regions, but you cannot wreck the Bill."

Clearly, the Chairman considered that amendment No. 27 is or was a wrecking amendment. He made clear his views on new clause 75, the alternative choice, when he said:

"What it really says"—

new clause 75—

"is that, yes, the Bill can go through, but the House shall have to have a vote after the Royal Assent on whether or not it wants the social chapter."

There is a world of difference between amendments with such different effects. Despite what the Attorney-General said, amendment No. 27 would wreck the Bill and bring it to a halt. We know perfectly well that new clause 75, backed up by new clause 74, would have no such effect, and the Bill would receive Royal Assent.

The issue lies at the heart of the matter. It makes plain the enormous difference between the effects of amendment No. 27 and new clauses 75 and 74. Not surprisingly, the Government have said that they would have no difficulty in accepting new clause 75. They have no difficulty with that new clause, because they know that it will not stop the Bill and ratification of the treaty. The new clause is sufficiently vague not to lead to a satisfactory conclusion.

Mr. Geoffrey Hoon (Ashfield): I refer my right hon. Friend to the words of new clause 74, which states that the Bill cannot come into force before there is a debate on the social chapter. Therefore, it follows that the Government could not ratify the treaty before that debate has taken place.

Mr. Shore: We shall see what the Government have to say and whether they would find any difficulty with it when we reach that stage. As we well know, as the vote on the social chapter is to be taken after Royal Assent, it will have an entirely different effect from a vote on amendment No. 27, which would prevent the Bill from receiving Royal Assent. There is a major difference between the two.

I do not understand why it is said that, because amendment No. 27 stops or wrecks the Bill, it cannot be voted on because the House has given the Bill a Second Reading. Surely, if it were considered a wrecking amendment, it should never have been called in the first place—indeed, it would not have been called in the first place. The Chairman allowed it to appear among the selected amendments because he did not consider it to be a wrecking amendment. If it was a wrecking amendment, it should have been disqualified from the start, but it was not.

Secondly, and even more puzzlingly, the Chair has already allowed a number of amendments—after they have been properly selected and debated—to be put to the vote. We had votes on amendment No. 79, which sought to remove the clause and the protocol relating to excessive deficits. It was selected, we debated it and then voted on it. No one could deny that the effect of my amendment No. 79 would be to wreck the Bill—it would have virtually torn the heart out of economic and monetary union.

The same was true, not only of my other amendment No. 81, which was similarly voted on and rejected, but of a number of other amendments which would have wrecked the Bill, and which were moved, debated and voted on. They would have prevented the treaty from being ratified.

Mr. George Robertson: Perhaps I can stop my right hon. Friend going down this route. Earlier, my right hon. Friend the Member for Derby, South (Mrs. Beckett) made it clear that we are arguing, certainly from the Front Bench, that the Chairman of Ways and Means has already said that amendment No. 27 has integrity and does not fail the test.

I know that my right hon. Friend does not have the pleasure and privilege of living in Scotland, but if he had, he would have seen BBC Scotland's admirable "Scottish Lobby" programme at 12 o'clock on Sunday, on which the Chairman of Ways and Means was interviewed again. He said that, had subsequent amendments not been tabled, he supposed that there might well have been a vote on amendment No. 27.

Therefore, my right hon. Friend's argument on the basis of the first interview does not stand, because the Chairman has told the wider world, certainly Scotland,

that amendment No. 27 has integrity. That is the argument that we shall be using on Report to convince you, Madam Speaker, that you should select it.

Mr. Shore: My hon. Friend is confusing the House, and not for the first time. He is contradicting the right hon. Member for Derby, South (Mrs. Beckett) who spoke earlier and his right hon. Friend the Member for Copeland (Dr. Cunningham), the shadow Foreign Secretary, both of whom have made it plain that there is a world of difference between amendment No. 27 and new clauses 74 and 75, and that they will continue to plead, argue and persuade that there should be a vote on it.

If there is a vote on it, that will not please my hon. Friend the Member for Hamilton (Mr. Robertson), as it will have the effect, at least for a time, of bringing the treaty and its procedures to a stop. That is a matter on which we fundamentally disagree. That brings me to my last point, which is why I think that this is such an important matter.

Mr. Spearing: My right hon. Friend is making an important point about whether or not the Chair can select, let alone put to the vote, a matter which he regards as a wrecking amendment. Surely the whole problem is the difference between wrecking the Bill, which I do not think my right hon. Friend's amendment would do, and wrecking the treaty, which might well happen if the Bill becomes an Act. We are in a double-decked situation.

Mr. Shore: It would have the effect of wrecking the treaty, and that is the important objective that I, personally, wish to achieve, without any doubt, concealment or apology.

I now come to the final significance of amendment No. 27. Uniquely, it combines two features. First, it is the only amendment moved by the Opposition and properly debated which has been denied a vote. Even people such as myself, now a humble Back Bencher, have had amendments debated and voted upon in the middle of the night. My amendments were far more damaging than anything that was moved by the Front Bench.

Secondly, it is the only amendment on which we and the Government know that they are likely to be defeated. It is the only amendment of serious substance, because there has been so much general tacit agreement among the three major parties and their leadership that the House will not be able to make such a challenge to the Bill and the treaty on any other issue. That unique combination makes amendment No. 27 essential to the good reputation of the House and its continued esteem among our fellow citizens.

6.33 pm

Mr. Tony Marlow (Northampton, North): I am sorry that my right hon. Friend the Leader of the House introduced the Government's response to the debate in the way that he did. He implied that anyone who was concerned about this issue was critical of my hon. Friend the Chairman of Ways and Means.

My hon. Friend the Member for Northampton, South (Mr. Morris) and I have the privilege of sharing parliamentary responsibility for Northampton. Before he was elevated to his present, highly responsible position, I thought that he was a mere mortal and a human being. Since he has taken on responsibility for the most difficult parliamentary procedure since I have been a Member of Parliament, he has behaved in a most superhuman way. I am not given to ladling on the syrup. The Chairman of Ways and Means has performed magnificently and I am delighted and overwhelmed that a Member for Northampton has responsibility for this Bill dealing with such an important measure. But—*[Interruption.]* It is the old political trick of ascribing to people with whom one disagrees motives that they do not have. We are not critical of the Chairman of Ways and Means; we admire him and the way in which he has carried out his duties and responsibilities. He has been highly responsive, articulate and effective.

My right hon. Friend the Leader of the House says that if we want to say anything about the motion we are attacking the Chair. We are not. We are saying something about the motion because we want a vote on amendment No. 27.

As the right hon. Member for Chesterfield (Mr. Benn) said when he introduced the debate, where is the court of appeal? The Chairman of Ways and Means has made a decision and some of us disagree. We think that it is an important decision on an important issue. In this House of Commons, are we not able to express our concern and our desire to do something else?

My hon. Friend the Chairman of Ways and Means has performed magnificently. At some stage in future we may have a Chairman of Ways and Means who does not do so, who is culpable and makes mistakes. Is my right hon. Friend saying that in those circumstances the House must roll on its back and enjoy it and do nothing about it? Is that what democracy is about? Is that what my right hon. Friend the Leader of the House wants the House to do —not to have a view or a voice on the most important issue that has come before this House, this Parliament and this people in the past 25 years?

I refer to page 405 of "Erskine May". The Chair is not required to give reasons and we all understand— *[Interruption.]* Most of us understand why. I respect the speech by the hon. Member for Bolsover (Mr. Skinner), but I disagree with him on that point.

"Erskine May" states:

"Selection is made by the Chair"

and one of the things that is taken into account is the prevention of "repetition and overlapping". It may well be that repetition and overlapping were considered when the Chairman was looking at new clauses 74 and 75 and amendment No. 27. But they do not overlap; they are different in detail. Amendment No. 27 has financial implications; new clauses 74 and 75 are wholly different and the House knows that. They are different in detail and, by golly, they are different in their impact. The House should be able to vote on both.

The point has been made that we have to protect minorities. It is common ground that a majority in the House want a vote on amendment No. 27. If a minority wants a vote on an important issue, they should have one, but if a majority of the House wants it, should not the majority of the House have a vote on an important issue?

My hon. Friend the Member for Harrow, East (Mr. Dykes) brought out the tired old cliche about the Second Reading of the Bill. The Second Reading was nearly a year ago. The world has changed and I am sorry that my hon. Friend has not changed in that long period of time. If a week is a long time in politics, a year is a generation.

Everyone would agree that the treaty of European union is a massive issue. It is irreversible. Once passed, powers will pass from this House to other institutions.

[Mr. Tony Marlow]

Rightly, our constituents are greatly concerned about that. As the right hon. Member for Bethnal Green and Stepney (Mr. Shore) said, amendment No. 27 carries with it massive implications. Our constituents feel that it could make a difference. On this great issue people's perceptions are vital. In this case, as we continue our debates, their perception is that the House is entitled to a vote on such a major issue. If we do not have one, orders will come from European institutions in years to come without the House having been able to vote——

Mr. Milligan *rose*——

Mr. Marlow: I am coming to a conclusion—[HON. MEMBERS: "Hurrah!"] What a chance to get my second wind.

The perception of our constituents is that the House must have a vote, if possible, on such an important issue.

"Erskine May" refers to the 1966-67 appendices to the minutes of evidence to the Select Committee on Procedure by the then Speaker on the Report stage of public Bills. It states that the Report stage is not unimportant.

"The Bill as it emerges from Committee is often a much modified Bill"——

this one has been modified—

"the Opposition"—

I presume, in a wider sense—

"may now have a new attitude to parts of it . . . The deliberations of the Committee, even those which have not resulted in amendments to the Bill, have often been of considerable effect on the thinking of both sides. This reveals itself at the Report stage."

I agree with my hon. Friend the Member for Stafford (Mr. Cash), who spoke of important issues, carefully debated in Committee, but still containing vital matters worthy of a last look. Hence they should be selected for debate on Report. I hope, Madam Speaker, that we will be able to look at this subject again then.

6.42 pm

Mr. Tam Dalyell (Linlithgow): I should like to speak quietly for a moment or two to the Leader of the House and to hark back to what he said at the beginning of his speech. He used the word—I do not think I misquote him—"unpalatable". According to him, what has happened is either palatable or unpalatable, depending on whether a Member is pro or anti-European. That was the gist of what he said.

A number of us feel rather differently. Wrongly, in the view of many of my colleagues, I have from time to time voted on closures and other matters with the Government. I am a Euro-fanatic, if that is the right word, but last Thursday, although I sat here as quiet as a church mouse, I felt increasingly uncomfortable when my hon. Friends were making their points of order. It seems very odd, even to those of us who hold passionately pro-European views, that a vote should be denied us on a matter, whether one likes it or not, of enormous substance. I ask the House's forgiveness if this is not an exact analogy, but it felt rather like being a forward in a football match who knows that he was yards offside but the goal was allowed. There seemed something not quite right about the decision.

I said nothing at the time, but I was greatly influenced by the comments I heard in my constituency over the weekend. I do not suggest for a moment that all our constituents understand the finer points of "Erskine May", but somehow the fact had percolated through that the House of Commons was not acting quite properly—that there was something unfair going on. In schoolboy slang, there was a general feeling that there had been a bit of a swizz.

A deeper question was also being asked. It was voiced, too, by my hon. Friend the Member for Bolsover (Mr. Skinner), who received a great deal of agreement from the country, last Thursday. It was to the effect that we should ask what the House of Commons is for. The hon. Member for Aldridge-Brownhills (Mr. Shepherd) made the same point extremely eloquently. Constituents ask what the House of Commons is for if it cannot make up its mind on the question of the social chapter. They ask whether we can think of a way of bringing the matter to a decision.

Mr. Milligan: The hon. Gentleman says that amendment No. 27 covers an issue of enormous importance. Can he explain why new clauses 74 and 75 do not cover that same issue, and why what the hon. Member for Hamilton (Mr. Robertson) has described as a ticking timebomb appears to have become a ticking mouse?

Mr. Dalyell: My hon. Friend must answer for himself on ticking timebombs. I am extraordinarily cautious about my use of language, but it is not arguable that there is no difference between new clauses 74 and 75 and amendment No. 27. If there is no difference, all we can say is that a great many serious Members of Parliament believe that there is one.

Perhaps all these are the troubles that arise when Ministers want to have Maastricht à la carte. Once they start chopping and changing, they cannot be surprised when they find themselves in such difficulties. The House should be in no doubt that a great many of our constituents understand a vast amount more than some hon. Members this afternoon have given them credit for. They have the gut feeling that there has not been fair play. That is why I hope that there will be some change of attitude towards this subject.

6.46 pm

Mr. Nigel Spearing (Newham, South): My hon. Friend the Member for Linlithgow (Mr. Dalyell) has touched on one of the fundamentals of our debate today. We are talking about the functions of the chairmanship of Standing Committees and of Committees of the whole House, and in particular we are discussing discretion.

Madam Speaker has been telling us that the debate is about the discretion of the Chair. The hon. Member for Northampton, North (Mr. Marlow) has let his views be known, allbeit rather loudly; the views expressed by his colleague, the hon. Member for Northampton, South (Mr. Morris), have been delivered with characteristic courtesy and patience throughout this difficult Committee stage.

It has not been denied even by the Chairman of the Procedure Committee that if confidence in the Chair is to be sustained, and if our procedures are to inspire confidence in the country, there must be an opportunity for debates of this sort when an important matter about which there are strong feelings arises. I therefore reject the accusations by the right hon. Member for Bridgwater (Mr. King), who said a couple of days ago, as did the Chairman of the Procedure Committee, that there was something improper about holding such a debate. I suggest that, because of the issues involved, this debate is quite proper.

The essence of parliamentary debate is the opportunity it affords to ventilate an issue. That is what we are doing now. It is what the Standing Orders allow for. We also, however, operate on the basis of a Question. When a motion is proposed, having been selected by the Chair, we have a debate. There is evidence today that the debate under discussion, in which amendment No. 27 was the main feature, exercised the House, and there were strong reasons why there should have been a vote. My hon. Friend the Member for Linlithgow has pointed out that the public expect, as is their right, that if a matter of great importance is debated, it should be brought to a conclusion by a decision.

The Chair has a problem because of the link between the Bill and the treaty. In certain respects something that wrecks a Bill may not be selectable or, if it is, it may not be put to the vote. That is for the discretion of the Chair. We are concerned not with the Bill but with the treaty. We have to decide whether the House will provide the Government with sufficient power to ratify the treaty. Therefore, something which may be within the compass of the Bill, because it restricts what can be done, may wreck the treaty. That is a matter for the House and it is not a question on which the Chair should exercise discretion, as would happen in a Standing Committee. In Standing Committees we deal with domestic legislation, which is reversible, and which may be changed by a different Government.

Some people want the European Communities (Amendment) Bill to be irreversible in regard to citizenship of the United Kingdom, a matter of momentous importance. Therefore, democracy and the procedure of the House must be seen to work. It is the same with justice which must not only be done but must be seen to be done. The confidence of the population in our procedures must be maintained; we must demonstrate that our procedure is above board.

Mr. Salmond: The hon. Gentleman's views are held sincerely. When new clauses 74 and 75 came into play, the Chairman of Ways and Means had to make a choice. While we may not agree with the choice, nevertheless it was his choice. We can hardly blame him for making his choice, nor can the hon. Gentleman, given that new clauses 74 and 75 were tabled by members of his party.

Mr. Spearing: Let us go through it carefully. The Chairman had a choice. As matters developed, I suppose we can say that the range of that choice varied. I do not think that any of us would have liked to have been in that position. The point is that when the choice was made, it was exclusive and not inclusive. Something which was reckoned to be a strong possibility—I put it no higher—was excluded. People were disappointed. I will not use the word, like my right hon. Friend the Member for Chesterfield (Mr. Benn), but some people, very distinguished people, reflected a view and said that they were cheated. If people feel like that because a discretionary choice involved exclusion rather than inclusion, we must question the use of that discretion.

I expect it has happened to other people too, but I was moved out of the Chair on one occasion, about 30 years ago. I hasten to add that it was not in respect of any function in the House. The feeling about it was strong and was of great personal concern to me at the time. The incident arose from a ruling which I made when in the chair at a meeting of a voluntary organisation. There was no question of a motion of mild comment or even criticism, which would cover the motion before the House. I was moved out of the chair forthwith because my friends disagreed with a vital ruling which I had made. The matter was resolved, but when I spoke to them afterwards I began to see their point of view. I realised that they had every right to propose a motion to remove me from the chair.

I would not agree with it happening here perhaps more than once every 20 years. It should not be done without good reason. Having been Chairman of a Select Committee for nine years, I know the problems. There must be an opportunity for people to ventilate their concern. We are doing so now in a proper, democratic way. If we could not do so, the power of discretion which we put in the charge of any Chair could become wider and other Chairmen might not know that at any time their decisions were under scrutiny. If decisions were not under scrutiny, the power of the Chair would not be exercised with proper caution. Indeed, after a time the power of the Chair would be diminished.

The Chair is a servant of the House. My hon. Friend the Member for Bolsover (Mr. Skinner) mentioned Speaker Lenthall. The Chair is a servant of the corporate Committee or of the House, to do what the House wishes. The House wishes its procedures to be beyond reproach so that hon. Members who wish to vote on a motion, having debated it, may do so. Anything which stops that happening raises a question and will be viewed, in the words of my hon. Friend the Member for Linlithgow, as a bit of a swizz. That might be an understatement in respect of the possible consequences of amendment No. 27.

You have listened to most of the debate, Madam Speaker. Report stage is there for a purpose: the Speaker can take an overall view of all the circumstances and is not bound by some of the precedents which are properly adhered to by the Chair of Committees. Whatever we decide now, there will be a Report stage. A matter of major controversy was selected for debate, and was debated. I ask you, Madam Speaker, in your capacity as a servant of the House and, through that, as a servant of the people whom we represent and who expect us not only to debate but to reach a decision, to bear in mind in your judgment all the matters raised in the debate.

Mr. Timothy Wood (Lords Commissioner to the Treasury) *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 337, Noes 86.

Division No. 242] **[6.58 pm**

AYES

Adley, Robert	Ashdown, Rt Hon Paddy
Ainsworth, Peter *(East Surrey)*	Aspinwall, Jack
Ainsworth, Robert *(Cov'try NE)*	Atkinson, David *(Bour'mouth E)*
Aitken, Jonathan	Atkinson, Peter *(Hexham)*
Alexander, Richard	Baker, Rt Hon K. *(Mole Valley)*
Alison, Rt Hon Michael *(Selby)*	Baker, Nicholas *(Dorset North)*
Allason, Rupert *(Torbay)*	Baldry, Tony
Alton, David	Banks, Matthew *(Southport)*
Amess, David	Banks, Robert *(Harrogate)*
Ancram, Michael	Bates, Michael
Anderson, Donald *(Swansea E)*	Batiste, Spencer
Arbuthnot, James	Bayley, Hugh
Arnold, Jacques *(Gravesham)*	Beith, Rt Hon A. J.
Arnold, Sir Thomas *(Hazel Grv)*	Bellingham, Henry
Ashby, David	Beresford, Sir Paul

Blackburn, Dr John G.
Booth, Hartley
Boswell, Tim
Bowden, Andrew
Bruce, John
Bruce, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Carlile, Alexander *(Montgomry)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ruclif)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Dafis, Cynog
Davies, Bryan *(Oldham C'tral)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Enright, Derek
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Foster, Don *(Bath)*
Foulkes, George
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Garrett, John
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, John
Grant, Sir Anthony *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Hogg, Norman *(Cumbernauld)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Simon *(Southwark)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Ingram, Adam
Jack, Michael
Jackson, Robert *(Wantag)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Johnston, Sir Russell
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles *(Ross,C&S)*
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Kirkwood, Archy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Llwyd, Elfyn
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Lynne, Ms Liz
MacGregor, Rt Hon John
Maclean, David
Maclennan, Robert
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Martin, Michael J. *(Springburn)*
Mawhinney, Dr Brian
Maxton, John
Mellor, Rt Hon David
Merchant, Piers
Michie, Mrs Ray *(Argyll Bute)*
Milligan, Stephen
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moonie, Dr Lewis
Morris, Estelle *(B'ham Yardley)*
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
O'Neill, Martin
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Geoffrey *(Co'try NW)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Sheerman, Barry
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Tyler, Paul
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Wallace, James
Waller, Gary
Ward, John
Wardell, Gareth *(Gower)*
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wigley, Dafydd
Willetts, David
Wilshire, David
Wilson, Brian
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Andrew Mackay and Mr. Robert G. Hughes.

NOES

Adams, Mrs Irene
Ainger, Nick
Austin-Walker, John
Barnes, Harry

Beggs, Roy
Benn, Rt Hon Tony
Bennett, Andrew F.
Berry, Dr. Roger
Boyce, Jimmy
Burden, Richard
Callaghan, Jim
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Cann, Jamie
Chisholm, Malcolm
Clapham, Michael
Clarke, Eric *(Midlothian)*
Cohen, Harry
Connarty, Michael
Corbyn, Jeremy
Corston, Ms Jean
Cummings, John
Cunliffe, Lawrence
Dalyell, Tam
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham, H'dge H'l)*
Donohoe, Brian H.
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Flynn, Paul
Fraser, John
Galloway, George
Grant, Bernie *(Tottenham)*
Hain, Peter
Hanson, David
Heppell, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Jones, Lynne *(B'ham S O)*
Jowell, Tessa
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Leighton, Ron
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McKelvey, William
Mahon, Alice
Marshall, Jim *(Leicester, S)*
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon James
Mullin, Chris
O'Hara, Edward
Olner, William
[illegible]rry, Robert
[illegible]kthall, Colin
[illegible]rentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Redmond, Martin
Robinson, Peter *(Belfast E)*
Roche, Mrs. Barbara
Rowlands, Ted
Simpson, Alan
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Taylor, Rt Hon John D. *(Strgfd)*
Tipping, Paddy
Trimble, David
Walker, A. Cecil *(Belfast N)*
Williams, Rt Hon Alan *(Sw'n W)*
Winnick, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'f'ld)*
Wise, Audrey
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Bob Cryer and
Mr. Dennis Skinner.

Question accordingly agreed to.
Question put accordingly:—
The House divided: Ayes 81, Noes 450.

Division No. 243] **[7.10 pm**

AYES

Adams, Mrs Irene
Ainger, Nick
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Benn, Rt Hon Tony
Bennett, Andrew F.
Berry, Dr. Roger
Boyce, Jimmy
Burden, Richard
Callaghan, Jim
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Cann, Jamie
Chisholm, Malcolm
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clelland, David
Cohen, Harry
Connarty, Michael
Corston, Ms Jean
Cummings, John
Cunliffe, Lawrence
Dalyell, Tam
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham, H'dge H'l)*
Donohoe, Brian H.
Eagle, Ms Angela
Etherington, Bill
Flynn, Paul
Galloway, George
Gerrard, Neil
Grant, Bernie *(Tottenham)*
Hain, Peter
Hanson, David
Heppell, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Hughes, Kevin *(Doncaster N)*
Jackson, Helen *(Shef'ld, H)*
Jones, Lynne *(B'ham S O)*
Jowell, Tessa
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Loyden, Eddie
McAllion, John
McKelvey, William
Madden, Max
Mahon, Alice
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(Gt Grimsby)*
Morris, Estelle *(B'ham Yardley)*
Mullin, Chris
Olner, William
Parry, Robert
Pickthall, Colin
Pope, Greg
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Purchase, Ken
Redmond, Martin
Robinson, Peter *(Belfast E)*
Rowlands, Ted
Shore, Rt Hon Peter
Simpson, Alan
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steinberg, Gerry
Taylor, Rt Hon John D. *(Strgfd)*
Tipping, Paddy
Wareing, Robert N
Winnick, David
Wise, Audrey
Wri[illegible]r Tony

Tellers for the Ayes:
Mr. Bob Cryer and
Mr. Jeremy Corbyn.

NOES

Adley, Robert
Ainsworth, Peter *(East Surrey)*
Ainsworth, Robert *(Cov'try NE)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Allen, Graham
Alton, David
Amess, David
Ancram, Michael
Anderson, Donald *(Swansea E)*
Arbuthnot, James
Armstrong, Hilary
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Ashdown, Rt Hon Paddy
Aspinwall, Jack
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Battle, John
Beckett, Rt Hon Margaret
Beggs, Roy
Beith, Rt Hon A. J.
Bell, Stuart
Bellingham, Henry
Benton, Joe
Beresford, Sir Paul
Bermingham, Gerald
Blackburn, Dr John G.
Blair, Tony
Blunkett, David
Boateng, Paul
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyes, Roland
Boyson, Rt Hon Sir Rhodes
Bradley, Keith
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, Gordon *(Dunfermline E)*
Brown, M. *(Brigg & Cl'thorpes)*
Brown, N. *(N'c'tle upon Tyne E)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Byers, Stephen
Caborn, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Carlile, Alexander *(Montgomry)*
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Channon, Rt Hon Paul
Churchill, Mr
Clappison, James
Clark, Dr David *(South Shields)*
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushcl)*
Clarke, Tom *(Monklands W)*
Clifton-Brown, Geoffrey
Clwyd, Mrs Ann
Coe, Sebastian
Coffey, Ann
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Cousins, Jim
Cran, James
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Quentin *(Stamford)*
Davies, Ron *(Caerphilly)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dewar, Donald
Dicks, Terry
Dixon, Don
Dobson, Frank
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Enright, Derek
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David

Fabricant, Michael
Fairbairn, Sir Nicholas
Fatchett, Derek
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Field, Frank *(Birkenhead)*
Fishburn, Dudley
Fisher, Mark
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Fraser, John
Freeman, Roger
French, Douglas
Fry, Peter
Fyfe, Maria
Galbraith, Sam
Gale, Roger
Gallie, Phil
Gapes, Mike
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Garrett, John
George, Bruce
Gillan, Cheryl
Golding, Mrs Llin
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, John
Graham, Thomas
Grant, Sir Anthony *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Peter *(Portsmouth, N)*
Griffiths, Win *(Bridgend)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Gunnell, John
Hague, William
Hamilton, Rt Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hardy, Peter
Hargreaves, Andrew
Harman, Ms Harriet
Harris, David
Harvey, Nick
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Henderson, Doug
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hill, Keith *(Streatham)*
Hinchliffe, David
Hogg, Rt Hon Douglas *(G'tham)*
Hogg, Norman *(Cumbernauld)*
Hoon, Geoffrey
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Hutton, John
Illsley, Eric
Ingram, Adam
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Gwilym *(Cardiff N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kaufman, Rt Hon Gerald
Kellett-Bowman, Dame Elaine
Kennedy, Charles *(Ross,C&S)*
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kinnock, Rt Hon Neil *(Islwyn)*
Kirkhope, Timothy
Kirkwood, Archy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Lynne, Ms Liz
McAvoy, Thomas
Macdonald, Calum
McFall, John
MacGregor, Rt Hon John
Mackinlay, Andrew
Maclean, David
McLeish, Henry
Maclennan, Robert
McLoughlin, Patrick
McMaster, Gordon
McNair-Wilson, Sir Patrick
McNamara, Kevin
McWilliam, John
Madel, David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, David *(Shettleston)*
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Mawhinney, Dr Brian
Maxton, John
Meacher, Michael
Meale, Alan
Mellor, Rt Hon David
Merchant, Piers
Michael, Alun
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Milligan, Stephen
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon J. *(Aberavon)*
Moss, Malcolm
Mowlam, Marjorie
Mudie, George
Murphy, Paul
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Oakes, Rt Hon Gordon
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
O'Neill, Martin
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Orme, Rt Hon Stanley
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pendry, Tom
Pickles, Eric
Pike, Peter L.
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Quin, Ms Joyce
Radice, Giles
Rathbone, Tim
Redwood, John
Reid, Dr John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, George *(Hamilton)*
Robertson, Raymond *(Ab'd'n S)*
Robinson, Geoffrey *(Co'try NW)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Sedgemore, Brian
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Sheerman, Barry
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Sir Dudley *(Warwick)*
Smith, Rt Hon John *(M'kl'ds E)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spellar, John
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stephen, Michael
Stern, Michael
Stevenson, George
Stewart, Allan
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Turner, Dennis
Twinn, Dr Ian
Tyler, Paul
Vaz, Keith
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Rt Hon Sir Harold
Wallace, James
Waller, Gary
Walley, Joan
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Wilson, Brian
Winterton, Nicholas *(Macc'f'ld)*
Wolfson, Mark
Wood, Timothy
Worthington, Tony

Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Sydney Chapman and Mr. Andrew MacKay.

Question accordingly negatived.

Orders of the Day

European Communities (Amendment) Bill

Considered in Committee [Progress, 19 April]

[MR. MICHAEL MORRIS *in the Chair*]

Order read for resuming adjourned debate on Question [19 April], That the clause *(Entry into force)* be read a Second time:

'This Act shall come into force on a day appointed by the Secretary of State by order in a statutory instrument.'.
—*[Mr. Shore.]*

Question again proposed.

The Chairman of Ways and Means (Mr. Michael Morris) *rose*——

Hon. Members: Hear, hear.

The Chairman: Before I call the first speaker, I have a short announcement to make.

In the circumstances, I think that it would be for the convenience of hon. Members generally if I were to say now that I am prepared, after the Division on new clause 8, to select for a separate Division new clause 49, in the name of the hon. Member for Dagenham (Mr. Gould).

I remind the Committee that in this debate we are also considering the following:

New clause 46—*Ascertainment of national opinion (No. 2)*—

'(1) Immediately after the passing of this Act the Secretary of State shall lay before Parliament the draft of an Order in Council making such provision as Her Majesty thinks appropriate for ascertaining, by means of a confirmatory referendum or otherwise, the preponderance of national opinion with respect to the commencement of this Act.

(2) If a draft laid before Parliament under this section is approved by a Resolution of each House, Her Majesty in Council may make an Order in the terms of the draft; provided that the Order shall not be made unless separate provision has been made by Parliament for defraying out of public funds any expenses to be incurred by a Minister of the Crown or Government Department in carrying the Order into effect.'.

Amendment (a) to new clause 46, in subsection (1), at end insert

'and also the incorporation or otherwise of the United Kingdom into the Agreement annexed to the Protocol on Social Policy.'.

New clause 48—*Commencement (Opinion of the House)*—

'This Act shall not come into force until the House of Commons has expressed a view on the desirability of a referendum in each component nation of the United Kingdom with respect to the commencement of this Act.'.

Amendment (a) to new clause 48, at end add

'and on whether such referenda should consult on the incorporation or otherwise of the United Kingdom into the Agreement annexed to the Protocol on Social Policy.'.

New clause 49—*Commencement provisions*—

'This Act shall take effect on the first day of January 1996 or on such earlier date as may be specified in any subsequent Act of Parliament as the date for the holding of a consultative referendum to establish whether or not majority opinion supports The Treaty on European Union.'.

Amendment (a) to new clause 49, at end add

'and also the incorporation or otherwise of the United Kingdom into the Agreement annexed to the Protocol on Social Policy.'.

New clause 50—*Referendum Motion*—

'Within three months of the passing of this Act, the Secretary of State shall place a motion before Parliament which will provide the opportunity for members of both Houses to express a view on the desirability or otherwise of seeking the views of the electors of the United Kingdom on the merits of the decision taken by Parliament in relation to the Act.'.

Amendment (a) to new clause 50, at end add

'and also on the insorporation or otherwise of the United Kingdom into the Agreement annexed to the Protocol on Social Policy.'.

New clause 53—*Transfer of powers*—

'No power transferred by this Act from the United Kingdom to European institutions shall be so transferred unless and until the House of Commons has had an opportunity to assess whether it is expedient to measure, and if so by what means, the degree of support within the United Kingdom.'.

Amendment (a) to new clause 53, at end add

'for the Treaty on European Union and also for the incorporation or otherwise of the United Kingdom into the Agreement annexed to the Protocol on Social Policy.'.

7.26 pm

Mr. Richard Shepherd (Aldridge-Brownhills): The association between new clauses 8 and 46 is important because, without it, the result would not be as effective as new clause 46 by itself. I note that new clause 46 is headed "Ascertainment of national opinion". I suggest that the better heading would be "Trust the people".

In discussing a new constitutional arrangement—there have been difficulties for the Chair and for some hon. Members—we have been addressing substantial constitutional changes that lie behind a two-clause Bill. In doing so, the intention or purpose of the Maastricht treaty has not been clear to everyone in the United Kingdom. As a result, the nation as a whole has suffered.

The Government, those on the Opposition Front Bench and the Liberal Democrats have not over-exercised themselves in trying to explain in detail what is sought through the Maastricht treaty. A continuing theme of the electorate generally is to ask what Maastricht is all about —"Why are you going on about it? What is the fuss? What is going on?". Over the many days in Committee, we have tried patiently to unpick arguments and to demonstrate —this has been done by hon. Members on both sides of the House—that it is proposed that there should be a significant change in the balance of our constitution.

At 50 years of age, I feel old-fashioned when I talk about old verities. Before I became a Member of the House of Commons, it was unthinkable to me that we would be arguing about a transference from democratic government to new arrangements. That is why passion, anger, apprehension and fear are felt by many right hon. and hon. Members and by many other people throughout the country.

Our constitution is founded on the democratic principle, which is government of the people, by the people, for the people, but that is not the system envisaged under the Maastricht treaty. It is, in fact, a system almost of "arrangements", whereby we transfer decisions over whole areas of life—areas that have been subject to the decisions of the House and have been absolute in that term, subject to such time as we wish to repeal or reform them.

7.30 pm

As has been pointed out by the right hon. Member for Bethnal Green and Stepney (Mr. Shore) and my hon. Friends the Members for Southend, East (Sir T. Taylor) and for Stafford (Mr. Cash), the Bill demonstrates that the British Government are proposing that the British people enter a new political state. It is as simple as that. They give no reasons as to why this is absolutely essential. They indicate that it is in the national interest, but will not give details.

It has always been open to the Government to issue a White Paper. In the 1970s, a White Paper was issued, reassuring Members of Parliament and the country at large that the absolute principle within our conventions of ministerial accountability would remain in place and that ultimately a British Minister could exercise a veto.

Maastricht has no truck with any of that nonsense. The old verity of democratic control—whereby the people, when they voted, could change Governments and thereby change laws—is lost in large measure under the provisions of the Bill.

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Douglas Hurd): Is not my hon. Friend making a critique of the European Communities Act 1972? Was it not in that Act, whereby we joined the Community, that the system of Community law—which is really what he is attacking—was instituted, approved by the House and subsequently approved by a referendum? Rather than the modifications in the Single European Act or the treaty of Maastricht, is it not that step, 20 years ago, which produced the situation that he is now attacking?

Mr. Shepherd: My right hon. Friend has made what I consider a very valid point. When I was a man of 30 and these arguments were put, I did not realise the significance of a new system of law to which the British system of law became subordinate. That did not come out to me, as an elector, during the debates. That was profoundly important. I have come to recognise the difficulties that all persons, whether of good will to these arrangements or not, have subsequently had to face as it has progressively moved on in what I think a right hon. Friend of ours called the ratchet effect, after leaving the Front Bench.

Mr. Bill Walker (Tayside, North): My hon. Friend will recollect that between 1972 and 1975, when the referendum was held, we were told that we would be retaining the right of the veto and that that would put our Government and Ministers in a strong position; that we would never have things forced upon us. The debate that took place at that time was largely on a false prospectus, because we did not go into the details adequately—except those of us campaigning the other way. We were not listened to; we were told we were wrong. Subsequently, we have been shown to be right.

Mr. Shepherd: My hon. Friend was wiser than I. I now absolutely agree with what my hon. Friend says. Like the general public at large, I could not weigh things fully then, and I voted in the referendum for the renegotiated terms of our membership. It was a judgment that I had to make because I believed in the arguments. I remember well that the basic argument that was predicted was that it was in our economic interests. The "cold bath"—I think it was called—of Europe would revitalise our fogged-up and

fuggy processes, and the dynamism of the new competitive impetus would bring us into a new era of Elysian fields and perpetual harmony.

Sir Teddy Taylor (Southend East): Does my hon. Friend accept that when those in the "no" campaign were putting forward the accurate, clear and precise words now said by the Foreign Secretary, we were told that we were deliberately misleading the public and causing unnecessary trouble? Does he further accept that if the clear, precise and truthful words said by the Foreign Secretary had been said during the 1972 referendum, people might well have voted no, as they should have?

Mr. Shepherd: I agree entirely with my hon. Friend now. As life goes on, of course, we make different judgments as further and better particulars, experience and our own wisdom improve.

We started with a system of democratic accountable government. However imperfect it was—however much we made fools of ourselves in the eyes of the public—there was, nevertheless, a basic trust that if the people voted and expressed a view, it affected the laws and government of our country. That is—or was—fundamental to our system of government.

Mr. Stephen Milligan (Eastleigh): Will my hon. Friend give way?

Mr. Shepherd: No, I want to develop my argument.

Between that period and today, we have been confronted with what effectively, behind a two-clause Bill, is the outline of a new constitution. That constitution proposes that the whole range of issues that we discuss, whether they be education, transport systems or—most important to someone like myself—citizenship, are to be secured by two clauses, and we may not change the substance of that constitution. I can think of no arrangement in the development of a free and democratic world—certainly within the English-speaking traditions—whereby two Front Benches willingly accept the concept that we may dismiss the democratic argument.

That is why I call it the old verity. I feel old fashioned, standing here and trying to propose a new clause called "Ascertainment of national opinion"—what I would call "Trust the people." We cannot doubt that transferring control over economic and monetary policies to an unelected central bank somewhere else means that the institution of government becomes a Council of Ministers, meeting in secret, to pass laws on these matters at the sole suggestion of the centralising bureaucracy—the single institutional framework, as it is called—that permeates the new arrangements.

We should use the old tests of democracy—"How do I change the law?" That is a simple question which we have taken for granted over the years. It is so evident and so obvious—you change your Member of Parliament or convince him by argument. Ultimately, if your Member of Parliament is unsympathetic to your argument, you campaign, argue and reason as part of a democratic debate, which has an outcome in the laws under which you live.

Our rule of law has that as its essential trust: it expects obedience. We in the House all expect obedience to the law, and we can demand it on the basis that there is a proper democratic route by which we can change the law. It may be Anglo-Saxon, English, Scottish or Northern Irish—it may be peculiar to our own islands—but, within the English-speaking world, it is the very basis of our understanding of democracy.

That is at issue here. The debates on the Bill have, if they have done nothing else, demonstrated very clearly the framework of the new constitutional arrangements. I can think of no system of democratic government on earth that would take away the rights of ordinary people, without explanation, and ultimately without regard to their view in the matter.

That is the purpose behind the new clause—to return the question to our own fellow electors. None of us is different from them. We have the privilege to represent them, but the powers that we exercise are their powers. I am now a low Tory—I have had the benefit of high Toryism—but this is a people's democracy. This is our Parliament, which will determine the framework of our lives.

I listened very carefully to what was said at our party conference. There is a greater national interest. The national interest, no less, is invoked but there is no explanation of why that national interest should do away with the democratic traditions in this country secured over two or three centuries. The long, slow march of Everyman is set aside in a single Act of Parliament which is intended to be irrevocable and irreversible.

In those very phrases, we contradict the conventions of which we were so proud. We were always deemed not to need a written constitution in the United Kingdom because we were secure in who we were, and in our conventions and arrangements. Dicey, Jennings, and every constitutional writer that we have had, asserted them. Indeed, in a half-hearted way, what I now think of as a miserable tome, "Erskine May", records that. It records the moving away from democratic government. We feel the diffidence within the House now that we feel that there are so many things we can no longer challenge. That is reflected in the diffidence of hon. Members. There are so many things that we feel we cannot challenge. Gosh, what poor imitations we are of our forebears. But we are the inheritors of a great system. Therefore, my old verity—the verity on which most of us were elected to this House—ought to be proclaimed and shouted for.

If we are to give away democratic government, we must be able to put that argument clearly to the people. That may well happen, with megaphones in Downing street, megaphones upstairs in Committee and Front Benchers getting an overbearing voice into the ear of the public. But never doubt—out there is the drip, drip, drip that something ain't right about these arrangements.

When, last Thursday, the hon. Member for Bolsover (Mr. Skinner) said that it was a stitch up, he struck a chord with the people. They are deeply dissatisfied with this measure. They are right to be dissatisfied. I have said, from the time of the last election, that I cannot vote for the passing of this measure without the issue being returned to the British people for their decision. I have not heard one word from the party that used to fight for the right to a vote, or from the Treasury Bench, as to why the surrender of democratic, accountable government is right. As historians look at the record of each day's debate, they will find that the most extraordinary feature of this one is that the great, democratic parties of the United Kingdom were unable at any time during the debate to address the question of democratic government. Democracy has gone out of fashion.

Mr. Quentin Davies (Stamford and Spalding): My hon. Friend speaks about the surrender of democracy. I know how strongly he feels on the subject, but does he not recognise that not just this country but the 11 other member states of the Community are deeply attached to the principle of democracy? Is my hon. Friend suggesting that all the people of Europe have been bamboozled by this extraordinary conspiracy to overthrow democracy? Even if he believes that that is credible, is it not slightly perverse of him, if he is concerned about democracy, democratic accountability and the democratic deficit in the Community, to oppose the Maastricht treaty, which incorporates a number of steps to increase democratic accountability? My hon. Friend mentioned that the Council of Ministers meets in secret, but he seems to have forgotten that at the Edinburgh summit it was agreed for the first time that those meetings should now be open. Does he not welcome that fact?

Mr. Shepherd: I have never claimed that I am well schooled, but after remarks like that I feel remarkably well schooled in the traditions and constitution of any country. I am not responsible for how other noble, great countries pursue their own systems of government. However, we have a duty to pay regard to our system of government. I was elected by the people of Aldridge-Brownhills to try to safeguard that with which I was entrusted. If my constituents' right to democratic government is to be taken away, ought they not to be asked about it?

This extraordinary legislation is predicated without a mandate. The ill schooled may suggest that there is a general mandate. As we pointed out at the last election, three parties took for granted the fact that this was to come about. I searched and waited. Where was the appeal from the party leaders—"We must have Maastricht's form of government"? But that is only one route out of many that the Community may take.

The Government now tell us that at the next intergovernmental conference the shape of the new constitution will be refined in our interests, since this one is not satisfactory. The fact is that it is not satisfactory for the whole of Europe. My case, though, is based not on what is satisfactory for the whole of Europe but on what is appropriate for Britain.

There were two copies of the Conservative party manifesto in my constituency. My agent had one; I had the other. It was forwarded, unfortunately, after I had had the opportunity to give guidance to my electorate as to the principles by which I stood. I am told by Conservative central office that between 120,000 and 130,000 copies of the manifesto were published. I imagine that, somewhere, there is a warehouse in which they are gathering dust, awaiting the wonderful day when my hon. Friend the Member for Stafford will be able to auction them off as a lot of great constitutional significance. All that the Conservative party manifesto said about Maastricht was, "Haven't the Government done well to negotiate the Maastricht agreement?"

I have no idea what the Labour party manifesto said, because it did not seem to penetrate Aldridge-Brownhills. Some of my constituents were, no doubt, blessed with gaining possession of the Labour party's central doctrine on Maastricht. Conservative central office also advised us by means of a little leaflet—a quick guide to what the Conservative party stood for. There were many more copies of that leaflet. In fact, we used it as an election leaflet. We scoured it for the new form of constitution that the Government invest so much faith in. They did not discuss it during the general election campaign, but they have troubled the House of Commons with it for nearly 15 months.

Let us consider the sequence. The Maastricht treaty was never available to the House of Commons. It fluttered in —the Minister of State claimed with pride some responsibility, and rightly so, for this—through the window of the Library. There were mimeographed copies of the treaty, but it was incomprehensible and difficult to read. A few Members were troubled by it, but the Government's arguments centred on what would be excluded from discussion. They secured two exclusions, but it is unsatisfactory to approach a constitutional issue in that way.

We had a debate last November in which I spoke on that matter. Although both the Treasury Bench and the Opposition Bench should have taken it on board, not one word was said about democracy. That is shameful. We ought to have greater regard for that which justifies our presence here.

7.45 pm

Mr. John Gorst (Hendon, North): The way that my hon. Friend talks suggests that he believes that British democracy for British people can be performed only in a theatre called the House of Commons or the Palace of Westminster. Let us substitute for the word "democracy" the word "Shakespeare". If, instead of taking the view that Shakespeare can be performed only in British theatres, we took Shakespeare and democracy for the British people abroad and tried to make it work in a much larger entity, as well as trying to make it work in specific ways here, would that not be much better? Is my hon. Friend not taking far too narrow a view of the issue?

Mr. Shepherd: I am not sure what my hon. Friend is driving at. I am here by virtue of the fact of my citizenship. I am British. I was born in Scotland and represent a west midlands constituency. I have to look to those who are my ain folk, if I may use that term. I have to consider what are the best ways in which we can form a system of government. I can think of no finer and more civilised form of government that reflects the will of the people than democratic self-government through our institutions. We are capable of corrupting them, as these measures have demonstrated. We corrupt them by our lack of candour about them.

We are told that Maastricht represents a great gain. The national interest, no less, is the argument. We are told to pander to the people and tell them why their freedoms, rights and long-secured traditions, attitudes and ways of looking at life, formed within our hearts in this common society, must pass away and that they must be ruled by a Council of Ministers, still meeting in secrecy, apart from a few televised illustrations of what could come about, and by a bureaucracy under Mr. Delors—unelected, but acting as though he were the prime minister of a great state, no less—who wants to be the President of the Commission.

The treaty seeks to make us citizens of somewhere else. Slowly, the Government—or Ministers, including the Leader of the House, the Home Secretary and the Secretary of State for Trade and Industry—have come, to their surprise, to understand that the treaty makes the Queen a citizen of Europe. I make that point to

demonstrate a profound shift in the concept of Queen and Parliament. I know that this idea is not well explained in our schools. The Secretary of State for Education should perhaps consider the introduction of a course on British democracy. That might demonstrate that we have something to be proud of and that there courses through our bones the means of control over our state.

The central thrust is that we have a constitution. I am being asked to be a citizen by Act of Parliament on a matter of the most profound sentiment, but without any reference to me. How do I feel? How does any British person outside the House feel when he is told that he is now a citizen of a new political organisation in which the United Kingdom is a subordinate constituent and in which the European Court of Justice is the supreme court which will interpret the laws outside our traditions and courts?

Sir Terence Higgins (Worthing): My hon. Friend is speaking as if the referendum is the traditional form of British parliamentary democracy. The reality is that it is our representative system of democracy which forms the basis of this place, and it is the referendum which will corrupt that system. Has not my hon. Friend learnt from his mistake last time when he voted in a referendum which effectively set in concrete the arrangements made at that time and which made it far more difficult for any subsequent changes to be introduced?

Mr. Shepherd: I am slightly surprised by what my right hon. Friend says about the concept of the referendum. I am grateful that my right hon. Friend the Foreign Secretary is here. The then Prime Minister, Edward Heath, said that these things would be achieved with the full-hearted consent of the British people and Parliament. It is a language which one does not usually associate with my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath) and, as often as not, it is attributed to the Foreign Secretary. Even in those words, there is a profound understanding that, to secure the changes, one requires the whole-hearted consent not only of Parliament but of the British people. That theme has run through the history of the Conservative party in the 20th century.

I put on the record the Conservative party's constitutional amendment of 1911 moved by A. J. Balfour.

Mr. Nicholas Budgen (Wolverhampton, South-West): My hon. Friend and I have often discussed this question. He and my right hon. Friend the Member for Worthing (Sir T. Higgins) put their arguments in almost continental terms of great principles, but our unwritten constitution has muddled its way forward not by the exposition of great abstract principles such as they suggest but by ordinary people saying in a muddling way that something is not quite right. They do not understand why it is not quite right, but they know that something should be done.

Surely one of the strongest cases for the referendum is based not on abstract principles as to whether, on the whole, we are in favour of a referendum or not—on the whole, I am much against referendums—but on the fact that something is not quite right about the extremely authoritarian way in which the Government have dealt with their supporters. They have encouraged constituency supporters to attack sitting Members of Parliament in a way which is deeply antipathetic to the traditions of the Tory party. There is also something not quite right about the disgraceful way in which the Government have dealt with the House.

It is because there is something not quite right that those of us who think not in terms of great principles but in pragmatic and Tory terms come to the reluctant conclusion that the only way in which the Government's disgraceful behaviour can be rectified is by dealing with it through the otherwise rather unattractive mechanism of a referendum.

Mr. Shepherd: I always enjoy the interventions of my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen). I have no doubt that his course has been to protect the interests of the citizens of Wolverhampton so that they may vote on every matter with authority, and that the preservation of that principle has been central to his arguments.

Balfour ended his speech of 8 May 1911 on his constitutional amendment with these words:

"I am quite convinced the more this proposal is talked of in this House and the country the more it will receive support. There are difficulties in its application . . . but still in the Referendum lies our one hope of getting the sort of constitutional security which every other country but our own enjoys . . . I further believe, so far from its demoralising, that it would be a great practical education in politics. How many elections are now fought on purely personal grounds. How many . . . give their vote blue or yellow because they have always voted so, or because their fathers voted so. How often a man is content to say, 'I stick to my party, I am loyal to the principles I always professed' or, like a Scotch voter . . . who said, 'Tariff Reform is an excellent policy, and as soon as the Liberals bring it in, I will vote for it most heartily'"—

gone are those days.

"How many elections are decided by sentiments of that kind, and very respectable sentiments they are, too. I really think to have a controversy thrashed out in the House and then in the Second Chamber, and then refer it to the electors . . . not on the merits of either . . . the Government or the party, but on the merits of the Bill itself, that that, so far from currupting the sources of democratic life, would only be a great education for political people . . . I am convinced whatever is done now that the controversy that has been started on this great method of constitutional reform must and will bear fruit, and that before long, and practically in the lifetime of all of us, we may see this great democratic engine brought into practice."—[*Official Report*, 8 May 1911; Vol. XXV, c. 935.]

It took many years and my right hon. Friend the Member for Old Bexley and Sidcup to introduce a referendum to the United Kingdom in the form of border polls in Northern Ireland. In that principle was the recognition that for great constitutional change one had to ask the people and that, as it was a continuing question, it should be repeated each time. We are long overdue in putting another question to the electors of Northern Ireland, but the principle has fed through Conservative politics all the years of this century.

The only example I can find of a Prime Minister who has not served in a Cabinet that has recommended a referendum or has not recommended a referendum himself is the present Prime Minister. All other leaders of our party in this century have either served in Cabinets that recommended a referendum at some time or have themselves recommended it.

Mr. Hurd: Is not my hon. Friend being a little economic with history? He might not recall—but my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) will—that the principle was last discusssed in the House in relation to Europe in 1975, before my hon. Friend's recent Bill. These arguments were deployed at a time, I would argue, when the case for a referendum was strongest because it was then, or a couple of years before, that the

[Mr. Hurd]

House had accepted the principle of Community law, the relationship between the House and the institutions of the Community and the jurisdiction of the European Court. The things about which my hon. Friend is most disturbed were accepted then.

Two or three years later, the question arose whether there should be a referendum. The Conservative party, in opposition, had to make up its mind. On that occasion, the speech of the Leader of the Opposition—Baroness Thatcher—dealt with the questions of principle but homed in on the conclusion drawn by my right hon. Friend the Member for Worthing (Sir T. Higgins) that the old-fashioned verities of which my hon. Friend speaks were reflected in the principle of representative democracy and that we owed our constituents not only our industry but our judgment. That was what we were for. On that basis, my hon. Friend the Member for Wolverhampton, South-West, I and many others—relatively new Members—went into the House behind our leader precisely on that point of principle to vote for representative democracy and against a referendum.

Mr. Shepherd: That may be so. My right hon. Friend the Foreign Secretary will remember that, towards the end of her speech, the then Leader of the Opposition also accepted the principle that there could be referendums at some future stage when profound matters were in question. It is true that at that time the Conservative party voted against the referendum, but there is no great consistency, because in 1972 the party voted for a referendum when in government. I was merely trying to point out that this is not such a vexed question of representative government that we diminish Parliament; I would argue that we reinforce it. I take the Balfour view and that of all our political leaders, even Winston Churchill.

I see that some of my hon. Friends now cite Attlee's response to Churchill's request for a continuation of the wartime coalition against Japan by the device of a referendum. My right hon. Friend the Foreign Secretary will perhaps recall—from his reading, as he is too young to recall it in any other way—that Attlee said then that referendums were the devices of dictators and demagogues. Indeed, one can understand why he might say that, having lived through the Europe of the 1930s, in which the Hitlers, the Mussolinis and the Francos of this world used the referendum as an instrument for just such purposes. I understand the diffidence within the usual and traditional British political culture, and the reasons why one would be wary.

However, the fundamental question is whether there are any issues that should be returned to the electorate. Dicey would have said, as he ultimately did——

8 pm

Mr. Tony Marlow (Northampton, North): Will my hon. Friend give way?

Mr. Shepherd: I am trying to talk about some rather important matters, and I want to develop my argument.

Are there any questions that should be returned to the electorate? I, and many other hon. Members, contend that the Bill is such an issue because the treaty purports to be "irrevocable" and "irreversible". Those words are used in the treaty, and that concept goes much against the political culture and tradition that my right hon. Friend identified.

My right hon. Friend could say that such matters have already been disposed of, but I find it difficult to present to the British nation as a whole the facts that there is a range of laws, that there is an independent central bank elsewhere issuing currency, and that, despite all our experience, there is a drive towards the reinstatement of the exchange rate mechanism in stage 2. It is a moot point. We have legal judgment on my side of the argument; the Government advance their own legal judgment, and the matter will be determined ultimately by the Commission and the European Court.

Mr. Marlow: Should my hon. Friend's answer to the Foreign Secretary not be as follows? Our right hon. Friend is saying that we are a representative democracy. We are a representative democracy—just. But if the Bill goes through we shall not be one, so we want a referendum before we cease to be a representative democracy.

Mr. Shepherd: Of course I agree with that; otherwise I should not be proposing a referendum.

Mr. Gorst: Does my hon. Friend not recognise that, certainly in recent years, referendums have been called in aid when Governments have been in difficulties, and have been requested when those who are calling for them are losing the argument?

Mr. Shepherd: That observation is often made, and there is some truth in it. We know full well that the referendum of the mid-1970s, which I thought wholly right and appropriate, came about because of the difficulties within the party then in government. However, the motive by which one arrives at a conclusion does not mean that the conclusion itself is wrong. The Government were wholly right to hold a referendum because they had to invite the British public——

Mr. Alex Salmond (Banff and Buchan): May I comment on what was said by the hon. Member for Hendon, North (Mr. Gorst)? He cannot possibly be correct, because the case for the referendum will be made this evening both by people who are against Maastricht, such as the hon. Member for Aldridge-Brownhills (Mr. Shepherd), and by people who are for Maastricht, such as myself. We cannot both be losing the argument.

Mr. Harry Barnes (Derbyshire, North-East): Although masses of things can be done within a parliamentary democracy, is not the principle that there is one thing that a parliamentary democracy cannot do, and that is to give up its operation of parliamentary democracy? If that is to be done, some other method must be used to ratify the decision. Normally, such decisions could do no more than pass things over to another parliamentary democracy, but that is not happening with Maastricht, because things are being passed over to a bureaucracy. Nevertheless, the reason for a referendum is based on the principles of representative government and parliamentary democracy.

Mr. Shepherd: I absolutely agree. The difficulty for our argument has been that the people outside did not have the benefit of reading the treaty. We must remember that it was not published until a week before Second Reading, so all the new hon. Members who entered the House did not have the opportunity to reflect on the contentions of the

treaty during the general election. If their electorate had asked them what it was about, they would have been unable to say.

Mr. Budgen: I hope that my hon. Friend will deal with what the Foreign Secretary said about Burke's great speech setting out our duties. When Burke made that speech, it was true that a Member of Parliament often had a difficult time with his patron, but not necessarily with his party. Now we have the tyranny of the party, which has prevented Members of Parliament from expressing their views on the treaty freely. There can be little doubt that there would not be a free majority for the Maastricht treaty on the Government side if it were not for the operation of the party machine.

Mr. Shepherd: I accept the argument, but I notice that the House has provided a wonderful forum for my hon. Friend the Member for Wolverhampton, South-West to express his views courageously and clearly. What he has said today gives a cheer for our democracy, but to speak in that way requires more courage than it did in the past, when the sentiment of the people was so clearly that they expected their Member of Parliament to be able to express freely, courageously, loudly and boldly his views on matters that affected their lives and well-being. I also reflect that Burke lost the election after having written that letter. I believe that if any of us sent such a letter to our constituents today he would probably lose the election, too.

Mr. Peter Luff (Worcester): I respect the integrity and sincerity of my hon. Friend's belief that the issue before us is the single most important issue facing the country, and therefore deserves a referendum. However, in my constituency a referendum is already being conducted. There are six questions, not one, on the ballot paper. The first is indeed about Maastricht; another is about the principle of a referendum; another is about a freedom of information Bill. There is also a question about the use of urban rather than rural land for development, and the last two are about live animal transport and hunting with hounds. I have to tell my hon. Friend that the person organising the referendum believes that the last of those six questions is the single most important issue confronting the people of this country, and that is why the referendum is being organised. Does my hon. Friend not accept that he is letting a dangerous genie out of the bottle by proposing a referendum?

Mr. Shepherd: Clearly my hon. Friend must pursue his own arguments with his own electorate, but I find it deeply disturbing if someone says that the power of the vote is something trivial, and that its passing away is of no consequence. The heart of the matter is that we are trying to take away irrevocably and irreversibly the traditional strengths that our democratic constitution has had.

In terms of exposition, a referendum is one of the best ways of informing an electorate about the issues in contention. I have always argued that on the most profound political questions—that is, constitutional questions—I believe, as A. J. Balfour did, that the device of the referendum should be available to our people. It would take the party struggle out of the issue. My hon. Friend the Member for Worcester (Mr. Luff) could then truthfully pursue his argument and I could pursue mine. As my hon. Friend the Member for Wolverhampton, South-West has said, there would be no fear of the Whips. This is a matter for the people out there. They would be asked, "Do you or do you not want the constitutional arrangements that follow from Maastricht?"

The people know that there is something corrupt in all this. It cannot be right that their rights are being taken away without a reference back to them. Certainly it is wrong for that to happen without its having been a major issue in an election. We used to have the principle of what was called the specific mandate. From time to time during our history, there has been an election in which there has been such fury over a single issue that no one has had any doubt about the will of the people as expressed in the outcome. That has not happened in recent years, and certainly no one could call 1992 an election with a specific mandate on the concept of Maastricht. Yet the Front-Bench Members on both sides of the House implicitly accept that the 1992 election conferred the right to change the constitution so profoundly. I hope that the Labour party will see that there is an advantage in returning the question to the country.

Mr. Ian Taylor (Esher): It increasingly appears that the difference between us is an assessment of how best to look after the interests of our constituents, given that the decision to enter the Community, with all the institutional implications, was made back in the 1970s. The effect of the Maastricht treaty is to redefine some of the commitments that we as a country made a considerable time ago, when we accepted that, because sovereignty was not like virginity, which one either has or does not have, but was a multi-layered concept, looking after the interests of our constituents often meant that we as Members of Parliament could have more influence by working together within the Community institutions, by looking after the Executive in this place, which represented us in those institutions, and by occasionally working with the European Parliament, rather than by attempting to ignore everything else and saying that only what happened in this place could protect the interests of our constituents.

In my view, Maastricht does not mark a fundamental departure. It marks a continuation of what we set out to do. Indeed, it provides various means of strengthening the process.

Mr. Shepherd: That is the conveyor-belt argument and I look forward to challenging my hon. Friend in the referendum campaigns around the country. We should trust the people. Let them decide the difference between the two arguments. At the end of the day, that is all I am saying. We are talking about powers that we are moving. They are not my powers or the powers of the House. This House is the symbol of the sovereignty of the people.

Because of the constitutional concepts, the idea of the sovereignty of Parliament has been able to embrace monarchical government, oligarchical government and very limited government, but in the age of democratic government we try to use our Parliament as the instrument to safeguard that democratic quality. It has been the instrument by which we have overcome monarchical, oligarchical and other forms of government.

Many hon. Members will claim that we did not have democracy in Britain until we had the enfranchisement of women and, therefore, we did not have true parliamentary democracy until the late 1920s. However, we are now suggesting that those who have the vote and who send us

[Mr. Shepherd]

here will be diminished by this measure. Of itself, that is enough to send it back and have a referendum. We should trust the people.

Dr. John Cunningham (Copeland): I am grateful for the opportunity to speak so early in the debate. At the outset, I must state that I do not support the arguments advanced by the hon. Member for Aldridge-Brownhills (Mr. Shepherd). As I listened to his entertaining and passionate speech, I felt that I had been there before and that I had heard those arguments when our country was taken into the European Community in 1972. We were told then that that would be the end of parliamentary democracy and that the position and authority of the House, and of hon. Members in it, would be completely and irrevocably undermined. We were told that those irrevocable steps, as the hon. Member for Aldridge-Brownhills described them, would diminish our ability to represent our constituents and the country effectively.

Mr. William Cash (Stafford): Will the right hon. Gentleman give way?

Dr. Cunningham: Not just at the moment.

I have always believed that nothing is irrevocable in a democracy. The nature and purpose of democracy is to facilitate and allow change if the Government of the day win a mandate for change. I do not accept that decisions taken in any democratic country can be categorised as irrevocable.

If the hon. Member for Aldridge-Brownhills thinks about it for a moment, he might realise that what might be irrevocable are circumstances in which we increasingly abdicate the responsibilities of this House by taking more and more decisions by plebiscite. In the long term, that would be the biggest single threat to the authority of Parliament and it would undermine parliamentary democracy in the way that we have always had it. I believe that the argument is the reverse of the way in which the hon. Member for Aldridge-Brownhills presented it to the Committee this evening.

Mr. Cash: Will the right hon. Gentleman give way now?

Dr. Cunningham: No, not just at the moment. I have literally just begun my speech and I do not wish to speak at great length because the situation is quite simple.

During our membership of the Community, which was not originally the subject of a referendum—although as the Foreign Secretary quite candidly said, when we had a referendum it was opposed by the Conservative party in opposition—it has been argued that a referendum would resolve the question once and for all. As the hon. Member for Aldridge-Brownhills quite rightly said, there have been other referendums to settle the question. However, there is no evidence to support that conclusion.

The question of British membership of the Community was not settled by the referendum and the campaign against membership of the Community continues today. We have witnessed a manifestation of that, at least in part, in the nature of our debates and discussions in the Chamber over the past few weeks.

Mr. Cash: The right hon. Gentleman questioned whether an irrevocable change was taking place. Only a few days ago, the right hon. Gentleman voted against amendment No. 225 which related to the

"Protocol on the transition to the Third Stage of Economic and Monetary Union"

which dealt with the central bank. According to the protocol—and the right hon. Gentleman has voted to sustain this position—

"The high contracting parties,"—

including the United Kingdom and its Government whom the right hon. Gentleman is supporting—

"Declare the irreversible character of the Community's movement to the third stage . . . and . . . no Member State shall prevent the entering into the third stage"—

and the third stage must start and continue—

"irrevocably on 1 January 1999."

The right hon. Gentleman has just contradicted what he voted for in respect of amendment No. 225.

8.15 pm

Dr. Cunningham: Before we reach that point, there will be another vote in the House of Commons to determine that issue. The suggestion made by the hon. Member for Aldridge-Brownhills, and reinforced by the hon. Member for Stafford (Mr. Cash), that that irrevocable decision is being taken now is not borne out by the facts.

My point is that, in my experience, whenever referendums are held, for example, in Northern Ireland, in respect of devolution in Scotland and on membership of the Community, they have never finally decided the issue. Shortly after the outcome of those referendums, the campaigns have continued as before. There is no way of preventing that in a democracy.

If I am fortunate enough to be addressing the House from the Opposition Front Bench in a few years time—or perhaps more fortunate to be addressing the House from the Government Front Bench—I believe that we will still be having these arguments in the House and in the country as a whole. I cannot accept the argument that a referendum will finally allow the people to decide the issue.

Mr. Michael Lord (Suffolk, Central): A few moments ago, the right hon. Gentleman said that the fears of people in 1975, about what would happen as a result of our entering the Common Market, have not been realised. I believe that the right hon. Gentleman represents an agricultural constituency, as I do. He must be aware of the agricultural problems that I have to solve and he will be aware just how impotent my right hon. Friend the Minister of Agriculture, Fisheries and Food is to solve the problems that I, as a Back Bencher, take to him.

Europe has intervened more in our national affairs in respect of agriculture than anywhere else and, as an agriculture Member, I can no longer represent my constituents as I should. With regard to agriculture, the fears expressed in 1975 were entirely justified.

Dr. Cunningham: I do not accept that argument. That is an argument for not being part of the CAP and for not being part of the Community. That makes my point that the argument about membership of the Community was not finally resolved by the referendum in 1975. There will always be people in Britain, be they farmers or industrialists——

Mr. Cash: Will the right hon. Gentleman give way?

Dame Elaine Kellett-Bowman (Lancaster) *rose*——

Dr. Cunningham: I will not give way at the moment. I must be allowed to deal with one intervention before I give way to another.

As the hon. Member for Suffolk, Central (Mr. Lord) said, there are many farmers in my constituency in perhaps 350 square miles of west and south Cumbria. Some of them support our membership of the Community, some are exasperated by it and some are implacably opposed to it. However, the idea that there is a uniform view about the benefits or disadvantages of membership of the Community for the people in the various agricultural industries does not hold water.

Over the past 20 years, some aspects of agriculture have benefited enormously from aspects of the CAP—perhaps more so than many of us would have wished. However, to suggest that it has all been negative and downhill for British agriculture since we have been in the Community——

Dame Elaine Kellett-Bowman: Will the right hon. Gentleman give way now?

Dr. Cunningham: Very well, let us get it over with now.

Dame Elaine Kellett-Bowman: Does the right hon. Gentleman agree—*[Interruption.]* He is on this point. I used to represent his area. It was never easy work going to the Minister of Agriculture because one had to go through an iron-fisted Chancellor. It is a jolly sight easier in many ways to argue in Brussels than to argue with the Chancellor of the Exchequer.

Dr. Cunningham: I cannot resist the temptation of saying that perhaps an iron-fisted Chancellor would be better than the clay-footed one we have at present. I substantially agree with the hon. Lady's point. She is a constituency neighbour of mine and used to represent my constituents in the European Parliament.

Another aspect of the intervention on agriculture bears some scrutiny. The implication was that, if we had not been in the European Community and had not been subject to some of the—I am prepared to concede—vicissitudes of the common agricultural policy, everything in the garden, perhaps I should say pastures, would have been wonderful for our farmers. I cannot accept that as a legitimate conclusion.

I am not convinced that we should have a referendum because it would finally and irrevocably settle the issue.

Several hon. Members *rose*——

Dr. Cunningham: No, I shall make a little progress. I am a little confused as to why so many Conservative Members did not raise all these issues when the Single European Bill was before the House. Not only did that Act make some important and far-reaching changes to our circumstances, but Conservative Members who were in the House at the time voted to have it guillotined. To contrast the time allocated for discussion on and deliberation of the intricate details of the Maastricht treaty with the performance of the Conservative party and the Government at that time is instructive because Conservative Members voted not only to have the Single European Act——

Mr. John Townend (Bridlington): Will the right hon. Gentleman give way?

Dr. Cunningham: No, I have not yet finished making my point so it is a little unreasonable to ask me to give way on it.

Conservative Members voted to curtail discussion on the Single European Bill. At that time, there were no great campaigns or claims that we were giving away irrevocably the powers of this Parliament, undermining parliamentary democracy as we have always known it or betraying the wishes of the British people. The attitude was that it was hell for leather—let us get it through. That is in stark contrast to the views now being expressed at least by some Conservative Members.

Mr. John Carlisle (Luton, North): Several Conservative Members in the House at present did not vote for the Single European Act. I continue to be worried about the right hon. Gentleman's use of the word "irrevocable". He said earlier that nothing was irrevocable. Is not that the crux of this debate? In reality, if we give away our sovereignty and effectively put into British law something whereby we are not controlled by the British Parliament but by 11 other countries—and who knows how many other countries there will be as more join the Community—that is irrevocable, even if all the countries agree to change the law. Is not that the crux of the argument? The magnitude of the problem and the magnitude of the subject mean that we are entitled to say that this is a subject on which the British people should have a say.

Dr. Cunningham: I am for the British people having a say in general elections—in assessing how I represent them and how I perform with regard to the interests of the people in my constituency. They have the opportunity to decide whether they want me to continue to represent them. I do not accept that people do not have a say.

At the general election, the Labour party made it clear that it strongly supports membership of the European Community. We made no secret of that. I am prepared to accept that those issues were not pre-eminent in the election campaign in which we all participated last year. Nevertheless, it is wrong to say that people, either as individual candidates or as political parties, did not have an opportunity to raise the issues or question them.

Mr. John Townend: At the general election, what opportunity was there for the members of the electorate who opposed Maastricht when all the major parties were for Maastricht? They had no choice whatever, and that is the main argument for a referendum.

Dr. Cunningham: I do not accept that. The majority of voters drew a conclusion from the fact that all political parties came to the judgment that the best interests of our country lay in being a full-hearted member of the European Community.

Mr. Townend: They had no choice.

Dr. Cunningham: It was the collective view: the hon. Gentleman is right. I think that it was the unanimous view of the political parties. It was also the right view.

Mr. Tony Benn (Chesterfield): I am listening with great attention. First, my right hon. Friend knows that the Maastricht treaty was negotiated after the 1991 Labour party conference. Therefore, there was no party commitment whatever to Maastricht during our conference. Secondly, the treaty had not been published in English at the time of the general election and, therefore,

[Mr. Tony Benn]

people not only did not know what it was but were told that——*[Interruption.]* Of course, they did not know the details. It has taken hours of debate in Committee to bring out the details. The Labour party national executive and the shadow Cabinet came out for the treaty without having any authority from the party conference.

Dr. Cunningham: At least some of that intervention is true: it is a matter of record. If my right hon. Friend's argument is that I have no authority to stand here on behalf of the Labour party and advance these views, he is wrong. In 1992 at the Labour party conference, an overwhelming majority of the national executive committee and the shadow Cabinet voted in favour of the Maastricht process, as did the Trades Union Congress and most of the constituent members of the trade unions. Therefore, I cannot accept that there has been no consultation, deliberation or debate about our view on the merits or otherwise of the Maastricht treaty?

Mr. Austin Mitchell (Great Grimsby): There was no consultation.

Dr. Cunningham: I do not accept that: there was widespread consultation within our party and with people in our constituencies—and it has continued ever since.

Mr. Nicholas Winterton (Macclesfield): How does the right hon. Gentleman explain that, consistently in the past 18 months, public opinion polls and surveys have shown that an overwhelming majority of British people—Conservative voters, Labour voters and others—wished to have a referendum on the Maastricht treaty? The poll that took place in February 1993 showed that 73 per cent. of the people in the United Kingdom wished to have a referendum on the Maastricht treaty and the European Communities (Amendment) Bill.

Dr. Cunningham: I am aware of how public opinion stands and how it fluctuates. In the past, I dare say that there have been occasions when the hon. Gentleman—I do not want to misrepresent his views—has campaigned for matters such as capital punishment on the basis of public opinion. If we had simply taken public opinion as our guiding light, rather than our judgment in such matters, and if capital punishment had been reintroduced——

Several hon. Members *rose*——

The First Deputy Chairman of Ways and Means (Mr. Geoffrey Lofthouse): Order.

Dr. Cunningham: If we took note of public opinion at a specific time, all sorts of arguments would be adduced in favour of referendums. I return to my point about the speech by the hon. Member for Aldridge-Brownhills.

8.30 pm

Then we would have referendums on the basis of snapshots of public opinion. If we had acceded to that request, a whole lot of people who have subsequently been found to be wrongly convicted might have been executed as a result of simply giving in to public opinion without further and proper consideration of the issues. So I am not persuaded by that argument.

Mr. David Winnick (Walsall, North): My right hon. Friend is correct to say that if capital punishment had existed in Britain people who have been found innocent would already have been executed.

Dame Elaine Kellett-Bowman: Lots of people would not have been murdered.

Mr. Winnick: Will the hon. Lady contain herself?

Does my right hon. Friend agree that there is a great distinction to be made between matters, however controversial, which Parliament should decide—whether capital punishment or any other issue—allowing the electorate to decide in the general election whether in its judgment we were right or wrong, and great constitutional issues such as that which we are debating today? Surely the British people should have some say about whether further economic and political power should be transferred from Britain to the European Community. On that issue alone many Opposition Members believe that a referendum would be justified.

Dr. Cunningham: I know my hon. Friend's view. I have just set out my reasons for not accepting his argument. I see no force in what he says to persuade me that the British people have not had the opportunity——

Mr. Budgen: Will the right hon. Gentleman give way?

Sir Teddy Taylor: Will the right hon. Gentleman give way?

Dr. Cunningham: I am being fairly generous in taking interventions. I am just beginning to respond to my hon. Friend the Member for Walsall, North (Mr. Winnick) and I have been asked to give way again. Regretfully, I have to say, "Sorry, not for the moment." In response to my hon. Friend—I had better address the Committee, but I feel uncomfortable speaking to him with my back to him—I would say that one thing is absolutely sure: a referendum approved by the House, containing a question tabled by a Conservative Government, would not provide the British people with one of the options that we want them to have. We want them to have the opportunity to vote on whether we should adopt the social chapter.

Furthermore, the best hope that we have of achieving agreement that the social chapter should apply in our country is not to have a referendum but to win a vote, hopefully during the Report stage of these proceedings. That is the best option for achieving the most important political objective that our party has set itself in the debate in the Committee.

Mr. Salmond: If that is the right hon. Gentleman's major difficulty, perhaps he will support our amendment to one of the new clauses on the amendment paper this evening. To reach that new clause we must first pass new clause 49 in the name of his hon. Friend the Member for Dagenham (Mr. Gould). Is he aware that today the Scottish Trades Union Congress overwhelmingly voted in favour of a referendum on the Maastricht treaty? Does not that show that there has been some change of mind since the conferences last year on which the right hon. Gentleman put so much emphasis?

Dr. Cunningham: I shall deal first with the hon. Gentleman's amendment. I do not know whether it will be put to a Division, but it seems to me that he is offering me something of a false prospectus. He is saying that if only

we agree to supporrt the argument for a general referendum, there is a hope—but no certainty—that his amendment will have the support of the same majority. I do not believe that many Conservative Members—I do not wish to malign them—who are strongly in favour of a referendum on whether we should endorse the Maastricht treaty will vote for the inclusion of a question about the social chapter. They see the social chapter as one of the greatest single threats from the European Community to what they regard as the future well-being of Britain.

Mr. Salmond: Will the right hon. Gentleman give way?

Dr. Cunningham: No, I have given way once to the hon. Gentleman. I cannot accommodate all the interventions if I give way to the same hon. Gentleman twice in a couple of minutes. He is offering me a false prospectus and I do not have too much difficulty in rejecting it.

Sir Teddy Taylor: Will the right hon. Gentleman give way?

Mr. Budgen: Will the right hon. Gentleman give way?

Dr. Cunningham: I shall give way to the hon. Member for Southend, East (Sir T. Taylor). Then I shall draw my remarks to a conclusion.

Sir Teddy Taylor: The only hopeful thing that has happened in a miserable day is the statement by the right hon. Gentleman that nothing is irrevocable. Will he take some time to explain how the House of Commons could legally turn anything back once the Maastricht treaty was ratified? If he could explain that, it would be one of the most hopeful things to have happened today. Our interpretation is that there is no lawful way in which the Houses of Parliament could go backwards once Maastricht was through.

Dr. Cunningham: The hon. Gentleman has to convince the British people to elect a Government who would repeal or withdraw—*[Interruption.]* It is not inconceivable, at least in theory, that a Government could be elected who had come to the conclusion that Britain's membership of the Community was no longer in the best interests of the country. That is why I say that in a democracy, by definition, things can be changed as a result of a change in Government. *[Interruption.]* No Parliament can irrevocably bind its successor. [HON. MEMBERS: "Yes, it can."]

Mr. Iain Duncan-Smith (Chingford): Will the right hon. Gentleman give way?

Dr. Cunningham: No. I said that I would give way for the last time to the hon. Member for Southend, East, and then draw my remarks to a conclusion. I must then keep a much delayed engagement before returning to the Committee later in the debate.

Mr. Duncan-Smith: Will the right hon. Gentleman give way?

Dr. Cunningham: No. I cannot speak for the Conservative party.

Mr. Austin Mitchell: Or for the Labour party.

Dr. Cunningham: I am speaking about decisions taken by the Labour party, about which my hon. Friend apparently feels cavalier. Those decisions were taken overwhelmingly by the national executive committee, the shadow Cabinet and the party conference. That is the position on which I base my remarks to the Committee today. They were properly and constitutionally taken decisions of the party. I do not know how my hon. Friend can say from a sedentary position that I do not speak on behalf of the Labour party. Those decisions are clear and on the record. There is no point in disputing them.

Mr. Austin Mitchell: My right hon. Friend is telling us that the abandonment of powers under the treaty is not irrevocable. He says that another Parliament or Government could take them back. Under the treaty, especially after we have gone into monetary union—it may be a separate decision, but it is a binding one—we shall give over control of interest rates, our central bank, any European central bank, and our exchange rates, levels of borrowing and money supply. What can we take back out of that lot?

Dr. Cunningham: We have had those debates and discussions in the Chamber in the past few weeks. They have been dealt with by my hon. Friend the Member for Oxford, East (Mr. Smith) and others at some length. I simply do not accept my hon. Friend's long list of assertions.

I have the feeling that this is a debate and vote which we might describe as a Group 4 Security vote. It is a "go as you please" vote. Regardless of the decisions of the party, many of my hon. Friends intend to make up their own mind how to vote. That is a matter for them. But speaking on behalf of my right hon. and learned Friend the Leader of the Opposition and the shadow Cabinet, and in support of the decisions of our party, let me say that we shall vote against the new clause in the Lobby tonight.

Sir Roger Moate (Faversham): It is a bit rich for the right hon. Member for Copeland (Dr. Cunningham) to refer to the way in which my hon. Friends changed their position on the Single European Act. We fully understand that the right hon. Gentleman has to leave but he should understand that the Labour party and its Front-Bench team have turned so many somersaults on the European issue and now they proclaim—to my deep regret—that they are convinced and passionate Europeans. They have opposed virtually every piece of European legislation for the past 25 years.

For the right hon. Member for Copeland, who has just left the Chamber, to attack the principle of a referendum when he voted for one in 1975 is extraordinary. I wish that he had stayed in the Chamber long enough to explain how he could argue so passionately against it today when he voted in favour of it in 1975. He was then a young Member, and no doubt ambitious—it did not get him far, as he is still in opposition. Doubtless the same can be asked of other Members in the Labour Front-Bench team—why are they against a referendum today, when they were for it in 1975? The deputy leader of the Labour party, no less, was the Whip on that occasion, rightly voting in support of a referendum to allow the British people a say.

Mr. Robert Ainsworth (Coventry, North-East): I voted against membership of the Common Market in 1975, and times have moved on considerably since then. However, the question then being asked was different. The European Single Act, which was pushed through the House on a

[Mr. Robert Ainsworth]

guillotine, gave away some of the powers that Conservative Members are now complaining about. They did nothing about it then.

Mr. Duncan-Smith *rose*——

Sir Roger Moate: I shall give way to my hon. Friend the Member for Chingford (Mr. Duncan-Smith).

Mr. Duncan-Smith: The right hon. Member for Copeland (Dr. Cunningham), who has just left the Chamber, made an intriguing statement, which lies at the core of the issue. He said that nothing was irrevocable. There is a good example of why that statement is wrong and why the whole argument about how irrevocable the treaty is, as it binds one Parliament to another. In 1977, under the then Labour Administration, the acquired rights directive, now referred to as the transfer of undertakings, was initiated. Since then, we have had Conservative Administrations, and during that time there have been rulings in the European Court of Justice that have gradually changed the meaning of that directive, so that the present Government have had to introduce legislation to change the directive as it affected our right to decide whether or not certain local councils should have to take on the rights of employees. Will my hon. Friend comment on that?

Sir Roger Moate: My hon. Friend has given a good illustration of creeping irrevocability. We are not necessarily talking about whether something is irrevocable or not, but whether it is intended that it should be for ever. When the original treaty of Rome was signed and when the Maastricht treaty is signed—and those who subscribe to it say that we should move to common defence and foreign policies—the clear, honest and open intention will be to transfer power to another forum on a permanent basis.

The proposition is simple—if Parliament is contemplating such a move, in the unique circumstances of a transfer of power with the intention that it should be irrevocable, Parliament should ask the permission of those that elected its Members. We talk about a sovereign Parliament, but really we mean the sovereignty of the people in Parliament. We in this Parliament have no rights to transfer or to intend to transfer irrevocably those powers to another organisation without gaining the electorate's authority. That is a simple concept, which seems to be gaining acceptance if one considers the precedents to which I shall refer later.

I must tell the hon. Member for Coventry, North-East (Mr. Ainsworth) that it was that motivation that lay behind the Labour Government's introduction of a referendum in 1975. The principle was right then, and I believe that there are overwhelming arguments for it to be adopted again. There is a stronger argument for the Labour party to advocate a referendum than the Conservative party. The Labour party's official position goes far beyond that adopted by the Government. The Labour party advocates the acceptance of a single currency—the ultimate expression of the ambitions of a single state. If that is not an issue that should be put to the British people, I do not know what is.

8.45 pm

I am extremely disappointed that the Government are against a referendum, but it is not surprising, because Governments are seldom in the business of erecting obstacles to their own plans and legislation. It is not surprising that they should reject the idea of volunteering a referendum. President de Gaulle did so and we saw the consequences for him; President Mitterrand did so and he nearly came a cropper. Therefore, it is not surprising that the Government have not voluntarily erected that obstacle.

But whatever the Labour party's views on the issue, I strongly argue that it is the Labour party that is betraying the British people by not sticking to the principle that it espoused in 1975. I shall return to that issue, as it involves a fundamental duty of the Opposition. If the Labour party were espousing the referendum today—which I believe the British people want and demand—there would be an overwhelming coalition for it in the House. It is very much the failure of the Labour party's Front Bench team to endorse a referendum that is depriving the British people of their right to vote on the issue, which is a matter of regret to me.

My right hon. Friend the Foreign Secretary advanced an argument in an intervention during the speech of my hon. Friend for Aldridge-Brownhills (Mr. Shepherd). My hon. Friend the Member for Aldridge-Brownhills quoted precedents. As on other occasions, my right hon. Friend the Foreign Secretary challenged a referendum as the right constitutional formula. He said that it was not Conservative, and it undermined parliamentary sovereignty.

However, my right hon. Friend the Foreign Secretary did not challenge the precedent quoted by my hon. Friend, which is of the utmost importance—perhaps he will do so later. That precedent was the introduction of the Northern Ireland border poll by a Conservative Government in the 1970s. That was a firm, cast-iron precedent—it was a referendum introduced by a Conservative Government on a matter involving the future powers and sovereignty of a part of the United Kingdom. However, it was not simply introduced into our constitution; it has become as entrenched a part of our constitution as anything can be.

Every time a Cabinet Minister comes to the Dispatch Box and says that Northern Ireland will remain a part of the United Kingdom until a majority of the people of Northern Ireland decide otherwise, he reaffirms his belief in the principle of a referendum and in the fact that the people of Northern Ireland, whenever it is necessary and required, will have the right to determine their future. I urge my right hon. Friends, whatever their dislike of referendums and whatever their tactical objections, to reconsider the principles that they say underline their case.

Mr. Winnick: Surely the position is unlike that in 1975, when most of the press—the tabloids and the serious press—were in favour of a yes vote, and the Government and the Conservative Opposition and the Liberal party were all urging the electorate to vote yes. Now, is it not true that the two Front-Bench teams do not want a referendum because they cannot assume that they would win? If they thought otherwise and believed that victory was possible, they might be in favour of it. I do not underestimate the position, but the circumstances are different from those in

1975 and I believe that the Front-Bench teams do not want to put the issue to the British people as they fear losing a referendum on it.

Sir Roger Moate: One can advance any motivations. I do not necessarily believe that that is the Government's motivation. Having met enough obstacles to halt the ratification of the treaty, even if they felt inclined to hold a referendum—which they clearly do not—the Government would probably view a referendum as providing more evidence to our European partners of our weakening resolve, and would pose another obstacle to and damage the British position.

Mr. Bill Walker: Did my hon. Friend not notice a common thread running through the argument about a referendum? It is all right to let the people of Northern Ireland have a referendum as they are the Northern Irish, it is all right to let the Scots have a referendum as they are the Scots, but it is not right for the United Kingdom to have a referendum. It is interesting that the Labour party is currently calling for a referendum on constitutional matters affecting Scotland, yet the Bill goes right to the heart of the constitutional rights of the Scottish people as achieved in the 1706 Act of Scottish Parliament which became the 1707 Treaty of Union.

Sir Roger Moate: I agree with my hon. Friend. It is a matter of regret that we are arguing with our own Front Bench and with the Conservative party position. There is a great deal to be gained in our constitutional arrangements by accepting the principle of the referendum on great constitutional issues. It is a matter of regret, because we have begun to accept it in practice, yet we argue against it in principle.

We have had referendums in Scotland, in Wales, in Northern Ireland and in the United Kingdom. That is quite a lot of referendums in a short space of history, yet here we are arguing against the referendum as though it were an alien device that we must resist. It is a simple proposition—this answers an earlier intervention about animal rights.

We are talking about great constitutional issues, and as we do not have a written constitution and a supreme court to refer to, the only ultimate authority that Parliament can have is the people. It is a simple proposition, and we should accept it.

Mr. John Carlisle: Does my hon. Friend agree that the Government understood the gravity and the importance of the subject by granting a paving debate, in the Prime Minister's words, so that the House could express an opinion? It was granted in the summer, but when the debate took place in November, there was heavy whipping —my hon. Friend the Member for Wolverhampton, South-west (Mr. Budgen) was talking about the pressures of it—and the Conservative party made it almost a personal vote of confidence in the Prime Minister. There were all sorts of shenanigans, and there was no way that it was an opportunity for free expression, certainly not among Conservative Members and possibly not among Opposition Members either.

Had that debate been a genuine paving debate, and had hon. Members on both sides of the House been allowed to express the opinions of their constituents and themselves without party whipping, we may not have been in the position we are in today.

Sir Roger Moate: I do not agree with my hon. Friend, because many people feel strongly enough about issues of such profound importance not to accept the ruthless whipping that he described. Nor do I accept that the vote to which he referred had much to do with the Maastricht treaty. It had very little to do with the Maastricht treaty. Ultimately, we are talking not about the whipping system but about the principle of a referendum.

Let me return to the precedents. We have the precedents of Northern Ireland, Wales and Scotland, and we have the 1975 European Community referendum. However, there are other precedents which I would ask my right hon. Friend the Foreign Secretary to consider, because he and others say constantly that the referendum undermines the principle of parliamentary sovereignity. If that is so, is he saying that the Northern Ireland referendum, the border poll and its permanency in our present constitutional arrangements undermine the authority of this Parliament? If he is not, I hope that he will change his position. Is he saying that other Conservative Prime Ministers in the past who have advocated referendums were also undermining that great Conservative principle?

Sir Philip Goodhart, in his book on referendums, quoted five out of nine Conservative Prime Ministers who had advocated the use of the referendum. It is six out of 10 now that Lady Thatcher has become a staunch advocate of the referendum, so we are doing quite well. Is my right hon. Friend saying that, when Mr. Churchill advocated a referendum for the extension of Parliament or union with France, he was undermining parliamentary democracy? Is he saying that Mr. Balfour and Bonar Law were undermining parliamentary democracy by supporting the use of a referendum?

My right hon. Friend is not arrogant, but it would be arrogant to assume that somehow, in the 1990s, we have become the great defenders of parliamentary democracy and sovereignty against such a distinguished list of Conservative Prime Ministers, including my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath) who introduced such a measure into our constitution in the 1970s.

If the answer is that the referendum has now become an acceptable constitutional arrangement, then there is an overwhelming case now for a vote on a referendum on the Maastricht treaty.

My last point is fundamental. My right hon. Friend the Foreign Secretary said in his first intervention that there was an argument for a referendum in 1975 on the treaty of Rome, as that was when the major decision was taken; but we are now talking about what is in effect a refinement, and I believe that this is the time for such a vote. To pretend that it is a refinement is putting quite a gloss on it.

I accept that, from the perspective of my right hon. Friends the Foreign Secretary and the Prime Minister, the Maastricht treaty might be a refinement; it might be a step away from European union. That is one interpretation, but it is certainly not the interpretation of the Labour party. If, through some mischance—these things do happen—the Opposition were suddenly to be in Whitehall and Downing street, they would be strong advocates of a single currency and would take measures to move towards it, and they would use the Maastricht treaty as a platform.

Whatever our agenda is, and it is a good agenda, none the less the European Commission, Mr. Delors and Mr. Mitterrand have their own agenda. When the Maastricht treaty is ratified, they have every ambition to go on to

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economic union and the single defence policy. All those things are possible, and we cannot know which will happen.

We do not know whether the Maastricht treaty means a great deal or very little. Many of my hon. Friends are trooping through the Lobby saying, "Why are you worried? It's a dead duck." One of my hon. Friends said to me, "I am voting holding my nose, believing that it will not happen," and he might be right.

Mr. Bernard Jenkin (Colchester, North): Will my hon. Friend give way?

Sir Roger Moate: When I have finished this point.

Many European leaders believe Maastricht to be the launching pad for the next stage of European union, leading ultimately to federalism. That is their ambition. The fact that we do not know, it could go one way or the other, does not mean that the British people should not have the right to choose—because one thing is certain: in years to come, if we move in the direction that many of us, and the Government, are resisting, we will be told that we voted for the Maastricht treaty, so we must accept the consequences.

How many people here in the past few months have been asked why, if they do not believe in this treaty, they voted for the Single European Act? They may have been dragooned through the Lobby or persuaded by arguments of party loyalty—quite proper arguments, incidentally—but then their votes have been thrown back at them, just as such arguments would be thrown back at us.

Mr. Jenkin: May I draw my hon. Friend's attention to the fact that our own Government have given no assurances that they will not seek to move to the third stage of monetary union or, in the shorter term, to re-enter the exchange rate mechanism? Their agenda is therefore open to question.

9 pm

Sir Roger Moate: I do not question the Government's agenda on this issue. My hon. Friends will not agree with me, but I believe that the direction set out by the Prime Minister offers us more than any other—certainly more than would be offered by the Labour party Front-Bench spokesmen, with their wholehearted commitment to European union, and more than most of our European partners would offer. Excluding the single currency or opting out of the commitment excluding the social chapter, and being determined to expand and enlarge the Community—all these moves offer a proper way forward. We do not know, however, whether the Government will have the power, faced with a great number of other forces, to deliver these objectives. I do know that the Maastricht treaty, good, bad, or indifferent, is a major treaty and is perceived as such by the people of this country.

The intention behind the treaty is expressed in its terrifying preamble, which sets out the ambitions of the federalists. Those ambitions have been nurtured for 30 years; they will not go away just because of the recession in Europe—they will reassert themselves. That is why we need a referendum. The Labour party could have helped us to deliver one, but it will not. So probably we will not get one, even though I will vote for it. Perhaps the House of Lords will, too.

If there is an argument for a referendum on the Maastricht treaty, there will be an even more powerful argument for a referendum on the single currency, because that would be the ultimate and irrevocable step that would take Britain into a federal united states of Europe. That federalist ambition still exists. I am disappointed that the Government have not perceived that this was an opportunity to get the endorsement of the British people for their decision, one way or the other. That would have been to their credit. It would have helped this Parliament politically, and above all it would have been right.

Mr. Bryan Gould (Dagenham): I am glad that new clause 49 has been selected for debate and Division. That assures us that the Committee will at least have the opportunity to vote on this important issue—a chance which was in doubt for some time.

Many of those present have spent long hours in the Committee debating the important issues surrounding the treaty of Maastricht, not just because we wish to inform ourselves of the arguments but because we sought to use the Chamber for its traditional and proper purpose: as a sounding board from which the great issues could be taken out of public debate in the country at large.

Notwithstanding the efforts we have made and the hours we have spent, however, we have been at best only partly successful. I believe that the British people are still only dimly aware of some of the issues that we in the Committee have rightly concluded are of great importance.

That partial failure has not come about by accident. It has arisen because some of our leading politicians have tried to ensure that the issues are not publicly debated. They tried to ensure that at the time of the general election. They have now tried to ensure it, with the aid of other parties, by holding debates such as this important one very late at night. They have then tried to be satisfied, unfortunately with the co-operation of many members of the press, that those journalists will have gone home by the time many of the important issues are debated.

These leading politicians have peddled the idea—we heard the Foreign Secretary at it again today—that nothing of great importance is happening, that these are minor incremental changes that follow on inexorably from what has been decided. No one, they say, should get worked up about them. Behind it all there is the constant refrain, the constant briefing of the press, the constant undermining of those who believe these issues to be important, to the effect that these are arcane issues of interest only to obsessives and fanatics. We are given to understand—how often we have heard this point made—that these matters are taking up time that would be better spent on more important subjects. That is the context in which we as Members of Parliament have tried to deal with these important issues.

Mr. Hurd: The hon. Gentleman, in his reasonable tone of voice, is talking nonsense. These are crucially important issues and they are being discussed where they ought to be discussed. At the general election, I tried over and over again, as perhaps other right hon. and hon. Members did, too, to talk about these things. I did talk about them, but they were not considered of great moment by the press, presumably because there was no great battle between the parties. But the effort was made, certainly by me and by the Prime Minister, to bring these matters to the fore.

We come to the debate. It is bizarre of the hon. Gentleman to say that we are holding the debate out of prime time because of some conspiracy by the Government. The authors of that discomfiture are much closer to the hon. Gentleman than I am. The right hon. Member for Chesterfield (Mr. Benn) and his hon. Friends are largely responsible for that accident, if it is an accident. It has nothing to do with us.

I have taken part in only one or two of the debates on the Bill, but I have read the others. The quality of debate has been much higher than the reports of those debates suggest. The debates on subsidiarity and common foreign and security policy—to name the ones in which I took part—have been of high quality. Parliament has been doing its job. There has been no conspiracy of silence. The press has been more interested in the manoeuvres and comings and goings, but the hon. Gentleman must acquit the Government of any attempt to conceal the issues or deny that they are important. They are very important, and this is the place where they should be decided.

Mr. Gould: The Foreign Secretary may have spoken in his intervention for longer than I have managed in my speech. I was prepared to let him go on because it was interesting and heartening to have what I took to be his assurance that a vote on this central issue will not be conducted after 10 pm. Notwithstanding the length of his earlier intervention, I invite the Foreign Secretary to rise again to give the assurance that no attempt will be made to move the business motion at 10 o'clock. Will he give us that assurance?

Mr. Hurd: Certainly not; it does not follow in any way from what I said.

Mr. Gould: The Foreign Secretary concedes immediately my point that these matters are being debated and decided late at night when virtually no one, with one or two honourable exceptions, is present in the Press Gallery.

Following the painful admission that we have not succeeded in getting these issues into the public domain, let me say something more hopeful. Despite that, somehow, in a way which should give us confidence in our democracy, the people have got wind of the fact that something is amiss. The Foreign Secretary confirmed again that because there was no battle between the parties—he meant the Front Benches—the issue was not discussed during the election. He conceded as much in his intervention. Despite that, the people know that something is wrong.

The people have shown that they understand that the treaty of Maastricht is important and that it would be an outrage for a decision to be taken on it without their being asked their opinion. That is the meaning of the opinion polls, the 73 per cent. and the vote by the Scottish TUC today. That is the meaning of every expression of opinion that I have had the privilege of encountering. I speculate whether any hon. Member can point to an expression of opinion which supports the Maastricht treaty and denies the case for a referendum.

Mr. Salmond: The hon. Gentleman will have heard the Labour Front Bench accuse me of offering a false perspective in the amendment which we have tabled to his new clause 49. With his experience of Parliament, he will know that that is not the case, because the procedure is that if his new clause is carried, the Chairman of Ways and Means will decide whether to call the amendment. Whether that amendment is called and regardless of the result, there would be a further vote on the new clause to decide whether to incorporate it in the Bill. Therefore, those of us who believe in the social chapter in no way depend on the good will of people who do not to force it into the referendum amendment. If that is the reasoning of Labour Front-Bench speakers, they are on weak ground.

Mr. Gould: I am sure that the hon. Gentleman is exactly right. If the Committee supports the new clause, I hope that it will support the amendment, because that would meet the stated objectives of my Front-Bench spokesmen.

Mr. George Galloway (Glasgow, Hillhead): Before my hon. Friend leaves the issue of the test of opinion, will he comment on today's extraordinarily important decision by the Scottish TUC in Glasgow? Labour Front-Bench spokesmen made much of the Labour conference decision taken seven months ago or more on an emergency resolution after half an hour's debate and only eight speakers. Not a single constituency Labour party or trade union had discussed the matter before casting their votes. Today in Glasgow the Amalgamated Engineering Union, which is no revolutionary band, the Transport and General Workers Union, the National Union of Public Employees and the National and Local Government Officers Association, and union after union led by their general secretaries, presidents and national executives—because, as my hon. Friend knows, those votes are cast not by some Scottish adjunct of the trade union movement but by the very centre of power in those unions—cast their votes. Does my hon. Friend agree that that marks a seismic shift in the Labour movement's opinion on the subject?

Mr. Gould: I entirely agree with my hon. Friend's powerful point. It simply confirms what many of us have argued on many occasions—that decisions taken even seven, nine or 12 months ago simply cannot be said to hold for ever. That is certainly true of the decisions taken in the Labour movement.

I invite hon. Members to consider another expression of public opinion. I doubt whether there is a single hon. Member who has not found in his or her mailbag over recent weeks and months a rising tide of concern expressed in letters from constituents. They ask, "What is the Maastricht treaty about? Will it really deny us our democratic rights of self government? Should we not have a referendum?" Those are important expressions of opinion and few hon. Members will have failed to notice that that is what their constituents are saying.

Mr. Budgen: Does the hon. Gentleman not agree that the events of 16 September also completely changed the debate? The ERM was meant to be the necessary preliminary to a single currency. The British people cannot be expected all the time to consider arcane arguments about the difference between fixed and floating exchange rates. However, on a pragmatic basis, they are surely entitled to say, "The Government's whole economic policy burst apart on 16 September. It is based upon our implementing the Maastricht treaty. Are we not entitled to think again?"

Mr. Gould: The hon. Gentleman is right. In addition to events on 16 September, there was also the Danish referendum on, I think, 6 June. Many events in the past year or so have demonstrated that the Maastricht treaty is

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a document from another age, that it was drawn up for a quite different Europe and that it was the concept, the brain-child, of an elitist group of politicians who had their own private view of what Europe's future might be and did not bother to ask anybody else whether that view was shared.

Sir Teddy Taylor: Is the hon. Gentleman aware that, apart from the wonderful initiative by the Scottish TUC and by our constituents, there was a similar wonderful initiative within the Conservative party? Does he know that the national conference of young Conservatives, which was held in Southend-on-Sea, overwhelmingly rejected a motion supporting the Maastricht treaty?

Mr. Gould: I am glad to have that piece of intelligence as well, but I am sure that the hon. Gentleman will forgive me if I rate it slightly lower in order of importance than the decision by the Scottish TUC.

What sort of resistance is put up by those who oppose a referendum to the popular pressure that is now manifesting itself? What arguments are used by these upholders of our constitution and our democracy?

The first argument, which is hardly to be found on the lips of any true democrat, is that the Maastricht treaty raises issues that are too difficult for the British people to comprehend. That is not only anti-democratic but peculiarly offensive to the British people. What reason is there to suppose that they are any more stupid than the French, the Danes or the Irish?

9.15 pm

Then there is the refinement of that argument, which is that the British people do not know enough about the issues, and therefore it would be unfair to hold a referendum. Even some of those who are most concerned about the treaty have written to me to say that they are worried about a referendum because they are not certain that they understand the issues. Whose fault is that but the Government's? They held a general election and pushed through a Second Reading of the Bill without publishing the text of the treaty in English and they have still failed to publish a complete text of what is, in effect, our first major comprehensive written constitution.

If people are serious about trying to inform the British people about the issues, there is one certain way to guarantee that the issues will be brought out, debated and, at least to a reasonable degree, made familiar to the British people. It is to have a referendum. I have no doubt that, like many others, the Foreign Secretary, anxious as he was during the last general election to ventilate the issues but failing, as even he would concede, would leap at the chance to express his views about the great advantages of the Maastricht treaty.

So far, our leading politicians have not been assiduous in taking the argument into the public domain. I read in today's press that the Prime Minister will speak at a series of public meetings on the issue. That will be a welcome first. I hope that those who are keen to develop the arguments—on a soapbox or otherwise—will support the case for a referendum.

There is then the argument, which is a little more subtle than those arguments that are so offensive to British democracy, and which I have seen expressed in letters to constituents and elsewhere, to the effect that these matters can safely be left to Parliament. That means, safely left to a Parliament that has been elected without considering in the process of that election whether the issues were important or should be supported, a Parliament where the Whips dictate the votes of most right hon. and hon. Members on both sides of the House, a Parliament that regularly truncates debates after two or three hours, using closure motions, a Parliament that, with all respect to you, Mr. Morris, fails mysteriously and confusingly to find a way to enable itself to vote on one of the few meaningful issues, a Parliament where the Government have made it clear that, whatever the results of the votes on those important issues, they will ignore them and will go ahead to ratify the treaty whatever the outcome, a Parliament in which the Labour party Opposition Front-Bench spokesmen have tacitly agreed to ease the passage of the Bill.

Mr. George Robertson (Hamilton): No.

Mr. Gould: Perhaps not tacitly. Perhaps my hon. Friend objects to that word. I thought—I could have sworn—that I had heard in the House, in the Committee and in the parliamentary Labour party repeated statements from the leaders of my party that they would do nothing to frustrate the passage of the Bill. I have not so far used the word conspiracy and I understand why my right hon. and hon. Friends might be sensitive about the use of that term, but if one takes as a reasonable definition of "conspiracy" that it is an agreement that is tacit, perhaps unstated, to act in concert for nefarious purposes, we might be looking at a conspiracy.

Mr. George Robertson: Perhaps I should not rise so easily to the bait. I have not yet been a member of the national executive of the Labour party and I have not yet been, and may never be, a member of the shadow Cabinet, but my hon. Friend was a member of both those organisations up to the party's annual conference last year. He was there in those ruling bodies of the party as the party's policy on Europe evolved. He therefore had a much more instrumental role than many of us.

When we made it clear that we were not interested in wrecking the Maastricht treaty because our annual conference had laid down that policy last year, it should be understood that my hon. Friend was at that conference. We decided that we should use parliamentary means to secure the social chapter. In other words, we were intent on using Parliament for its primary purpose of ensuring that the issues were debated properly. Surely that must be a reasonable approach for someone who has occupied high positions in the party over many years. Surely it is reasonable and honourable and not a tacit admission of anything other than that we shall conduct the Labour party in the way in which the party has always been conducted.

Mr. Gould: My hon. Friend may be unduly sensitive. It seems that his intervention does nothing more than confirm my argument. Indeed, he goes further and rightly says that the position taken by those on the Opposition Front Bench is explicit and not tacit. The two Front Benches, deliberately or consciously, find themselves acting in concert. That is relevant to the argument that it is unnecessary or wrong to have a referendum because Parliament is able to decide the issue. Given that the two

Front Benches are agreed and will Whip their respective followers, surely Parliament is not free to decide these issues in the way proposed.

Mr. Hurd: The hon. Gentleman is describing a parliamentary world of which I know nothing. I live in hope of change, but so far the Opposition Front Bench has been unfailingly difficult and obstructive.

Mr. Gould: I am sure that my right hon. and hon. Friends on the Opposition Front Bench have managed to convey that impression. It is remarkable, however, that when there are Divisions that matter, even on Labour amendments, we, the Opposition, fail to embarrass the Government by defeating them and preventing them from ratifying the treaty.

Mr. Nigel Spearing (Newham, South): Does my hon. Friend agree that while there is collective responsibility, in which he played a part, it is honourable that when someone can no longer discharge that corporate responsibility he makes his position clear, as my hon. Friend did at a meeting at Blackpool, when I was sitting next to him?

The relevant conference resolution did not endorse the Maastricht treaty. It described the terms, probably with accuracy, as the best available. It did not endorse acceptance of them. That is why my right hon. and hon. Friends on the Opposition Front Bench say that they will not support—they had every right to make this judgment—any amendment that would threaten the treaty. Against that background, are not the two Front Benches, despite the impression of the Foreign Secretary, much more at one on the issue than the public might think?

Mr. Gould: I am grateful to my hon. Friend for his intervention. He has the position bang to rights.

I do not want to offend the Liberals because I gather that they support new clause 49—well, I hope that that is the case. The Liberals, however, also have their disreputable role to play, as do some other minority parties, in frustrating the ability of Parliament to deal properly with the issues that are before us. They, too, do their deals with the Government Front Bench. It is—[HON. MEMBERS: "No."] There are denials. I am glad to know that, even if the Government were foolish enough to seek to suspend the 10 o'clock business motion, the Liberals would have nothing to do with that. I am sure that they will stick to their principles of open government and ensure that these important matters are debated before the full gaze of the British people as relayed to them by, now, a virtually empty Press Gallery.

Mr. Charles Kennedy (Ross, Cromarty and Skye): I am grateful to the hon. Gentleman for giving way; at least, I should feel grateful, because he deals with Liberal Democrats in a much more measured way than he deals with his own Front Bench.

I welcome the hon. Gentleman to the cause of parliamentary reform, which my party supports. We want to discuss serious issues at sensible times of day, in a sensible fashion, but current parliamentary procedure does not allow that. Let me add that—as I shall make clear if I am fortunate enough to be called to speak—I shall vote for a referendum. I find no difficulty in trying to aid the Bill's progress so that we can reach a decision about the referendum; I am only sorry that the right hon. Gentleman has not been able to persuade his party to back the idea. The arithmetic suggests that, if Labour, the Liberal Democrats and certain Conservatives backed it, we would have a referendum.

Mr. Gould: I am grateful to the hon. Gentleman, particularly for his support in regard to the referendum. I only hope that he will be able to put into practice his principles on the first point that he made. That test may well come at 10 pm; we shall watch carefully.

At the heart of the argument of those who oppose a referendum—I mean the serious argument; the rest has been marginal—is the proposition that it would be contrary, damaging and inimical to our constitution. The hon. Member for Faversham (Sir R. Moate) said enough about the precedents to demonstrate that that is nonsense. Those precedents have been coming thick and fast over recent years: we need only look at the writings of A. V. Dicey, the great apostle or high priest of parliamentary sovereignty. Even he argued in favour of referendums as the appropriate response to particular circumstances.

What are those circumstances? Is it not an irony that those who pray in aid the constitution are the very people who are most intent on subverting and damaging that constitution? In my view, not only is our constitution entirely compatible with a referendum on this issue; it demands such a referendum. Even the greatest supporter of parliamentary sovereignty—Dicey, perhaps—must concede, as a matter of logic, that however powerful Parliament is, certain rules have priority over those of Parliament.

Sir Terence Higgins: Will the hon. Gentleman give way?

Mr. Gould: I am sorry; I am in the middle of an argument.

If Parliament did not have such rules, we could not know what Parliament is. Rules about Parliament's composition, identity, functions and procedures must logically have priority; for that reason, they cannot depend on Parliament itself, because Parliament preaches them.

What, then, is the authority that lies behind those rules? Let me use a term invented by the German jurist Hans Kelsen: in each society, state and political entity there is what he described as a Grundnorm—a basic norm. In any democracy worthy of the name, that basic norm must be the will of the people. It is the will of the people which defines and gives authority to Parliament. Parliament may purport to change the rules that define it—to change its mode of operation, and the processes of government and self-government—but it simply has not the authority to go back and change rules which, as I have said, are logically prior to Parliament. Only the will of the people can make such a fundamental change in the way in which we govern ourselves.

So far, what I have said is a matter of incontrovertible legal and constitutional theory. The real question that now arises is whether the Maastricht treaty poses an issue of such fundamental importance that to accept the change involved would be to redefine fundamentally both Parliament and the way in which we govern ourselves. The treaty of Maastricht is not, in my view, just an incremental change. It is a fully-fledged statement of a written constitution for a new state. It is not I who say so; it is the drafters of the treaty who proclaim that they hereby establish a European union, of which we are all to be citizens.

[Mr. Gould]

That union, if we examine it, has, as I said in an earlier debate, all the trappings of a state. It has its own head of state, chief executive, legislature, civil service, bank, foreign representation, defined boundaries and territories and its own economic, agricultural, industrial and trade policies. Above all, it has its own constitution and supreme constitutional court, which sees its function as being to interpret, develop and protect that constitution. We delude ourselves if we pretend otherwise. Even the term "federal" is inadequate to describe what is laid down in the treaty of Maastricht. It may be good, or it may be bad, but that is what it is.

9.30 pm

Let us take a particular example of a very important power of self-government—the power of a democratic electorate in this country to decide what should or should not be the economic policy applied by the Government of this country. Under the treaty of Maastricht, the most important powers over economic policy are ceded to a central bank which is told, in terms, to take no notice of any other institution, and certainly not of any elected Government. That change, of such importance and centrality, is, as so many hon. Members have said, meant to be irreversible. That is what the treaty says.

It is irreversible in the sense, contrary to what my right hon. Friend the Member for Copeland (Dr. Cunningham) said an hour or so ago, that if the Labour party could persuade the British electorate at the next general election, once the treaty is in force, to elect a Labour Government committed to a different economic policy from that laid down by the European central bank, we should have to say to the electorate on the morning after that election, "We're very sorry, but we can't implement a different economic policy. That matter is beyond political debate and action within this country. It is now a matter for the European central bank." Unless we could persuade each of our 11 partners to change that policy in some respects, it would be beyond our unilateral action to change it.

What answer is given to that argument by those who oppose a referendum? Fundamentally, what I think they say, since they cannot, in the end, deny the black and white provisions of the treaty, is that it does not really matter, that these issues are of concern only to a lot of fuddy-duddies who are preoccupied with antiquated concepts such as sovereignty and who love the word "sovereignty" because it has a wonderful 19th century ring about it. It may be easy to sneer at the word "sovereignty", but it is not so easy to sneer at the words "democracy" and "self-government". Those are the issues, those are the words, those are the terms which are truly involved in this debate.

What an astonishment it is to discover that it is in this House of Commons, of all institutions, that the view is expressed that these are matters of little consequence and that it is in this House of Commons that there is such a fundamental misunderstanding of what these issues really mean. That is the view which is taken in a Parliament which, in its history, traditions and function, is the very symbol of our nationhood, the very mechanism by which we subject to democratic control the power of the Executive, and which is the very instrument by which we define that self which we talk of self-government.

Democracy is not just a matter of mechanisms, or of elections to this, that or the other body. Democracy is a form of self-government. To say, "Well, we can give up the powers of self-government which we exercise, because we shall have elections to a European Parliament" does not meet the point, if the self with which the British people identify is the British self rather than a European self.

Each of us, in our various ways, reaches this place in many cases as a result of great effort. We naturally feel very pleased with ourselves when we get here. It is a privilege to serve in the House of Commons. Merely to be here is a reward in itself, but getting here is not only a matter of self-congratulations, of taking the plaudits and enjoying the benefits. To come to the House is surely also to acknowledge and accept responsibilities, responsibilities not only to the Whips, to one's local paper or one's personal ambition but to what the House represents in our history and government.

If we, as elected politicians, fail to understand that, if we turn our backs on those responsibilities through complacency, arrogance or ignorance, or if we get the political process wrong, we leave the people no alternative: they will have to get it right. They are chilling words. When one looks around the world and sees the vast majority of people who do not enjoy the benefits of democratic self-government, which we now so carelessly propose to give away, and the lengths to which they are prepared to go to get it right, we learn that, at the very least, it can be a messy, confusing and unattractive process.

I hope that when the time comes to vote on new clause 49, enough people—I wish there were more here now—will recognise their responsibilities to this country, to this institution and to the people who elect us. That is the case for a referendum, and that is why we shall press new clause 49 to a Division.

Sir Terence Higgins: It is extraordinary and immensely sad that those who have been arguing hardest and at the greatest length that the Maastricht treaty and the Bill will reduce the power and influence of our Parliament are now resorting to the use of a device that I believe strikes far more fundamentally at the powers and responsibilities of this House in order to achieve their objective of defeating the Bill and preventing ratification of the treaty.

If we continue to add to the unfortunate precedents —referendums have not as yet been that numerous—we shall inevitably undermine our system of representative parliamentar democracy. I stress the word "representative". We all know of Edmund Burke's famous dictum that we are sent here as representatives, not delegates. My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) who moved the new clause but who is no longer here was a little too fair to Edmund Burke who made the speech containing that dictum to the Bristol electors after he had just been elected, not before. At every election in which I have stood, I have strongly put forward that view. I stand for election to come to this place as a representative, not as a delegate.

The referendum is the exact antithesis of that concept. My hon. Friend the Member for Aldridge-Brownhills spoke as if the referendum rather than the system of representative democracy was the norm. That is quite untrue. I speak with a much passion as he did. I believe strongly that we must defend that representative system. I am not sent here as a computer——

Several hon. Members *rose*——

Sir Terence Higgins: No, I shall not give way now. I may do so a little later.

I am not sent here as a computer to vote as I would if I knew what the majority of my constituents believed was right on a particular issue. We all have a far more difficult task than that. Our task is to listen to our constituents, to take into account the views that they express, to study matters, whatever they may be, as profoundly as we can, to listen to the debates in the Chamber, and then to vote as our constituents would vote if they had had all those advantages.

Mr. Budgen: Will my right hon. Friend give way?

Sir Terence Higgins: I may give way later, but not now.

I believe that that is our fundamental task. It is immensely difficult. It is also important that we should vote not simply in the interests of our constituents in that sense, but in the interests of the country as a whole. One crucial difference between a system of representative democracy and a system of referendums is that minority interests can be taken into account in a representative democracy. In a real sense a system of referendums represents the dictatorship of the majority—that is important in terms of race or whatever other interest groups may be affected.

It is right that we should deal with the fundamental principle of referendums in the debate because if further precedent is set the principle of representative democracy will be undermined. My hon. Friend the Member for Aldridge-Brownhills is stuck with a piece of jargon—"Trust the people." Yes, of course it is important that we should trust our constituents, but our duty is to trust that they will express their views to us on how we should vote on an issue, but our decision is based not simply on numbers, but on the arguments. It is important that we should listen to our constituents, but then——

Mr. Budgen *rose*——

Sir Terence Higgins: I have made it clear to my hon. Friend that I may give way later, but not now.

It is important that we take into account the arguments that our constituents put to us, and that we in turn advance the views that we may have, which might emanate from the House of Commons. That is a difficult and complex task that we must undertake. That is the sense in which we should trust the people.

The hon. Member for Dagenham (Mr. Gould), who was not prepared to give way—[HON. MEMBERS: "Oh."] I shall give way in a moment. The hon. Member for Dagenham said that it was arrogant to say that we shall take a view which may differ from that of our constituents, but in my view we must weigh their arguments. That is important if one is to be an effective Member of Parliament.

I have not heard many arguments from my constituents about the Maastricht treaty. The problem has been rather that I have had to explain the treaty to them. I have done so, at great length throughout the election campaign, at numerous public meetings. I have had a video made explaining the arguments, and so on——

Mr. Cash: I would like to see that.

Sir Terence Higgins: I shall be happy to lend my video to my hon. Friend. It is important that we have that to-and-fro strength of argument; that two-way flow of ideas.

A referendum is a totally crude and different way of approaching an issue. We would be playing a pure numbers game, without taking into account the importance of the various arguments. That is what I believe is the fundamental difference between our representative system of democracy and the principle of a referendum.

Mr. Budgen: Will my right hon. Friend give way?

Sir Terence Higgins: In just one moment.

The crucial question would be: what question would be posed in the referendum? There would have to be a crude question and a crude answer. We could be asked the simple question, "Do you deplore Delors?" I must admit that on that question I should be inclined to vote yes, but the gut reaction would be at an appallingly superficial level. It would certainly not take into account any of the arguments that we have had over 29 sitting days in the Committee.

Mr. Budgen: I hope that my right hon. Friend will not think that I am being facetious. I have watched my right hon. Friend very closely for a decade and I know that he is a very distinguished right hon. Member of Parliament who has honourably followed his arguments about the representative nature of our role in this place.

9.45 pm

However, surely the only way in which we can represent our constituents and express our mature judgment in their interests is if the Government exercise a certain degree of goodwill and generosity towards their supporters. That is particularly important when both the Opposition and Government Front Benches agree on a very important constitutional measure. If there were simply a crude and aggressive attitude towards the Back Benchers on either side of the House who disagree, it would appear that the whole House agreed with the measure. At the present time, we have not the respect for individual judgment, to which my right hon. Friend the Member for Worthing (Sir T. Higgins) referred, but simply crude, aggressive and authoritarian behaviour towards those who disagree.

Sir Terence Higgins: I have had the pleasure over the years of serving on various Committees with my hon. Friend and I am always concerned when he makes complimentary remarks about me. He is really saying that when hon. Members seek to fulfil the duty that I sought to outline a moment ago——

Mr. Budgen: They are prevented from doing that.

Sir Terence Higgins: My hon. Friend says that they are prevented from doing that. He really means that they are failing to carry out that duty.

Mr. Budgen: Some fail, some are prevented.

Sir Terence Higgins: It is no good saying that some are failing and some are prevented. Quite simply, my hon. Friend is arguing that the hon. Members who are succumbing in the way that he has proposed—assuming that that is the reality of the position—are failing in their duty. I do not accept that that is true of hon. Members.

Mr. Spearing: The right hon. Gentleman may not be surprised to learn that I agree with a great deal of what he has said, particularly about referendums. The question in 1975 might have been, "Do you believe Harold Wilson when he says that no law can be passed without the consent of a British Minister and that the threat of EMU has disappeared—yes or no?"

Does the right hon. Gentleman agree that the ground rules of democracy, to which my hon. Friend the Member for Dagenham (Mr. Gould) referred a few moments ago, have been broken successively in the following respects: first, we were taken in over "negotiate no more, no less"; secondly, Baroness Thatcher agreed to European political union and EMU on the basis of a previous so-called pledge without any mandate from this House; and the present Prime Minister claims a mandate on a treaty that he had not published before the general election. All three have broken the ground rules suggested by my hon. Friend the Member for Dagenham and therefore some of us have nothing left but the device that the right hon. Member for Worthing (Sir T. Higgins) criticises. However, at least it is a device that we can use.

Sir Terence Higgins: I am glad that the hon. Gentleman accepts that it is a device. Before I consider that device, I want to consider a point which, strangely, has not been mentioned in this debate, although it has been in other debates on referendums. I want to consider whether the referendum should be advisory or mandatory. In that respect, we run into some very difficult issues.

If the referendum is simply advisory, it is difficult to see how any new arguments could be advanced which we in this House have not, over many days, considered very carefully. If the referendum is mandatory, that would be a total betrayal of what we are sent here to do. We must consider whether the referendum must be advisory or mandatory and the hon. Member for Dagenham did not consider that point.

Mr. Gould: Will the right hon. Gentleman give way?

Sir Terence Higgins: No, I will not as the hon. Gentleman would not give way to me.

The most absurd way of proceeding would be to sit for 29 days in Committee—and no doubt for longer on Report and thereafter—so that we are all convinced of what the outcome should be one way or the other and then have a referendum which reversed that decision. Will we then come back to the House and say, "We have considered it all clearly; we made up our minds; we debated it at immense length; the referendum went the other way and we will reverse the decision which we, exercising our judgment in the House of Commons, reached in the traditional way"?

Sir Teddy Taylor: Yes.

Sir Terence Higgins: If so, there is a big gulf between us as to our understanding of the democratic system in the House of Commons. I shall come to the point which was made a moment ago.

Mr. Barnes: Will the right hon. Gentleman give way?

Sir Terence Higgins: I will take up the point which was made in an intervention because I have not addressed it. I shall structure my remarks as best I can.

The hon. Member for Dagenham referred to the history of the matter and the way in which we have gone from the original decision that was taken in 1972 through the further decisions and the passing of the Single European Act to the present stage. Earlier, I said that the referendum process, which was used by the Labour Government purely for political expediency, set further in concrete the decision that was made than would have been the case if we had not had the referendum. Paradoxically, those who advocated a referendum at that time, who then lost, have suffered considerably and have reduced the degree of flexibility with regard to subsequent events. We must not make the same mistake.

I shall take up the point that was made about Dicey. The hon. Member for Dagenham must look at different editions of Dicey if he wants to get the conclusion. Neither the first edition of Dicey nor the last was in favour of a referendum. The only editions which were in favour of a referendum were those in which he, for reason of political expediency, had decided to advocate it. I had to study Dicey at Cambridge. It was an unbelievable bore. Dicey has been given too much weight.

Mr. Budgen: He made a living out of it.

Sir Terence Higgins: The former right hon. Member for Finchley was keen on quoting Dicey. In her famous speech —one might almost say notorious—at the time of the 1975 referendum debate, she referred to the various editions of Dicey. I had forgotten that. When she was sitting next to me just before she went to the other place, she said, "It is all in Dicey". I said, "But you have got the wrong edition". She had forgotten her original speech.

My point is that those who advocate referendums—the plural of referendum is referendums—typically do so when they have lost the argument.

Sir Teddy Taylor: How did my right hon. Friend vote?

Sir Terence Higgins: I take up the point made by my hon. Friend the Member for Faversham (Sir R. Moate), who put much stress on the Irish referendum. That example is somewhat different.

Sir Teddy Taylor: That is disgraceful.

Sir Terence Higgins: I think—*[Interruption.]* I am conscious of the fact that we are approaching the 10 o'clock motion. There is some distinction between—to use a piece of jargon—a plebescite and a referendum. On issues involving borders, there is a distinction. I have consistently voted against referendums, and I shall continue to do so.

Mr. Ray Whitney (Wycombe): When my right hon. Friend referred to the question whether referendums—I agree with the plural—should be advisory or mandatory, is he aware that our hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen), who is so much in favour of referendums—[HON. MEMBERS: "He is not."] I misunderstood him. He made it clear that he would not be bound by referendums. I am delighted to know that he will be in the right Lobby tonight, for a change.

Sir Terence Higgins: My hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) must speak for himself. As I understand it, he has always been strongly against referendums. I trust that he will be consistent.

Many hon. Members are inconsistent about referendums. [HON. MEMBERS: "So are you."] No, I have made a

distinction on the Irish issue. That is a legitimate distinction. Except on that issue, I have consistently and will continue consistently to oppose referendums.

Back in 1975 the Labour Government, for reasons of expediency and divisions in the party, went ahead with a referendum, thereby creating a further dangerous precedent. The present Government should be congratulated on not going along with that approach. They have stuck to their guns on the issue. They have not been prepared to resort to a referendum to deal with any differences which may exist in the party.

If we examine the matter objectively, we see that there is a clear point of principle and that the House would be right to reject new clause 8. There has been some suggestion that even if the new clauses are defeated this evening, as I profoundly hope that they will, there might be more support for the idea of a referendum in the upper House. I am bound to say that it would be a dangerous action, when the elected House had rejected the idea of a referendum, for the other House to seek to reverse that decision. That would be the antithesis of what our system of representative democracy stands for. That is the basis on which I believe that all Members of Parliament have a duty to perform.

Mr. Salmond: I have every confident hope that I shall finish this speech in prime time tomorrow afternoon. I shall certainly vote against the 10 o'clock motion.

I rise to speak in strong support of new clause 49 and to advance some arguments why amendment (a) to that new clause on the social chapter should be properly considered by the House. The right hon. Member for Worthing (Sir T. Higgins) argued that our view about referendums could be selective. He suggested that we could pick and choose what referendums we had. I believe that we must apply a consistent criterion when choosing issues on which referendums should be held. Surely that consistent criterion should be that referendums should be employed when major constitutional issues are at stake.

So the first question for us this evening is whether the Maastricht treaty is a major constitutional issue.

Mr. Bill Walker: Does the hon. Gentleman believe that the comments of my right hon. Friend the Member for Worthing (Sir T. Higgins) clearly showed that there is a border between Scotland and England? Therefore, I imagine that he takes the view that, if there is to be a referendum on borders, that is one border which must certainly be considered.

Mr. Salmond: I have noticed that the hon. Gentleman has recently discovered an enthusiasm for the concept of Scottish popular sovereignty. He rightly said a few days ago that, in 1707, the Scottish Parliament moved into adjournment. His point was well made. I am sure that the hon. Gentleman understands that I agree with him only rarely, and I hope that he will take my remarks as a genuine compliment.

My point about the consistency of referendums is that we must decide whether Maastricht is a major constitutional issue. I know that the Government have attempted from time to time to say that Maastricht is not such an issue and that nothing much is at stake. To paraphrase them, they say, "It is all right, chaps—everything is going to turn out all right." But most of us who look seriously at the content of the Bill and the treaty accept that major constitutional issues are obviously at stake in the Maastricht process.

Powers will be transferred to a central authority in the European Community, either now or in the foreseeable future. Many of us think that it a thoroughly good idea and are none too concerned about the dimunition of the powers of the House. But many other hon. Members think that it is a bad idea, and want jealously to protect what powers—real or imagined—the House possesses.

The point at issue in the debate is not whether the transfers of power are right or wrong, but whether the subject qualifies as one of the major constitutional issues that should properly be put to the people in a referendum.

Mr. Tim Rathbone (Lewes): To follow on from the hon. Gentleman's argument, may I ask him why he thinks that there was not a referendum either on signing the treaty of Rome or on entering the single market?

Mr. Salmond: The argument has been advanced that perhaps there should have been, but there was a referendum on the European Community in 1975. There were referendums in Northern Ireland and Scotland——

It being Ten o'clock, THE CHAIRMAN *left the Chair to report Progress and ask leave to sit again.*

Committee report progress.

Motion made, and Question put forthwith, pursuant to Standing Order No. 14 (Exempted business),

That, at this day's sitting, the European Communities (Amendment) Bill may be proceded with, though opposed, until any hour.—[Mr. Andrew Mitchell.]

The House divided: Ayes 309, Noes 280.

Division No. 244] **[10 pm**

AYES

Adley, Robert	Browning, Mrs. Angela
Ainsworth, Peter *(East Surrey)*	Bruce, Ian *(S Dorset)*
Aitken, Jonathan	Burns, Simon
Alexander, Richard	Burt, Alistair
Alison, Rt Hon Michael *(Selby)*	Butler, Peter
Alton, David	Butterfill, John
Amess, David	Campbell, Menzies *(Fife NE)*
Ancram, Michael	Carlile, Alexander *(Montgomry)*
Arbuthnot, James	Carlisle, Kenneth *(Lincoln)*
Arnold, Jacques *(Gravesham)*	Carrington, Matthew
Arnold, Sir Thomas *(Hazel Grv)*	Carttiss, Michael
Ashby, David	Channon, Rt Hon Paul
Ashdown, Rt Hon Paddy	Churchill, Mr
Aspinwall, Jack	Clappison, James
Atkinson, David *(Bour'mouth E)*	Clarke, Rt Hon Kenneth *(Rushcliff)*
Atkinson, Peter *(Hexham)*	Clifton-Brown, Geoffrey
Baker, Rt Hon K. *(Mole Valley)*	Coe, Sebastian
Baker, Nicholas *(Dorset North)*	Colvin, Michael
Baldry, Tony	Congdon, David
Banks, Matthew *(Southport)*	Conway, Derek
Banks, Robert *(Harrogate)*	Coombs, Anthony *(Wyre For'st)*
Bates, Michael	Coombs, Simon *(Swindon)*
Batiste, Spencer	Cope, Rt Hon Sir John
Beith, Rt Hon A. J.	Cormack, Patrick
Bellingham, Henry	Couchman, James
Beresford, Sir Paul	Currie, Mrs Edwina *(S D'by'ire)*
Blackburn, Dr John G.	Curry, David *(Skipton & Ripon)*
Booth, Hartley	Dafis, Cynog
Boswell, Tim	Davies, Quentin *(Stamford)*
Bottomley, Peter *(Eltham)*	Davis, David *(Boothferry)*
Bottomley, Rt Hon Virginia	Day, Stephen
Bowden, Andrew	Deva, Nirj Joseph
Bowis, John	Devlin, Tim
Boyson, Rt Hon Sir Rhodes	Dickens, Geoffrey
Brandreth, Gyles	Dorrell, Stephen
Brazier, Julian	Douglas-Hamilton, Lord James
Brooke, Rt Hon Peter	Dover, Den
Brown, M. *(Brigg & Cl'thorpes)*	Duncan, Alan

Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gallie, Phil
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, John
Grant, Sir Anthony *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Johnson Smith, Sir Geoffrey
Johnston, Sir Russell
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles *(Ross,C&S)*
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkwood, Archy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Llwyd, Elfyn
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Lynne, Ms Liz
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
Maclennan, Robert
McLoughlin, Patrick
Madel, David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Michie, Mrs Ray *(Argyll Bute)*
Milligan, Stephen
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Tyler, Paul
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wigley, Dafydd
Willetts, David
Wilshire, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Sydney Chapman and
Mr. Timothy Kirkhope.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allason, Rupert *(Torbay)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Bell, Stuart
Bendall, Vivian
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Dr. Roger
Biffen, Rt Hon John
Blair, Tony
Blunkett, David
Boateng, Paul
Boyce, Jimmy
Boyes, Roland
Bradley, Keith
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Budgen, Nicholas
Burden, Richard
Butcher, John
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Carlisle, John *(Luton North)*
Cash, William
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cran, James
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Duncan-Smith, Iain

Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Forsythe, Clifford *(Antrim S)*
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gardiner, Sir George
Garrett, John
George, Bruce
Gerrard, Neil
Gill, Christopher
Godsiff, Roger
Golding, Mrs Llin
Gorman, Mrs Teresa
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld. H)*
Jamieson, David
Janner, Greville
Jessel, Toby
Jones, Barry *(Alyn and D'side)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Knapman, Roger
Lawrence, Sir Ivan
Legg, Barry
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Lord, Michael
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Alice
Marek, Dr John
Marlow, Tony
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Porter, David *(Waveney)*
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Robinson, Peter *(Belfast E)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skeet, Sir Trevor
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Spearing, Nigel
Spellar, John
Spicer, Michael *(S Worcs)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sweeney, Walter
Tapsell, Sir Peter
Taylor, Rt Hon John D. *(Strgfd)*
Taylor, Sir Teddy *(Southend, E)*
Thompson, Jack *(Wansbeck)*
Tipping, Paddy
Trimble, David
Turner, Dennis
Vaz, Keith
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(N Tayside)*
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wilkinson, John
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'f'ld)*
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Eric Illsley and
Mr. Jon Owen Jones.

Question accordingly agreed to.

Again considered in Committee.

Question again proposed, That the clause be read a Second time.

Mr. Salmond: I can only take that vote as a vote of confidence in my speech. Clearly, hon. Members wanted to hear a great deal more, and could not wait until tomorrow for it. There are some advantages in having one's speech interrupted by the 10 o'clock motion, not least because one can hear the football results, albeit the result of the European Champions cup match was disappointing. [HON. MEMBERS: "What was the score?"] Unfortunately, Glasgow Rangers are out of the competition. *[Interruption.]*

The First Deputy Chairman: Order. Would hon. Members leaving the Chamber please do so quietly?

Mr. Salmond: I am sure, Mr. Lofthouse, that you will have interpreted the result of that match as a European issue, and agree that it is quite legitimate to mention it. *[Interruption.]*

The First Deputy Chairman: Order. I am having great difficulty in hearing the hon. Gentleman.

Mr. Salmond: I notice that, when I speak about football scores, hon. Members hang on my every word. I understand that Rangers narrowly failed to qualify for the final of the European Champions cup.

On new clause 49, I had developed the argument that Maastricht was a major constitutional issue which, regardless of what hon. Members believe about the issue, could properly be regarded as major enough to be put to the people in a referendum. However, there are other specific arguments, because it must be clear that we have reached, to use a fashionable word, gridlock on several keys aspects of the Bill.

We are gridlocked because some hon. Members are pro-Maastricht and the social chapter. That belief encompasses the Liberal Democrats and the majority of the Labour party. Some people are pro-Maastricht but against the social chapter. That is the official view of the Conservatives. Some Labour Back Benchers are pro the social chapter but against the Maastricht treaty, and some people are against both.

[Mr. Salmond]

That gridlocked combination of forces means that we are guaranteed no meaningful parliamentary vote on the critical subject of the social chapter. Therefore, the social chapter should also be put to the people in a consultative referendum. That is why my hon. Friends and I have tabled amendment (a) to new clause 49. If rationale and logic have anything to do with the process of votes in the Committee, that should be an important development.

It has already been noted that the outcome of tonight's vote is in the hands of the Labour party. The arithmetic shows that, if Labour Members are united in voting for a referendum, the Government will lose the vote on new clause 49 by about 30 votes. Therefore, the matter is entirely in the hands of Labour's Front-Bench spokesmen.

Last Friday, 16 April, Labour's spokesman on Europe, the hon. Member for Hamilton (Mr. Robertson), wrote to me outlining his reasons for voting against a referendum on Maastricht. The letter states:

"The Labour Party has made it clear on a number of occasions that it will oppose a Refendum on Maastricht for one principal and very good reason. A Referendum would involve a Yes/No question on the Maastricht Treaty. The Maastricht Treaty provides for an opt out from the Social Chapter for the United Kingdom alone. A Yes/No question on the Maastricht Treaty would therefore not provide any opportunity for a reservation to be put forward in relation to the Social Chapter."

That was the

"one principal and very good reason"

for Labour not wishing to support the new clause on a referendum.

I put it to those on the Labour Front Bench that the difficulty can be reasonably resolved if they support amendment (a). If that is the one, principal and very good reason for not supporting the referendum new clause, that difficulty can be resolved and, hopefully, there can be some reconsideration.

Earlier on in the debate, the right hon. Member for Copeland—I nearly said for Sellafield—(Dr. Cunningham) argued that this was not the appropriate way forward, because the Labour party would be trusting the anti-Maastricht Conservative forces to vote the social chapter amendment on to the new clause. That argument displays a surprising ignorance of the procedures of the House of Commons.

All of us are familiar with "Erskine May", because we have looked at it from time to time. It shows that the procedures of the House of Commons are quite simple. If new clause 49 were to be carried, the Chairman of Ways and Means would take a decision as to whether to call a Division on amendment (a). Whether or not that amendment were voted on, and whether or not that vote were in favour, there would be a further vote and a decision on whether to incorporate new clause 49, amended or unamended, into the body of the treaty.

The danger that the right hon. Member for Copeland foresaw—that the Opposition could be conned into voting for a referendum and then find that they would have a referendum with no reference to the social chapter—is not a real danger. On the second vote on new clause 49, they could simply switch position if there were not support elsewhere for the amendment to incorporate a second question into new clause 49 to cover the social chapter. The Opposition Front-Bench team have nothing to fear about proceeding to a positive vote for a referendum and putting us in the position of having the only real opportunity to make a decisive vote in favour of the social chapter that will be allowed to us.

On the same day that the hon. Member for Hamilton wrote to me explaining the Labour party's fears, I tabled amendment (a) in an attempt to solve that difficulty. However, in *The Scotsman* on Friday, I found that the hon. Member for Hamilton had decided that the amendments had no chance of being debated or accepted. We are debating them, and I am grateful that the Chairman of Ways and Means decides those matters and not the hon. Member for Hamilton. I hope that he will have a quick confab with his colleagues on the Front Bench and decide, in this new situation, whether the Labour party can support new clause 49, and then go on to vote for amendment (a), which would include a question on the social chapter in the referendum. Then, if we are let down by the anti-Maastricht Tories—I am sure that we would not be, given the expression of interest that I am seeing there—the Labour party can reverse its vote.

I was disappointed by another part of the article in *The Scotsman*. The hon. Member for Hamilton said that the SNP campaign for a referendum was "belated and last-minute". I find that surprising, because, between 2 October last year and 13 April this year, I have written no fewer than four times to the leader of the Labour party arguing the case for the referendum new clause. I have had no reply to my letters.

I can think of only one other issue in Scottish politics where the Leader of the Labour party—normally a courteous man—is as reticent. I will not develop the argument about local council affairs on Monklands district council. I find it surprising that, given that the leader of the Labour party has not answered four letters over that period, I can be told that this is a belated——

Mr. Allan Rogers (Rhondda): That is wrong.

Mr. Salmond: I have the four letters here, and I am willing to make them available in the Library, or to the hon. Gentleman. It is surprising that, having argued consistently over that period, I should be told that this is a belated and last-minute campaign. It most certainly is not.

I have reasonable hopes that the leader of the Labour party might be interested in the referendum new clause. It is not something that the right hon. and learned Gentleman has consistently opposed throughout his political career. On the contrary, he has been on record several times arguing in favour of the referendum as a legitimate device in constitutional politics.

For example, there is the "Bulletin of Scottish Politics" of spring 1981. The right hon. and learned Gentleman was being questioned on a Scottish referendum on devolution, when he said:

"I think another referendum (on devolution) is inevitable. Without one, there is no hope of getting any significant constitutional change through Parliament in a reasonable timescale. Also, given that we had to concede it once—albeit for tactical reasons—it would be difficult or impossible to refuse it on another occasion. I would add that this principle seems to apply in the case of the Common Market too. We have now definitely made referenda part of the constitutional equipment, and we have to stick by that."

10.30 pm

Sir Teddy Taylor: Even if the initiative taken by the Scottish National party was belated, pathetic and cynical, which some, rightly or wrongly, have said, will the hon. Gentleman make it abundantly clear to the occupants of the Opposition Front Bench and to all Opposition Back-Bench Members, and to their trade union friends with whom they are associated, that if they really wanted to they could secure their wonderful social chapter tonight?

Mr. Salmond: The hon. Gentleman's words speak for themselves. As I have said, the Labour party does not have to trust the hon. Gentleman to vote for the social chapter in the form of amendment (a) to the new clause. If he did not, and the amendment was not agreed to following a Division, the Opposition would have the backstop option of not pressing new clause 49 in a subsequent Division. The Labour party is in a no-lose position if it is prepared to vote for new clause 49.

We hope for conversion in the next couple of hours or so. I hope that all Labour Members who are being urged to go home by the Opposition Whips so that only the occupants of the Opposition Front Bench are present for the embarrassment later this evening will be called back now that new arguments are being advanced. We live in hope that the arguments will have some importance in our proceedings as they are developed. We may—who knows?—have a chance later in our proceedings to develop the arguments further. There may be more time for the hon. Member for Hamilton to change his mind.

Mr. George Robertson: Many months ago, the hon. Gentleman tabled new clause 48, which states:

"This Act shall not come into force until the House of Commons has expressed a view of the desirability of a referendum in each component nation of the United Kingdom with respect to the commencement of this Act."

Last Thursday, the hon. Member for Angus, East (Mr. Welsh) tabled an amendment to that new clause, in which he urged that there should be a specific question on the social chapter. How is it that, for about eight months, the new clause did not refer to the social chapter? It seems that the SNP has recently discovered the social chapter and is intent on making a great deal of it. Its position has changed since Thursday.

Mr. Salmond: The hon. Gentleman should refer to his correspondence. On 16 April, he wrote to me and specified that there was

"one principal and very good reason"

for the Labour party not backing the referendum amendment or new clause. He believed, wrongly as it turned out——

Mr. Robertson: That is not the position.

Mr. Salmond: Presumably the hon. Gentleman has control over what he writes. He wrote that there was

"one principal and very good reason,

but perhaps I was wrong to take him by such words. On 16 April, however, the hon. Gentleman—presumably he was speaking for the Labour party—identified his belief that it would not be possible to develop the social chapter argument as part of the referendum argument as the

"principal and very good reason"

for the Labour party not supporting the new clause on the referendum.

In our desire to be helpful to the hon. Gentleman, my hon. Friends and I amended our new clause on the referendum. He must know that last week I had no way of knowing—presumably he had not—which new clause on a referendum would be accepted, so I took the precaution of amending all five. We now know, of course, that No. 49 was accepted. *[Interruption.]* The hon. Member for Hamilton says, from a sedentary position, that there are other reasons for Labour's not being prepared to support the new clause on the referendum. It is a pity that he did not mention them to me last week, but never mind. Let us consider what some of those "other reasons" might be.

I have heard other Labour Members say that a party conference decision last year must be respected. I read the speech made at the conference by the right hon. Member for Manchester, Gorton (Mr. Kaufman); I remember it well, as a speech that was judged in relation to the particular time at which it was made. It was a very good speech. In particular, the right hon. Gentleman argued that the Maastricht Bill had perhaps been fatally wounded by the Danish referendum. He said that there was no way of knowing whether it would return to the Floor of the House. He asked why the Labour party should split itself internally over something that might never arise. Unfortunately, that argument has been overtaken by events; the question has now arisen, and it cannot be dodged.

At that time, the right hon. Member for Gorton had no way of realising that a head-on, meaningful vote on the social chapter would not be allowed during the passage of the Maastricht Bill. That surprised many hon. Members, and could not have been foreseen at the time of the Labour party conference.

There is substantial evidence, with the benefit of the information that we now have, that there is a substantial change of mind among large sections of the Labour movement. Already, we have heard how the Scottish Trades Union Congress—composed of exactly the same unions that composed the Trades Union Congress, which also voted, or at least advised, against a referendum last year—today voted overwhelmingly in favour of a referendum on Maastricht. I was not present myself, but I suspect that the arguments in favour of a referendum were similar to the arguments that we should deploy tonight.

The STUC would be frustrated by parliamentary processes not allowing a vote on the social chapter. It would be well aware that, since the general election, the Scottish Labour party has developed a policy on the constitutional question in favour of a referendum in Scotland—in favour, moreover, of a referendum in Scotland with two questions on the paper: exactly the kind of referendum that my hon. Friends and I are suggesting.

Mr. Cash: No doubt one of the STUC's reasons for taking such a position is the fact that it has discovered articles such as that written by James Michie for the National Association of Local Government Officers about the effect that the Maastricht treaty and the proposals for economic and monetary union will have on unemployment. The referendum question is not just a theological or constitutional issue; it is about whether people will be able to keep their jobs. We only hope—and no doubt the hon. Gentleman will want to suggest—that the TUC and the United Kingdom take the same position, and that the coal miners do the same.

Mr. Salmond: I hope that other groups will do so as well. I should have thought, however, that the STUC would be far more influenced by the knowledge that the cause of Europe has been done few favours by our debates. I think that many STUC delegates would think that the argument for Europe would be far better deployed in the country, with more principle and conviction, than it is being deployed in the House of Commons.

The hon. Gentleman will also know of the deep-seated knowledge in Scotland, in particular, of the constitutional principle of popular sovereignty, which is at the heart of the Scottish tradition—although it is not necessarily always at the heart of the tradition in this place.

I think that the STUC will have realised today that the Scottish and European cause would be helped if the argument about the future of Europe were taken to the people of Scotland and the rest of the United Kingdom. I am certain that the delegates in Glasgow today hope for a change of mind on the part of Labour Front Benchers, which I—along with many other hon. Members—urge on them this evening. The STUC will be mindful of the importance of defeating the Government in an area that is absolutely central to their legislative programme, with all the consequences that might flow from such a defeat.

The hon. Member for Dagenham (Mr. Gould) came under pressure for suggesting that he believed that there was some conspiracy about the fact that we are debating such a vital subject at this time of night, with the vote pushed into the wee small hours of the morning. I subscribe to that view. There is something suspicious about this vital debate being timetabled in such a way as to ensure that we go into the Division Lobbies very late in the evening. Many people would prefer the vote to be in the dead of night, as opposed to the full light of day.

I suspect that many of those who sit on the Opposition Front Bench will soon prefer to forget about this evening's proceedings and about the vote that perhaps they will engage in later on. I warn those on the Opposition Front Bench that, although they may prefer to forget the dirty deeds that will be done later this evening, the Scottish National party will make sure that the people of Scotland neither forgive nor forget if they support the Government on this vote.

Mr. Peter Fry (Wellingborough): I have been sitting here since the debate started. What is significant about it is the paucity of reasons why we should not have a referendum.

The speech of the right hon. Member for Copeland (Dr. Cunningham) was not so much a declaration of policy as a smokescreen to hide the Labour party's confusion over this issue. One of the reasons often given is that the general election was the time for decision and that that is why the Government have a mandate. However, not a single person during the election campaign ever discussed Maastricht with me; no one asked about it; nobody wanted to discuss in on the doorstep; nobody raised it at public meetings. Therefore, it seems to me to be something of a fraud to say that the general election campaign settled the Maastricht treaty issue.

Another point that has been put forward was referred to by the hon. Member for Dagenham (Mr. Gould). He intimated that it had been suggested that the public would not understand—that the issues were too complicated. My answer to that is that when we ask people to vote in a general election we ask for a pretty simple decision but what goes into the decision that they take can be very complicated indeed. Many people, for example, like so much of the Labour party's manifesto, so much of the Conservative party's manifesto, and even some of the Liberals'. They take those complicated issues and translate them into one decision. I see no reason why a referendum should not be subjected to exactly the same procedure.

Another point that has been raised is that Parliament has already decided and we do not need a referendum—the decision has already been taken. My view has been heavily influenced by my membership of the Council of Europe. I have discovered that there are two versions of the Maastricht treaty. There is the version that is sold in this country. I believe that my right hon. Friend the Prime Minister sincerely believes in what he says and sincerely thinks that the promises he has made can be honoured, but when one talks to continental colleagues one hears about a totally different version.

Mr. Budgen: The Foreign Secretary has a wonderful way of dealing with this. He says that they have rather elaborate language, by which he means that we ought to disregard the language when it seems inconsistent with the gloss that the Government put on the treaty.

Mr. Fry: I am grateful for that intervention because I had the privilege of listening to Chancellor Kohl at the latest session of the Council of Europe. He received tremendous applause for claiming that the train to European unity was on the move. What worried me was that not only was the train on the move but he was the driver, and I suspect that he had put down the lines in advance so he knew exactly what the destination would be.

10.45 pm

It is important that the people of this country realise that, no matter how honest the Government's intent, the vast majority of the Community see things very differently and want to interpret the treaty in its exact form. They will not later accept arguments that this or that does not matter.

It is also argued that holding a referendum is not the British way. I respect the views of my right hon. Friend the Member for Worthing (Sir T. Higgins), but there have been referendums and we are now dealing with matters of great constitutional significance. I argue that the handing over of power under the treaty is more substantial than some of the reasons for having had referendums in the past.

Mr. Donald Anderson (Swansea, East): Is there not a fundamental difference between asking people whether they want pubs open on a Sunday or whether they want devolution, which is wholly within the Government's competence, and asking people to give a view on a package deal, a treaty which has been negotiated with our partners?

Mr. Fry: My response is exactly what I said earlier. Yes, it is a complicated issue, but let us not insult the intelligence of the British electorate. We are jolly glad when they elect us to this place, so it is right to give them the opportunity to express their views on such a complicated issue.

Mrs. Ann Winterton (Congleton): Does my hon. Friend agree that the attitude expressed by the hon. Member for Swansea, East (Mr. Anderson) is paternalistic and patronising? We are here because our constituents vote for

us and we must represent them. At the end of the day, if we cannot trust the people of this country, who can we trust?

Mr. Fry: I entirely endorse my hon. Friend's sentiments.

Sir Roger Moate: Will my hon. Friend remind the hon. Member for Swansea, East (Mr. Anderson) that the Northern Ireland border poll was nothing to do with devolution within the United Kingdom and was more serious than the closing hours of pubs? Was it not wrong for the hon. Gentleman to draw that analogy? This is a matter of great constitutional importance and to treat it with contempt by comparing it with pub opening hours is foolish.

Mr. Fry: I am grateful for that information, which I hope that the hon. Member for Swansea, East (Mr. Anderson) has absorbed.

Perhaps the final reason for not having a referendum is the fear that the electorate might say no. Can the Foreign Secretary tell us whether it is the case that, despite the full power of the Government's publicity machine, despite the full support of members of the official Opposition Front Bench, the Liberal party, most of the media, the Confederation of British Industry and the great and the good, in three weeks the Government could not obtain a yes vote in a referendum? If they could not, I suggest that that is the best reason why we should not accept the treaty.

Of course, there are reasons why we should have a referendum. One of the main ones is that I have not heard any effective reason why we should not. However, as someone has already said this evening, the main argument must be that it would give the people of this country the opportunity to express their views. More particularly, it would mean that the people who argue passionately for and against would have to put their case to the country. The complaint of many constituents—that they do not understand—would be removed.

There is overwhelming evidence that a considerable majority of the electorate want a referendum and would feel cheated if they did not get one. There is a strong argument for explaining Maastricht so that people can discover what it will mean, instead of discovering the consequences when it is too late to do anything about it. It is true that some other countries have voted yes. The Irish voted yes because they believed that they would gain considerably from the distribution of EC funds. In some countries we would call that bribery and it is bribery with other people's money, with our money. I do not think that one could ever accuse the British people of being ungenerous, but I suggest that when we are lining up those whom we should support, those who are suffering in Somalia, Sudan and Bosnia come a long way ahead of the people of Greece, Portugal and Ireland.

Mr. Budgen: What about Italy?

Mr. Fry: I will deal with Italy in a moment.

The third reason why I believe that we should involve the British people in making the decision is that it makes good political sense. If the country accepts the Maastricht treaty—I believe that there would be a fair chance of that happening, after a strong campaign—at least the people will have accepted considerable responsibility for the decision. If it goes terribly wrong and becomes terribly unpopular, I can just see the politicians of the day falling over backwards to try to deny that they had anything to do with taking us into that monstrous organisation. At least if we brought the people into consideration they would share that responsibility. I should have thought that that was the right way to go forward into an uncertain future.

Far from being un-British, as some have suggested, the referendum would illustrate the depths of debate that there has been, and should be, in the country on the issue. One of the most disappointing aspects of the treaty has been the fact that most of our partners have failed to discuss the matter in great depth. The reason for that is not too difficult to find.

My contacts with continental politicians have led me to believe that, largely because of proportional representation, which makes their position dependent on their place in the lists prepared by their parties, they have an arrogance towards public opinion that no British politician could afford to share. That is why there has been no full debate. My hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) mentioned Italy, and it is significant that even Italy is now realising the errors of its ways and may turn towards our system of electing Members of Parliament.

Mr. Thomas Graham (Renfrew, West and Inverclyde): May I suggest one scenario to the hon. Gentleman? I support the referendum and I will vote for it tonight. But I have had tremendous difficulty in following the Maastricht debate, and I have received only one letter on the subject since it all began—and that told me to support the referendum.

The important factor is that I fully support the social chapter, and I sat here for two days waiting to speak in the debate on it, but was denied the chance to do so. If there were a referendum, the people of Scotland, and of Wales and of England, the working-class voters and the unemployed, would turn down the treaty if they did not get the right to include the social chapter. We must be sure that any referendum includes a reference to the social chapter.

Mr. Fry: I hope that the hon. Gentleman will not ask me to comment on the literacy of his constituents in comparison with the literacy of mine, but I have certainly had considerably more than one letter about Maastricht. The best way to obtain the answers to the questions that the hon. Gentleman wants to ask is to have a referendum.

Mr. Salmond *rose*——

Mr. Fry: Just a moment.

The most important argument is summed up in the answer to one question: have we in the House the right to give away substantial parts of our national sovereignty without the agreement of the British people? That is the fundamental question which every hon. Member must ask himself.

Mr. Cash: My hon. Friend could also ask whether, in aid of the parliamentary sovereignty to which my right hon. Friend the Member for Worthing (Sir T. Higgins) referred, we have the right to commit political suicide by handing over the whole system to the unaccountable, unelected central bankers, which will effectively prevent us from ever being able to reclaim the powers that the right hon. Member for Copeland (Dr. Cunningham), who led for the Opposition, claimed were irrevocable.

Mr. Fry: My hon. Friend makes the point that I was about to make. It seems that we are being asked to agree to an irrevocable treaty. However, I was always led to believe that each House of Commons, while respecting the decisions of its predecessors, is able to speak and decide for itself and make its own decisions—something which some critics of Parliament have called the tyranny of Parliament because of our power to make fundamental changes.

Mr. Salmond: The hon. Gentleman will have realised that the hon. Member for Renfrew, West and Inverclyde (Mr. Graham), in his own inimitable fashion, was simply allowing him to develop the argument that the way to get the referendum and the social chapter is to ask for a vote on the new clause, as my colleagues and I are proposing.

Mr Fry: If I were to respond in the way suggested by the hon. Gentleman, I would reduce my enthusiasm to vote for the referendum. Therefore, I will decline that invitation.

With this treaty, we are transferring more and more decision making and law making to an unelected bureaucracy in Brussels. The move to a single currency —we are committed at least to the first and second stages —will mean that the House will lose the fundamental control of taxation which I remind hon. Members was the main cause of the civil war of the 17th century. It goes to the fundamental duty of the House to control taxation and public expenditure.

I suggest that we have increasingly seen our traditional way of life being affected, even down to whether we can serve cream and jam teas at village fetes. The intervention in our way of life will increase unless we stop the nonsense emanating from Brussels. I am worried that, by our adhering to the terms of the treaty without gaining the consent of the British people, that interference can only increase.

Those of our countrymen who understand what is happening largely do not like it. At the very least, they are suspicious. If they are to be subjected to external rule, surely they have the right to be asked first.

Parliament is supposed to be the protector of our national liberties and freedoms. It is supposed to provide the legal framework within which our people live. That is why—this is very important—when the voice of the electorate has been heard at a general election, the electorate accept the changes of policy that are caused by a change of Government. That is why we are remarkably free of civil disobedience and riotous disturbances in this country.

We are a law-abiding nation because our people have trusted the law makers to act in the people's interest, not in the interests of the law makers. I accept that, in that, the Government are supposed to give a lead. The Government have to put forward policies. However, a wise Government do not live too far ahead or away from public agreement.

In exchange for what is effectively a social contract, our citizens have overwhelmingly supported our system of government. We have not had a serious revolution since 1745 and that was fairly bloodless. In exchange for that, the liberties and freedoms of the people being protected by Parliament, the people have been prepared in successive wars to risk their homes, fortunes and their lives for Queen and country.

Whether it was the thousands who were slaughtered in Flanders in the first world war, the few in the battle of Britain or those who went to free the Falklands, those me and women offered their lives in defence either of ou freedom or, in the case of the Falklands, the right of peop to decide their own future. That is the fundamental poin

In such circumstances, the people of this country allo us to exercise power on their behalf, knowing full well tha they can get rid of us democratically at the next genera election. I do not believe that they have given us in thi Chamber any permanent right to do as we will with thei liberties and freedoms. They have lent us this power on th understanding that he that giveth can taketh away if need be. What worries me is that once we have given it away, w cannot take it back. Surely hon. Members should b asking themselves: can we vote to reduce foreig interference in or domination of our liberties an freedoms? Majority voting in the new system and handin power to the European Parliament and the Commissio mean that we will simply be a smaller voice in a larger hole The best that we can hope for is a series of muddy compromises. We do not get much muddier deals than those that are done in Brussels, considering the massive fraud of the common agricultural policy and, indeed, the extravagance of the European Bank for Reconstruction and Development.

11 pm

How can we seriously keep faith with our people if we agree to the Maastricht treaty without giving them the opportunity to express their views? The right to vote was painfully won by the trade unionists, those who did not own property and the suffragettes. We do not have any right to reduce the value of what they painfully fought for over the years. Indeed, there is no point whatever in that struggle if we give away our sovereignty so easily.

The fundamental question is: who has the sovereign power? Is it the electorate, representing the nation, or the Houses of Parliament? I believe that Parliament expresses the power of the people on their behalf and speaks in their name, not in our name.

Mr. Nicholas Winterton: My hon. Friend heard the sincere speech of our right hon. Friend the Member for Worthing (Sir T. Higgins) about all hon. Members exercising—I think I have his phrase correct—their judgment on behalf of the people in the United Kingdom. I must ask my hon. Friend the Member for Wellingborough (Mr. Fry) a question because, clearly, he is reaching the end of his speech. After what has happened, are we able to exercise our judgment? Has not the most despicable, deplorable and disgraceful pressure been brought to bear by the party establishment to force hon. Members to act against their better judgment, against what they have experienced and overwhelmingly against the interests of their electorates and voters? The House is not supposed to exercise its judgment on the individual experience of hon. Members. This whole matter is a fraud and a charade, and Parliament should be ashamed of itself. I hope that my hon. Friend will refer to this matter.

Mr. Fry: I hope that my hon. Friend does not expect me to respond in the same animated way as he made his intervention. I admire him for not voting for any amendments tabled by the Government on the treaty. Tonight, I will vote for the new clause which, I hope, will bring about a referendum.

Sir Russell Johnston (Inverness, Nairn and Lochaber): Can the hon. Gentleman think of a better example of the operation of an independent-minded Member for Parliament than the hon. Member for Macclesfield (Mr. Winterton)?

Mr. Fry: No, I cannot.

Sir Russell Johnston: According to the Government, he should be de-selected.

Mr. Fry: I cannot think of a better example. The other 649 hon. Members are perhaps not so independent for a variety of motives, including loyalty. *[Interruption.]* The intervention of the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) has distracted me from my speech.

Unfortunately, it is probably true that in the not-too-distant future this ancient parliamentary building will become the council chamber for the north-west region of Europe. It should become the council chamber because there has been a gradual evolution in the thinking of the British people. In reality, the idea of a European state commends itself to the majority of people on these islands. But it should not be imposed on them. They should have the right to say that they would rather wait and retain the sovereignty that we have now.

As I said, hon. Members have to make up their minds. But I was not elected to the House to take part in such a scale of transfer of sovereignty as I believe that Maastricht will entail, and certainly not without the consent of the British people. The phrase "trust the people" was scoffed at by one hon. Member. I would rather turn it round the other way. If we cannot show that we trust the people, why should they trust us?

Mr. Mike Watson (Glasgow, Central): This has been a good debate and a full one. I have certainly enjoyed many of the speeches by hon. Members from various parties. It is entirely appropriate that we should discuss this fundamental issue not only in the context of Maastricht but for broader constitutional reasons. I believe that a referendum can be appropriate within the terms of our parliamentary democracy, depending on the issue that is to be decided.

The Maastricht treaty and its ratification is self-evidently an issue on which a referendum is appropriate. I am not of the view that a referendum would threaten our system of representative democracy to any significant extent. One of the problems with those who argue along those lines, as some have this evening, is that they assume that because we are elected to Parliament for terms of four or five years, we have the power to exercise judgment on behalf of our electorate on every issue which arises, even those which arise after a general election and those on which we may not have any opportunity to sound out opinion in our constituencies.

That brings me to a specific point about the debate on the referendum on the Maastricht treaty. It has been said before, but it bears repeating. There was no serious debate on Maastricht during the 1992 general election campaign or the period immediately before it. It could not have been the case. The treaty had not even been published in English by the time of the general election. So it could not have circulated or been discussed. It certainly was not discussed openly in the general election campaign.

It has also been said that all three major political parties came out in favour of ratification of the treaty. So anyone who wanted to express a different view was left with merely the possibility of abstention. That is hardly the way of advancing a representative democracy. So when we talk about representing people we have to be clear that we have a grasp of what their views are and what they think are the issues.

My impression from my constituency and from talking to other hon. Members here is that the general public in Britain have a poor understanding of what is in the treaty, what it stands for, and what its effects could be. We all share the blame for that. We should have taken the debate out into the constituencies. Some of us have done that. It has been difficult, but it has not been done to a great enough extent.

Mr. Rupert Allason (Torbay): Does the hon. Gentleman agree that, after a three-week campaign in which the issues could be debated on television and there could be many public meetings, the British public would be much better informed?

Mr. Watson: Absolutely. I am convinced that they would be. I had the privilege of spending some three weeks in France last summer during the referendum campaign. Whatever one may say about how the issues became tied up with Mitterrand, economic policy and the decline of the socialist party, it was clear that the issues were put before the French people. The issues were debated every evening on television. There were public meetings in the smallest village halls.

People got involved in that campaign. Whether they voted for or against the common agricultural policy or Mitterrand, people were informed and were able to make their decision on the Maastricht treaty on the basis of the information and the effects that it would be likely to have. Although I personally happened to be disappointed with the outcome, the referendum was a clear plus for representative democracy in France. We could benefit from a similar exercise in the United Kingdom.

The question of threats to our representative democracy have to be tempered with considerations such as the hon. Member for Macclesfield (Mr. Winterton) mentioned a few minutes ago. He said that pressure had been put on hon. Members on all aspects of the Maastricht treaty. If individual Members could arrive at their own decisions, the argument that a referendum would be a threat to our democracy would carry more weight. Of course, that is not the case—many of them are not permitted to do so, particularly Government Members, but also Opposition Members.

Mr. Bill Walker: I thank the hon. Gentleman for giving way. He is always courteous to me—he is my pair. Does he agree that one of the problems in Scotland is that we fight a constitutional battle at every election? The constitutional issue is constantly at the top of the Scottish agenda at election time. One of the dangers faced by Parliament is that, if we do not give the Scottish people an opportunity to express a view on whether or not they want Maastricht —which they did not have at the general election—it could have fundamental implications for the unity of the United Kingdom. The hon. Gentleman and I both know that the conduct of the official Labour party tonight will have considerable impact because the hon. Member for Banff and Buchan (Mr. Salmond) and others will exploit it.

Mr. Watson: It is interesting that the hon. Gentleman links the issue in Scotland to the constitutional position. I do not believe that the 1992 general election gave anything other than a clear expression of the views of the Scottish people and what they want constitutionally. However, their wishes were denied by the hon. Gentleman's colleagues in Government. Therefore, there is a clear case to be made for having a referendum in Scotland on the constitutional issue. My party and I are in favour of that, and as the hon. Gentleman is nodding vigorously I take it that he has now come round to that view, which I very much welcome.

On the aspects of representative democracy, I was interested in one comment made by the right hon. Member for Worthing (Sir T. Higgins) who is not now present. He said that if we had a referendum campaign and put the arguments to the people, the decision would be made at an appalling superficial level. That argument makes two assumptions. The first is that the people of this country would gain no understanding from the referendum campaign, which is not true; they would undoubtedly get hold of the issues. The second assumption is that most hon. Members understand the treaty, its implications and why they have been voting as they have for the past four or five months. I believe that only a minority of hon. Members have anything other than a flimsy grasp of the issues. But we are suggesting that the people could not pick up the issues—they are more intelligent than hon. Members give them credit for. We are prepared to take the people's views once every five years, but not more frequently. A referendum campaign would undoubtedly serve the valuable function of informing people.

I am in favour of referendums on constitutional issues, and those held in this country have been on that basis. However, they have also—crucially—been about the transfer of power. That theme ran through the Northern Ireland referendum on the border issue in 1973, the membership of the European Community referendum in 1975—if anything was ever about the transfer of power, that referendum certainly was—and the Scottish and Welsh referendums which were about transferring power from Westminster to Scottish and Welsh Parliaments. It is also the issue dominating the Maastricht debate.

I am passionately pro-European, but am concerned about the Maastricht treaty, particularly economic convergence, which is why I shall not support the treaty's ratification. The treaty involves the transfer of power and the loss of power, certainly in terms of economic and monetary policies. I believe that such fundamental issues will adversely affect my constituents, which is why I oppose ratification of the treaty.

I am in favour of a referendum, which is a legitimate means of enhancing our democracy, not undermining it. I deplore the suggestion that those of us who support a referendum do so simply as a device to wreck the Maastricht treaty, which is not true. Hon. Members have stated their case today and some who are in favour of the treaty are also in favour of a referendum.

To make a purely party-political point, the Labour party changed its policy in the early 1970s to one of support for a referendum during the term of the Government led by the right hon. Member for Old Bexley and Sidcup (Sir E. Heath). The Labour party position changed prior to the 1974 general election, and the party entered the election advocating a referendum.

11.15 pm

The evidence is that it was a popular decision. People welcomed the opportunity of being consulted and having their opinions canvassed. As far as any polling evidence is available, the Labour party benefited and was successful in both the 1974 elections. It is popular with the people. Although they give us a certain amount of power as their representatives, people feel that they should have their say on crucial constitutional issues.

I should like to refer to an issue that has been discussed earlier this evening—the interesting decision by the Scottish Trades Union Congress to change its position in favour of a referendum. It should be stated that that was not the only motion discussed today. I shall read out the motion which established that position. It states:

"That this Congress appreciates the Constitutional importance of the Maastricht Treaty and therefore urges the Government to organise a referendum on the Treaty before a Parliamentary vote.

Such a referendum should be the conclusion of a wide-ranging debate on the details of the Treaty and the further impact on the British and Scottish people."

It is interesting in that it represents a change of position and reflects the mood of the times. In Scotland that would be in favour of a referendum on our constitutional settlement, so it would be inconsistent not to support a referendum on Maastricht.

The motion also has to be set in the context of the STUC policy on the Maastricht treaty. I shall read out a paragraph of a motion which states:

"Congress calls on the General Council to campaign against the terms of the Maastricht Treaty, to demand that the British Government immediately revokes its assent to the Treaty and to call for a referendum by which the British people can freely express their own will on this matter."

That was an anti-Maastricht motion and it was overwhelmingly defeated this afternoon, shortly before the motion in favour of the referendum was carried.

The STUC is not in favour of a referendum because it is against the treaty; it is in favour of ratification of the treaty yet still sees the benefit of a referendum so that the people of the United Kingdom can have their say. That reflects the need for people to be consulted. The people put their trust in us and we should have the confidence to put our trust in them on such a fundamental issue.

Another matter that carries some weight was raised by the right hon. Member for Worthing. He said that we have already endorsed the Bill on Second Reading and it is likely to be further endorsed within this Parliament. He asked how that would sit with a decision of the people of the United Kingdom if they were to vote against it.

Those of us who advocate a referendum are not doing so simply because we want to see the treaty wrecked. I do not know what the outcome would be. Thinking back to the 1975 referendum, there was certainly great imbalance in the way in which the arguments were presented. The media came down on one side as did many of the resources which industry and political parties were able to command. I suspect that it would be little different if we were to have a referendum on Maastricht and that in itself may prove sufficient to sway the decision.

I do not know how it would turn out. I know how I would want it to turn out, but we cannot predict with any certainty because in many cases money brings power and influence and arguments become clearer if they are backed with sufficient resources.

I do not see why a referendum would cut across our parliamentary democracy. We make decisions here as

Members of Parliament, but that does not stop us consulting people and saying, "This is what we think, what do you think?" If people say that they want something different, that does not necessarily mean mass resignations and the fall of the Government. We put our trust in the people and say, "This is our view, you can accept or reject it, but we shall let you decide". That is what democracy is about.

Mr. John Carlisle: I have made very little contribution to these debates over the past few weeks, but I have been watching and listening to what has been going on. I congratulate my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) on a most splendid speech. We expect of him the patriotism he showed, and it was appreciated by both sides of the Committee. During the past few weeks, some men and women here present have fought an historic battle against the biggest threat that the House has faced for many centuries. If we ratify this most awful treaty, our children and grandchildren will look back on the event in sorrow.

We all admit that this subject has not caught the public's imagination, as judged by the number of letters they write, although those of us who have shown our dissent from the treaty have probably received more correspondence than others. It has also been remarkable to see, over these weeks, how those who have attended and spoken in our debates have, almost to a man and woman, been those who oppose the treaty. Those who vigorously support it have been conspicuous by their absence: they have rarely been here, with one or two notable exceptions.

The trouble for the Government began when, after Second Reading, they took it for granted that all would be well. Having gained a massive majority last May on Second Reading, why did they not crack on with the Bill to ratify the treaty? The Prime Minister and Government told us that it was because the Government wanted to take stock and sound out opinions, and that there would be a paving debate in November when the House could express an opinion.

When that paving debate arrived, as my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) has described, the most disgraceful tactics were used to get people into the Lobby to support the Government. Right at the death, before the vote, some shoddy deals took place, across the Floor of the House as well as within our party. The tragedy of that evening was that the Government failed to realise that the warning shots that were fired, in a debate that would have no effect on the treaty, were expressions of real opinion. With the narrow margin of three votes, they decided to bully their way ahead and push the Bill through as fast as they could. That was a serious error of judgment, both by the Government and by the Prime Minister.

Mr. Barry Sheerman (Huddersfield): Did not those shoddy deals include some by the Scottish National party, whose members are not even in the Chamber?

Mr. Carlisle: I have never been and am never likely to be privy to the deals made between the occupants of the Front Benches, and I have no intention of ever sitting on the Front Bench—not that any Government would have any intention of putting me there. But certainly, if the rumours are to be believed, shoddy deals were struck, and a great many people should be ashamed of the way they behaved.

Sir Teddy Taylor: Although the Scottish nationalists did engage in a dreadful deal, they have tried to redeem themselves tonight by offering the Labour party the chance of getting its glorious social chapter if its members will vote for amendment (a) to new clause 49 tonight. If the Opposition really care about the social chapter—I do not believe they do; it is a load of rubbish—they can have it tonight, so should they not be grateful to the Scottish nationalists for giving them this glorious chance?

Mr. Carlisle: My hon. Friend rightly points out the divisions between the various opposition parties, but there are also divisions on our side. Many of us have been deeply hurt by the ministerial insults to which we have been subjected. During the summer, we were called naive and described as pigmies, yet all we were doing was reflecting the opinions of our constituents, and expressing, as is our right and duty, the fears felt by them and others.

It ill befits a Government to take it upon themselves to insult their own Back Benchers, and it ill befits Ministers to refuse to go to various constituencies. Indeed, at our annual central conference, it was wrong for the chairman of the party to pick on individuals and to mount a vicious campaign to encourage constituents to turn against their Members. I remind the chairman that it is my party as well as his. I am sorry that he is not here to hear what has been said.

Mr. Budgen: Will my hon. Friend note that our right hon. Friend the Member for Mole Valley (Mr. Baker), who was a most distinguished former chairman of the party, has described the whole process as shameful?

Mr. Carlisle: Yes. It was interesting that my hon. Friend the Member for Buckingham (Mr. Walden), who originally indicated his dissent, then said that he would support what he called this wretched little Bill and in the end supported the Government. The whole saga has brought out the worst in the Conservative party. At times, many of us were ashamed to be members of it.

In the whole argument on the referendum, I cannot understand what everyone is so frightened about. Many hon. Members have said that we should trust the people, and that their opinion is worth having. As I told the hon. Member for Dagenham (Mr. Gould) during the Division at 10 o'clock, his speech was one of the most outstanding contributions that I have heard from the Opposition. He spoke much sense, in particular when he said that there was an arrogant feeling that the House always knows best and that the people do not know. As the hon. Member for Glasgow, Central (Mr. Watson) said, had we had a referendum, the information which people thirsted after would have been available.

Members of the Cabinet have admitted that they have not even read the treaty, yet they are pushing it through the House. Had there been a referendum early in the process, it would have provided a way out for the Government. They would have understood the deep-rooted feelings on this side of the House, which are expressed not just by those who have consistently, night after night, opposed the Government. To a certain extent, what sticks in our craw are those colleagues, many in ministerial office, who have gone through the Lobbies in support of the Government, as my hon. Friend the Member for Faversham (Sir R. Moate) said, with

[Mr. Carlisle]

clothespegs on their noses, because they do not like the treaty. Many have said to me, "Thank heaven there are those of you who are opposing it."

That feeling is reflected outside the House. I respect the decision of those Ministers of the Crown, and I am glad that they are in government to reflect my view. Long may they stay there; but the day may come when they have to ask themselves why they stayed in office and did not follow their consciences, as the rest of us have done.

Like my hon. Friend the Member for Wolverhampton, South-West, I was originally against the idea of a referendum when it was suggested by Baroness Thatcher. I thought that it would undermine parliamentary democracy and all that I had stood for in my 14 years here. I do not say now that I want a referendum, since in some people's eyes it might be because we were staring defeat in the face.

This is the largest constitutional crisis to hit the House. Hon. Members have referred to how much things have changed since the treaty was signed. They may still change. The Danes have still to vote. The Germans are in the courts. The French have had an opinion poll since their referendum, with 60 to 70 per cent. saying that they wish they had voted against the treaty. So opinions have changed. The Government should have recognised that. To plough on willy-nilly, as they have done, totally disregarding the will of the people, is wrong.

Mr. Nicholas Winterton: I think that my hon. Friend is coming towards the end of his speech, but he has not yet directed his attention to one of the real failures of the debate. It is that, on most occasions, the Government, who are so keen on the treaty, have entirely failed to answer the debate. I have great respect for Ministers, but surely in such a debate, and especially in Committee, the Foreign Secretary, the Minister of State, Foreign and Commonwealth Office, the Paymaster General or the Financial Secretary to the Treasury have a duty to Parliament and through it to the people to respond, so that, at the end of the debate, people will at least know the Government's position.

11.30 pm

Mr. Carlisle: I agree with my hon. Friend. In speeches that I have heard, Ministers have spent the whole time defending what they say is not in the treaty. They have spoken about so-called misinterpretation by my hon. Friends who have picked up, line by line and comma by comma, the implications of——

The First Deputy Chairman: Order. Perhaps we could hear a little about the referendum.

Mr. Carlisle: I apologise, Mr. Lofthouse. My hon. Friend the Member for Macclesfield (Mr. Winterton) diverted me.

During debate in Committee, and as the argument, albeit low key, has raged throughout the country, so opposition to the treaty has hardened. The number of hon. Members voting against amendments and not supporting various new clauses has been consistent or has increased.

I and some of my hon. Friends are a bit long in the tooth, but some younger hon. Members have been under great pressure. One would have thought that they would buckle, but opinion in this place and outside has remained consistent. About 73 per cent. of people want a referendum and would vote no, and that percentage has remained consistent for months. That is why it is remarkable that the Government have chosen not to have a referendum.

Those who are most keen on a referendum were mentioned by my hon. Friend the Member for Wellingborough (Mr. Fry). They are the older people who fought in the war. Hon. Members have had many discussions in the houses of those who fought for their countries and came through the last world war and other wars. Those people cannot understand how their beloved House of Commons and their representatives are selling them down the river.

Mr. Graham: Will the hon. Gentleman give way?

Mr. Carlisle: Yes, because I have a certain affection for the hon. Gentleman.

Mr. Graham: As I have said, I am in favour of a referendum for many reasons, but I shall not go into them in an intervention. Plainly, if people in Britain saw the social chapter included in the treaty, the Government's reputation might be improved a bit. As long as the social chapter is not included, people will see the Government as hoodwinking them. I am sure that hon. Members remember the campaigning in the run-up to the referendum in the 1970s. We were told, "When we join the Common Market, we will have bigger pensions and more jobs and holidays. We will do really well." I remember that campaign on the streets of Govan and Linwood. We were about to enter a bonanza land. Now those Ministers are telling us, "That is not on. It is too costly."

Mr. Carlisle: I shall not be drawn on the social chapter. My affection for the hon. Gentleman may lessen, and in future I may buy him singles rather than doubles. However, I am grateful to him for his intervention.

My hon. Friend the Member for Southend, East (Sir T. Taylor) drew attention to one of the most helpful remarks in the debate. It was made by the right hon. Member for Copeland (Dr. Cunningham), who said that nothing was irrevocable. The right hon. Gentleman, who is not here to defend himself, has either not read the treaty or has not fully understood its implications. The tragedy of the whole process is that, once we pass the Bill and ratify the treaty, there is no going back even if decisions were wrong. A referendum would enable us to hold back and say, "No, we are not happy with the way things are." I fear that, in this case, it is not the British House of Commons. Governments cannot come back and overturn decisions. That power has gone, and gone for ever.

The second point concerns the myth that is put about —I regret to say, by some of my hon. Friends—that we should pass the Bill because the treaty will never happen. That is the most spurious and defeatist of arguments.

Mr. Nicholas Winterton: And dishonest.

Mr. Carlisle: It is dishonest. If we work on the theory that we should pass legislation, or, in this case, ratify a treaty because we think that it will not in the end affect us, we are all wasting our time. Many hon. Members have used that theory as an excuse not to join us in opposing the treaty. The people must have, and should be given, the

chance to express their opinion, which I know would reflect that held by right hon. and hon. Members on both sides of the Committee who oppose this wretched treaty.

Mr. Charles Kennedy: The speech of the hon. Member for Luton, North (Mr. Carlisle) showed yet again—it has been a feature of almost every speech from a Conservative Member, not just in tonight's debate but in almost every debate that we have had on any aspect of the Bill—the private horrors in the Conservative party, with pressure being put on Back Benchers, and all the rest of it. We appreciate that the Government must try to get their way, but the referendum issue has a distinct nature, quite separate from trying to change this or that part of the Bill, or to put in the social chapter rather than leave it out. Therefore, if there were one issue on which it would have made eminently good sense for the Government and, for that matter, the Labour party simply to have a free vote to find out the sentiment of the House, it was a referendum.

When my right hon. Friend the leader of the Liberal Democrats first mentioned his preference for a referendum some months ago, it was made clear then, and I make it clear now, that it causes us no difficulty that there are differences within the party. For example, my hon. Friend the Member for Inverness, Nairn and Lochaber (Sir R. Johnston), who has been most active during the debates on the Bill, will assuredly vote against the new clause that is aimed at introducing a referendum. I have worked with him throughout the proceedings on the Bill, and I shall be voting for a referendum. That makes no difference, given that we share an identical view—that Maastricht should be ratified and built on along lines that would not find favour with any of the Euro-sceptics on either side of the House, as we should like Europe to go in a more federal direction. We feel that we can hold that view while having open and honest differences about whether the British people should be consulted on the Bill.

Mr. Austin Mitchell: Does the hon. Gentleman agree that, with such an astonishing record of consistency, with such defence of fair and democractic principles, with such courage, the Liberals should be interested in having their peformance brought out in the prime-time debates rather than carrying the whole thing through at dead of night, as they conspired to do by voting with the Government on the 10 o'clock motion?

Mr. Kennedy: I could not agree more with the hon. Gentleman. We were anxious that today should be a clean debate on the referendum in prime time, and I regret that the right hon. Member for Chesterfield (Mr. Benn) scuppered today's proceedings by tabling a motion attacking the Chairman of Ways and Means and taking up three hours of our time in a debate on that. If there are criticisms, they should be directed towards the right hon. Gentleman, not towards the Liberal Democrats.

Mr. Michael Spicer (Worcestershire, South): I ask this question because I genuinely want information. The rumour around the tea rooms and corridors is that the Liberals are split on the issue. Is the hon. Gentleman carrying the whole of his party with him in what he is saying?

Mr. Kennedy: Given that intervention, I am beginning to feel some sympathy for Ministers who have been trying to get their message across to the furthest reaches of the Back Benches. If the hon. Gentleman looks at the record tomorrow, he will see that I began by saying that there should be a free vote, and that there are different views among Liberal Democrats. I cited the example of my hon. Friend the Member for Inverness, Nairn and Lochaber who holds views on the referendum that are the opposite of mine.

Mr. Bill Walker: Will the hon. Gentleman give way?

Mr. Kennedy: The night would not be complete without the hon. Gentleman.

Mr. Walker: Does the hon. Gentleman wonder how hon. Members who represent Scotland and who regularly advocate referendums on matters affecting Scottish constitutional issues can tell their constituents that they could not support a referendum on the treaty? The hon. Gentleman approves of it—I do not—but he must recognise that it has massive constitutional implications. Does he think that it makes any sense for those hon. Members to tell their constituents that they will not support a call for a referendum on the treaty, when they constantly call for a referendum on Scotland?

Mr. Kennedy: That is somewhat off the point, but I am in favour of referendums on Scotland and on Maastricht. One could argue that the nature of the treaty, which involves other powers and other countries, albeit within the EC, means that a referendum on it would be of a different nature from one that would pertain only to our constitutional arrangements. I would not argue for such a distinction, but I appreciate that it could be made.

Mr. Nicholas Winterton: Will the hon. Gentleman give way?

Mr. Kennedy: Yes, but I must then make progress.

Mr. Winterton: I genuinely like the hon. Gentleman, although I disagree with his views. On this issue, however, we are as one in our support of a referendum on the treaty. Does he accept, however, that he was unfair on the right hon. Member for Chesterfield (Mr. Benn) when he said that that right hon. Gentleman had wasted more than three hours of our time? Tomorrow has also been allocated for further progress on the Bill, when we will merely debate issues on which both sides of the Committee appear to be united. Why should we proceed after 10 o'clock to debate a matter that could be debated tomorrow? If the hon. Gentleman and his colleagues had supported those of us who opposed the lifting of the 10 o'clock rule, perhaps we would have got what we all desired.

Mr. Kennedy: I thank the hon. Gentleman for his complimentary opening comments. We are not privy or party to what the hon. Gentleman's business managers and Whips decide about certain amendments. The hon. Member for Dagenham (Mr. Gould) spoke about deals, but my party has not been party to any. We cannot plan on the basis of possible Government action; that is a matter for them.

It is clear from the debates that have taken place in the Chamber and outside throughout this whole drawn-out process that the social dimensions of the treaty remain profound and politically charged. Whether the Government are attempting to weave, take the sting out or avoid defeat tomorrow, it is important that the debates on those dimensions are rehearsed then, especially if one subscribes to the view held by the hon. Member for

[Mr. Kennedy]

Macclesfield (Mr. Winterton) and many of his hon. Friends about the importance of our forum as the cockpit of the nation. Those debates should take place whether or not the Government have staged a tactical retreat in advance.

The precedent for a referendum on constitutional issues has been established in all four parts of the United Kingdom. Other countries have also held referendums in the course of ratifying Maastricht. I share the hostility that is expressed when we are told that the issues are too complex for the people to understand. That is an awful slippery slope and the thin end of the wedge. Our people have a good democratic track record based on constitutional history and I cannot believe that they would not understand the arguments if they were thrashed out in a referendum campaign, especially when the people of Denmark, Ireland and France were capable of doing so. When people say that it is all too complicated for the typical citizen and the average voter, that reveals more of the arrogance of those who make the assertion than the intelligence of the voters to whom the proposition is being put.

Mr. Donald Anderson: The answer is, as President Mitterrand said, that the people will answer the wrong question, not that the question is too complex. They will answer the wrong question because the response will reflect the view of the Government of the day. The French referendum was about the standing or otherwise of President Mitterrand, views on immigration and views on agriculture—issues which were all unrelated to the Maastricht treaty. I took part in the French referendum and I know that Maastricht played a small part in the decision of the French people. That is the danger of referendums, not the complexity of the issue.

11.45 pm

Mr. Kennedy: Any Member sitting on the Opposition Benches, irrespective of the party that he represents, probably thought just over a year ago, "The damned people of this country made the wrong decision." How inconvenient and troublesome it was for us, but in their wisdom that was the decision that they took. I revert to the thin-end-of-the-wedge argument: if anyone fears that the people will answer the wrong question, or answer the right question but not give the answer that is wanted, which is another way of putting the same thing, he is embarking on a dangerous road.

Sir Russell Johnston: Will my hon. Friend give way?

Mr. Kennedy: I shall happily give way to, perhaps, my former hon. Friend.

Sir Russell Johnston: My hon. Friend has suggested that those who are opposed to referendums might be arrogant. He referred to the referendum in Denmark and asked why there could not be one in the United Kingdom. Does he recall that it was established after the referendum in Denmark that about two weeks before it took place about 28 per cent. of the Danish population had never heard of Maastricht?

Mr. Kennedy: Those of us who have sat through the night over the past few months considering the Maastricht treaty might think that the 28 per cent. were blessed. I would say to my hon. Friend, or my party colleague, which is how I would describe him in this instance, that in the United Kingdom the arguments have been pretty well thrashed out when referendums have taken place in the past. The media—especially the television medium—have performed a valuable role in giving a considerable amount of coverage to referendums. I should like to think that the percentage of those in the United Kingdom who had not heard about Maastricht would be considerably smaller than in Denmark.

I must make that the last intervention because I want to——

Sir Terence Higgins: Will the hon. Gentleman give way?

Mr. Kennedy: No, I will not give way to the right hon. Gentleman. I have given way to him already. I must move on.

Maastricht is a constitutional issue. I have much sympathy with the so-called Euro-sceptics as they have dissected the various aspects of the treaty. They have examined citizenship, the meaning of a European union, the provision of a central bank and the longer-term development of a single currency, which are all issues of massive constitutional import for the United Kingdom. It is the Government Front Bench that has bedevilled the entire process. There are those who have told the truth as they see it. They have expressed their views honestly and openly as they see them. I should like to think that my right hon. and hon. Friends and I have done so. On many occasions we have been in the minority, but we have talked about the way in which we would like to see Europe develop.

I acknowledge that many of those who are dead against Maastricht, along with many other features of the European experiment or construction, have also spoken honestly. Unfortunately, the Government have not spoken out firmly and consistently for what they want from Maastricht. They have not set out their long-term vision because they have been trying to appeal to two irreconcilable audiences—those who are in the vanguard, as it were, of European development, who want to see Britain's future firmly enmeshed and integrated in the rest of Europe, and those who are not.

For as long as the House of Commons and the country generally suffer from that vacillation—the Prime Minister, the Foreign Secretary, the Home Secretary and their ministerial colleagues have been trying to square the circle—we shall not be able to say that we have distinguished ourselves with a sufficiently honest or open debate on an important treaty. That is one of the reasons—in regard to Maastricht itself—that lead me to believe that we should secure a more open and honest debate if that debate were thrashed out up and down the land.

I subscribe to some of the criticisms that we have heard tonight and on other occasions. It has been pointed out, for example, that we have had to sit late into the night; certainly we have used our votes to facilitate that, because we want the treaty to be ratified. I should like to think, however, that if a message has emerged from the way in which this extremely important matter has been handled by the House of Commons, it relates to the overwhelming case for reforming our own procedures.

It is high time that we started sitting in the mornings, sitting earlier and more constructively in the afternoons and using prime time in the sense that that is recognised by

people outside—that is, normal working hours. The public should see major decisions being made—big votes being taken—early in the evening, perhaps after a day's debate. I should like to think that a referendum campaign could be broadened to cover more than Maastricht itself, and to deal with what the handling of the treaty has revealed about the mechanisms of the House of Commons.

There is, without doubt, a sense that the politicians are out of step with the electorates. We have seen that in the United States, with the phenomenon of Ross Perot's taking nearly 20 per cent. of the vote; we have seen it on the continent, where people are turning increasingly to right-wing leaders of a rather unpleasant variety. It may be the result of the recession; it may be because the political classes have been seen to be talking about Maastricht in what is all too often an exclusive way, not including the public. That is a dangerous position to get into in any individual democracy. It is particularly dangerous when we are trying to weld together a complicated European Community, leading on to a European union that is, itself, a hybrid or mosaic composed of a number of democracies with different traditions and attitudes.

I believe that a referendum at this stage would be a useful way of forcing all of us to go out and explain to our electorate, in as much detail as we can, what the treaty is about and our individual attitudes to it. We might find at the end of such an exercise that there was less distance between this place as an establishment and the country as a whole, and I believe that that would be healthy for democracy itself.

My final point has already been raised by the right hon. Member for Copeland (Dr. Cunningham). He said that, at the end of the day, he did not believe that a referendum would solve the issue, just as Harold Wilson's referendum in the mid-1970s on the renegotiated terms of the Common Market did not resolve that issue. I hope that the right hon. Gentleman is right; I hope that a referendum would not resolve the issue. The whole point of a referendum is that—like a general election—it provides a snapshot of public opinion on a particular day. It does not show the whole film; it shows one frame out of the reel. In any democracy, the campaigns and debates of both sides will go on. They will not end when the ballot boxes have closed on a particular day of a particular month in a particular year. When the treaty has been ratified—as I hope that it will be—there will be another intergovernmental conference in 1996, and decisions will flow from that. There will be more heated arguments in the House.

Mr. Donald Anderson: There will be another referendum.

Mr. Kennedy: Whatever the Government of the day, if it comes to a proposal for a single currency, for instance, the House of Commons might well decide on a referendum. Why not? We, as democratically elected Members of Parliament, are obliged to renew our mandate every four or five years; equally, when the very basis of our parliamentary democracy is involved, I see no logical reason for us not to try to renew our mandate for Britain's continued involvement in Europe—and for the deepening of that involvement in a more federal direction, which I should like to see.

Although at times our proceedings have been neither neat nor elegant—we have not distinguished ourselves in our handling of the treaty so far—we can go a long way towards improving our reputation by putting the question to the people. I do not believe that we have anything to fear. Despite the strong sentiments expressed here and the reservations expressed outside, I am confident that a vigorous referendum campaign on the Maastricht treaty —which would oblige party leaders and others to line up, broadly speaking, in its favour—would produce a yes vote. That would lead to the authority of the House being strengthened and to the role of this country in Europe being strengthened, too.

[Mr. Kennedy]

Mr. Hurd: Tonight's argument is full of echoes from the past. It started many years ago. In 1972, Parliament passed the European Communities Act. Thus, 20 years ago Parliament enabled the Government of the day to ratify British accession to the treaty of Rome. We thereby then, in 1972, committed ourselves to the defined aim of that treaty—the ever closer union of peoples. We thereby then, in 1972, agreed a system of European lawmaking which we have practised ever since as members of the Community.

When I listen to and read the report of the debates in this Committee, I am struck over and over again—and yet again tonight—by the way in which criticism centres not so much on the treaty of Maastricht as on those two aspects of the treaty of accession. It centres not on the proposals of 1992 but on the decision of 1972. That came through very clearly when I listened to the speech by my hon. Friend the Member for Wellingborough (Mr. Fry).

When I put that point to my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), he partially accepted it. It was in 1972 that the House faced, and resolved, this fundamental question of the relationship between its powers and British membership of the Community. As I listened to my hon. Friend the Member for Aldridge-Brownhills when, in an eloquent and remarkable speech, he moved the new clause, the echoes were very clear. The arguments, almost the words, were those used by another eloquent and remarkable parliamentary orator, the former Member of Parliament for South Down. The echoes were unmistakable.

Mr. Benn: The point that the right hon. Gentleman makes confirms everything that we say: that in 1972 there was no popular consent. The argument was never presented to the public. The decision was imposed by the Government—whether he was a member of it I cannot remember—on the House of Commons against the wishes of the then Opposition. The right hon. Gentleman is right: the Government have never won public support for that transfer of power. Even in 1975 it was a bit too late, but even after the 1975 referendum there remains deep public hostility, because those who advocate a federal Europe have never had the guts to tell the public what it is really about.

Mr. Hurd: But the referendum that the right hon. Gentleman proposes would not alter that situation one whit. It would leave all the apparatus of the treaty of Rome, the treaty of accession, the 1972 Act and the Single European Act in place. That is exactly the point that I was beginning to make.

Three years later, in 1975, the Government who were then in power—the right hon. Member for Chesterfield (Mr. Benn) knows more about this than most of us—were divided on this issue and solved this critical internal problem by proposing a referendum. The Conservative party had to define its attitude. Its leaders knew that the motives of the Government of the day were not reputable. They were concerned to keep themselves in office, papering over this division over a central part of their policy.

If there were ever a case for holding a referendum on Europe, that case was stronger at the time of entry than it has ever been since, yet when the Conservative party in opposition in 1975 had to define its position it came out against a referendum, and it was right to do so. The reasons were spelt out on 11 March of that year by the leader of the party. It was her first major parliamentary speech as Leader of the Opposition. I joined almost all of my party, including many right hon. and hon. Friends here today, and went into the Lobby to vote against the holding of a referendum on our membership of the Community.

It is worth looking up that speech. It was a remarkable speech which took into account both sides of the argument. She pointed out that the 1975 referendum was not a principled constitutional innovation, as I have said. It was a device, but that did not dispose of the argument. There was a general constitutional argument which also had to be considered. She dwelt—and we need to dwell tonight—on the nature of our parliamentary tradition, and many hon. Members on both sides of the argument have done so.

12 midnight

I do not believe that our parliamentary tradition has failed, as has been suggested, to cope with the problem since 1972. With the Danes and the Folketing, we have the most highly developed system for the scrutiny of Community legislation. Our Prime Minister was the only leader to go to the Maastricht conference with a specific authority from his Parliament, which was then met in full.

It is worth running through the sequence of events to show how the parliamentary system has worked in this respect. On 20 and 21 November 1991, before my right hon. Friend the Prime Minister went to Maastricht, the House of Commons was asked to approve a motion endorsing his negotiating position and did so by a majority of 101. That was not necessary and probably not even usual before such a conference and negotiation. It was a precaution because my right hon. Friend the Prime Minister was anxious at all stages to carry the House—the previous Parliament—with him.

On 18 and 19 December, immediately after Maastricht, the House of Commons was asked to approve the outcome of the negotiation and did so by a majority of 86. In May last year, after the election, the present Parliament was asked to grant a Second Reading to the Bill, necessary for the ratification of the treaty, and did so by a majority of 244.

This is not an idle or atrophied system. It is parliamentary democracy at work, complete with imperfections—I agree with the hon. Member for Ross, Cromarty and Skye (Mr. Kennedy)—untidiness and arguments about procedure and when we should discuss this or that point. I do not give great weight to the argument that this was done blindfold because it took time to achieve and circulate an authentic full text of the treaty. Of course, it was not done blindfold. Parliament knew what was happening. Those who took part in the discussion at the general election knew what the treaty involved, and the blindfold argument does not stand up in real life.

Mr. Cash *rose*——

Mr. Hurd: May I just pursue this sequence of events?

Of course there was not a clash between the parties—there was a difference of emphasis—but I repeat what I said to the hon. Member for Dagenham (Mr. Gould). I do not like to toss around the word "arrogant", which has been tossed around, but his speech was a rather patronising lecture on the nature of parliamentary responsibilities. As I said when he was kind enough to give

way, I reject entirely the suggestion that there was a conspiracy to keep the silence on this matter, either in the general election or beyond. Personally, I can testify how often I tried to include in that campaign the speeches and broadcasts on the subject—admittedly for party political reasons, as I wanted to bring out the nuances between the parties. However, it was not possible to do so because, from the media's point of view, it was not a great issue.

Mr. Cash: Does my right hon. Friend recall that he advocated a White Paper during the leadership election campaign? Will he explain why we had no White Paper? Since Second Reading and our withdrawal from the exchange rate mechanism, and in the light of the Danish referendum, how can we give the same credibility to the Second Reading that we might have done in May last year? Does he agree that the circumstances have changed radically, as result of which we deserve a referendum?

Mr. Hurd: We had a White Paper on events in the Community, but as I recall it was made particular by a foreword by the Prime Minister. Of course events move on. I accept what my hon. Friend says about that. There were the Danish referendum and the events of 16 September, but the treaty is the same treaty. I do not accept my hon. Friend's analysis of the ERM. There have been many discussions about that in the Committee, and I do not accept that what happened revolutionised the situation in the way that my hon. Friend described.

I make this point gently, but it is odd that those who would put most emphasis on the sovereignty of the House believe that it needs to be buttressed, to put it mildly—I would say that it would be weakened—by recourse to a referendum on the matter before us.

I share the opinion of those who think that if there were a campaign a referendum would endorse the treaty. I cannot prove it, but I think it likely that once the phantasms were effectively swept away, that would probably be the result. We certainly are not taking our present line because of fear of a negative result.

Mr. Christopher Gill (Ludlow): I ask my right hon. Friend one question: does he believe that the majority of Conservative voters are in favour of the treaty on European union?

Mr. Hurd: I cannot prove it scientifically to my hon. Friend, but I believe that the answer is yes.

As Parliament is sovereign——

Mr. Budgen: Will my right hon. Friend give way?

Mr. Hurd: I shall get on a bit, and then I shall give way to my hon. Friend, as I believe that I always have done.

As Parliament is sovereign, it is clear that it could decide to hold a referendum, which it could either accept or reject. It could certainly choose, as it has before, to ask for advice from those who sent us here. But I return to the fact that we owe our constituents our judgment, and if we decline to exercise that judgment we are to some extent damaging the authority of Parliament.

Many people can be quoted on both sides of the argument. One of those is certainly Winston Churchill. My hon. Friend the Member for Faversham (Sir R. Moate) referred to him. When the point came up in 1911 Churchill said:

"We believe in democracy, we believe in representative institutions, we believe in democracy acting through representative institutions . . . We believe Members of Parliament are representatives, not delegates. We believe that Governments are the guides as well as the servants of the Nation."

I readily acknowledge that Churchill can also be quoted on the other side of the argument, but when he held the opposite view in 1945 the normal constitutional procedures were in suspense, as my hon. Friend would agree.

My right hon. Friend the Baroness Thatcher quoted Dicey in her speech in 1975, but, as my right hon. Friend the Member for Worthing (Mr. Higgins) said, Dicey too, went through a flip-flop. He was against referendums in one edition and in favour of them in another, when he passionately opposed home rule. Then he reverted to wisdom in what I believe was his final edition, and he was against referendums again. One could now also quote my right hon. Friend the Baroness Thatcher on both sides of the argument, but it might be prudent to resist the temptation to do so.

Mr. Budgen: May I refer my right hon. Friend back to the question that my hon. Friend the Member for Ludlow (Mr. Gill) asked him about the balance of opinion within the Conservative party? Judging by his own local party, does he agree that it is probable that about half the Conservative party in the country opposed the treaty? Yet out of a parliamentary party of 335 Members, only 26 oppose the treaty—between 8 and 9 per cent. Does that not show that, as a result of the pressures on the parliamentary party, we in that party do not even begin to represent the balance of opinion in the party outside?

Mr. Hurd: As I said to my hon. Friend the Member for Ludlow (Mr. Gill)—and I am not sure whether my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) has buttressed the argument—there is no scientific measure.

Like the Labour party, the Conservative party has a party conference. We had a trot around this course at the last party conference. We had a very lively debate in which I and others had the privilege to take part. We had a vote at the end of that debate and the result was very satisfactory from my point of view. That was after the Danish referendum and after the events of 16 September. That was the Conservative party in full plenary conference, expressing its views very substantially and clearly on that particular issue. We do not have quite the same rigid views about our party conferences as the Labour party, but my hon. Friend the Member for Wolverhampton, South-East is provoking me into making constitutional doctrine in this matter.

My hon. Friend the Member for Aldridge-Brownhills was absolutely right. The 1975 referendum is not the only referendum that has been held. However, it is not fair to go on to argue, as my hon. Friend did, being a little economical with history, that the referendum has become a normal part of our constitutional practice.

The strongest point in the armoury of my hon. Friend the Member for Aldridge-Brownhills was the Northern Ireland border poll. I accept that. It is the only example of a referendum being put into practice by a Conservative Government. Others have been toyed with for different reasons by leaders of the Conservative party, but they were not actually activated. In that, as in many respects, Northern Ireland is unique in the politics of the kingdom.

[Mr. Hurd]

An act of self-determination solely for the people of the Province was, and remains as it is still on the statute book, a reasonable technique.

I want now to consider the proposal for a referendum on this subject. We have contended throughout the debate that the treaty does not mark a fundamental constitutional shift. When we joined the European Community we joined a body with both an economic and a political dimension. If we read through the debates in 1972, through the literature of 1975 and through the document that the leader of my party sent to party activists during the 1975 campaign, the political and economic arguments for remaining in the Community are clear.

The doctrine of the primacy of Community law that lies at the heart of so many understandable criticisms about the nature of the Community is a doctrine of 1972, not of the treaty of Maastricht.

Mr. Donald Anderson: Is not that argument fortified by the 1975 referendum which surely cannot have been a decision on a Europe that was static and which would remain fossilised in the 1975 position? Inherent in that popular vote in 1975 was a vote for the dynamic Europe that would evolve.

Mr. Hurd: That is right. However, the hon. Gentleman's point begs the question of in which direction it should evolve and I will consider that in a minute.

The use of qualified majority voting is perhaps a test. It was not invented in the treaty of Maastricht. It is in the treaty of Rome. It received its greatest extension in the Single European Act. There was no referendum on that and precious little call for one.

The treaty of Maastricht adds to and, in some helpful ways, redefines and corrects the Single European Act and, I believe, is on the whole less constitutionally innovative than that Act. We have discussed subsidiarity and I will not repeat those arguments. Whether or not people believe that it is a weak or strong buttress, it is certainly an advance on the present position from the point of view of most hon. Members. That is an example of the point that I am trying to make.

Of course the treaty provides for the three stages of economic and monetary union. I deal with that point because many hon. Members have stressed it. In respect of the third stage of economic and monetary union, the only stage where compulsion comes into it, the Government have specifically and successfully reserved the decision for the House of Commons.

I will not go through all the details, but in other respects with regard to the treaty we have advanced our arguments and analyses. In the big new areas of European work, for the first time the principle of ever-closer union to which we have been committed since 1972 is defined in the treaty of Maastricht as co-operation between national Governments accountable to national Parliaments. It need not have been so. I mentioned that there was a Dutch draft in September which swept away that concept and put all European work under the court with the Commission having the monopoly initiative. We rejected that. The treaty that is before us is on a different basis.

12.15 am

Mr. Spearing: Does the Foreign Secretary agree that the treaty of union requires the whole to be under a single institutional structure, even allowing for intergovernmental matters? Does he agree that the intergovernmental mode, of which he and the Prime Minister have made great play, will be inevitably interlarded in meetings of various Ministers, including the Foreign Secretary, in the general council? Therefore, the two in practice, as distinct from law, will become increasingly indistinguishable.

Mr. Hurd: The single framework of which the hon. Gentleman speaks includes intergovernmental co-operation. That co-operation was not included before: it was always the Community. The question was: how far should the Community's jurisdiction and activity extend? We now have a new structure under the Council of Ministers—the heads of state and Government—but not under the Commission. We have a different structure which includes, for the first time, the two new pillars. The hon. Gentleman knows that that is the difference.

The House has the right and the capacity under our system to approve the treaty if it decides to do so. Other countries have referendums. Nine member states have proceeded through the parliamentary process and three have proceeded through the referendum technique. Having listened to my hon. Friend the Member for Wellingborough and others, there is one point that I must stress because it is a difference between now and 1975. The treaty of Maastricht is not a take it or leave it matter as far as the Government are concerned. It cannot be detached from the rest of the Government's programme. I do not know what Lord Wilson's Government would have done if the vote had been no. I do not know how on earth it would have managed to take out of its policies something which even then was clearly central. I do not know how it would have wrestled with that.

Ratification of the treaty lies at the heart of our national interest: it is not an optional extra. We have made that point in the House at the cost of some crtiticism and discomfort. Governments are elected to govern and, in this case, to propose, just as Parliaments in the United Kingdom are elected to decide and, indeed, to dispose.

My hon. Friend the Member for Faversham made a critique which was much fairer and more balanced than that of the hon. Member for Dagenham (Mr. Gould). *[Interruption.]* It is not "Oh, dear". I have noticed the way in which the speeches of my hon. Friend the Member for Faversham have evolved with the passage of time since the days 20 years ago—*[Interruption.]* I am embarrassing him so I will leave that train of thought—but it is true.

One point made by my hon. Friend was true—my hon. Friend the Member for Wellingborough also referred to this. It is true that a good many of those who have consistently argued in favour of a steadily centralising Europe have not abandoned that belief. They will continue to argue for it. They have received—and they know it—not a rout or total reversal but a check in the way in which the Maastricht treaty came out, compared with the Dutch draft which I mentioned. They will live to argue again.

My hon. Friend the Member for Wellingborough referred to Chancellor Kohl. Chancellor Kohl specifically rejects the notion of a super-state and specifically endorses

and emphasises the notion of subsidiarity. He uses phrases about a united Europe, just as Winston Churchill did. His question is: how is that defined?

I must quarrel with the point made by the hon. Member for Ross, Cromarty and Skye. I cannot accept that the Prime Minister and other hon. Members on the Government Front Bench have failed to set out the sort of Europe that they want. Time and again in the House and outside, we have said that we believe in a Europe which is enlarged beyond its present membership of 12, open trading and decentralising and which uses, makes a success of and keeps distinct the intergovernmental pillars in the treaty. We have set out the idea time and again. It can be realised only on the basis of the treaty. It certainly cannot be realised by tearing up the treaty. But on that basis I believe that once the treaty is ratified we can go ahead and play an increasingly influential part in achieving that type of Europe. That is certainly the aim of the Government.

Let us consider what would happen if the series of new clauses were passed. I shall not dwell on what would have to happen immediately. There would have to be legislation. We would have to spend many hours, days, even weeks, working out the question, the date and how the various organisations would be financed. We would spend many more days not on substance but on procedure. I am not sure that that is what is expected of us.

Of course, all that work would be justified if my hon. Friend the Member for Aldridge-Brownhills were right and we proposed constitutional revolution and destruction. I hope that I have demonstrated that the treaty does not represent that.

Mr. Graham: We have seen the House divided and many hon. Members have argued furiously about the rights and wrongs of Maastricht. We have spent months and months on it while unemployment has increased, factories have been closed, and people have died because they could not afford to live in this country. Surely if we had a referendum in three weeks it would be clear whether the people of Britain supported the Maastricht treaty or not. We could get on with normal living and hopefully make Europe a better place to live in. We cannot come to a final decision because the House is divided. So why not leave it to the supreme power in Britain—a referendum of the people?

Mr. Hurd: It is odd for a Member of Parliament, even the hon. Member for Renfrew, West and Inverclyde (Mr. Graham), to suggest that, because Parliament is divided and different views are strongly expressed, we should avoid or transfer the decision. That is an odd doctrine. Few major propositions in the House are not divisive in the sense that people argue about them strongly within and between parties. That is not normally regarded as an argument for refusing to take a decision on an issue when so much work has gone into its discussion.

Mr. Austin Mitchell: Will the Secretary of State give way?

Mr. Hurd: I wish to get on, if I may.

It is sometimes said that we have put the decision into the hands of the Danes. That is completely erroneous. The decision for Britain lies where it belongs—in the hands of the British Parliament. We are preparing, in an admittedly untidy, imperfect but I think lively way, for that decision with a thoroughness of parliamentary debate.

I want to deal with the nature of the debate. We need not be ashamed of it. The press has been much keener to report manoeuvres and excitements outside the Chamber than what has been said inside the Chamber. I have taken part admittedly in only two of the debates in the Committee. I suppose that they were two of the more interesting debates—on subsidiarity and on the common foreign and security policy. I have read the others.

Obviously, I believe that those of us who put our case on the two matters which I have mentioned, and on others, had the better of it. I believe that we showed that subsidiarity was a real concept and demonstrated the helpfulness of the common foreign and security policy based on co-operation. But I am sure that some right hon. and hon. Members who were critical of those parts of the treaty felt that they had the best of it. But no one who sat through at any rate those two debates—and I believe that the same is true of others which I have read—can deny that the debates were of high quality and that the informal coming and going of the Committee stage enabled it to be of high quality.

Ministers and, indeed, critics were exposed to a coming and going of discussion which I thought was considerably better than the reports of it allowed. The House was doing its job. The House is doing its job. It is preparing for the final decision which it will take on Third Reading.

Mr. John Wilkinson (Ruislip-Northwood): Does my right hon. Friend think that the quality of our debates was enhanced by the virtually indiscriminate use of the closure? On occasions Front-Bench spokesmen, and in the case of the citizenship debate the Home Secretary himself, did not even answer the questions and points that were put in the debate.

Mr. Hurd: I think that, as always, many criticisms could be made about the way in which our debates have been conducted, but I do not think that one of them could be that the Committee has hustled through debates on the Bill. I do not think that that would be the general view of those who have assisted in the votes and I do not think that the accusation of undue speed could accurately be levelled. Ministers have done their job of replying to the points made in the debate.

It would be wrong and foolish to abandon or transfer the work. It would be a shirking of the responsibilities that we were given only a year ago, and it would be a blow to the standing of the House in years to come. We would be saying to our constituents, "We have examined the matter, but we do not intend to take a decision. We have spent hours, days and weeks examining the issues and now it is over to you. We are going to throw the treaty, with all its diverse controversies and complications, into your laps to make of it what you will." I agree with the principles set out by Lady Thatcher in 1975. It cannot be right to refuse to do our job, so it cannot be right to accept the new clauses.

Mr. George Robertson: Unusually for a debate in this Committee, I am seeking to catch your eye, Dame Janet, in order to participate. I say "unusually" because on only one previous occasion has a member of the Opposition Front Bench chosen to participate at the end of a debate as well as at the beginning. My right hon. Friend the Member for Copeland (Dr. Cunningham) made only brief introductory comments, and many comments have been made by other hon. Members, so it is right and proper

[Mr. George Robertson]

that, as a member of the Opposition Front-Bench team which has come in for some attention during the debate, I should respond to some of the issues that have been raised in the interesting, wide-ranging and varied debate.

The issue is important for the Committee, which is why my right hon. Friend the Member for Copeland made the Labour party's position clear today. Our position should come as no surprise, as it was not adopted for the convenience of today or this stage of the Committee's debates. It was adopted after considerable consultation, and was finally decided on at the annual Labour party conference last October by an overwhelming majority.

In order to get the matter out of the way, I should first like to deal with the issues raised by the hon. Member for Banff and Buchan (Mr. Salmond) on behalf of the Scottish National party. If what I have to say seems arcane to hon. Members from south of the border, they should listen carefully. During the past few weeks only, the Scottish National party has been campaigning for a vote on the referendum and for the Labour party to join SNP Members in the Division Lobby to defeat the Government. The SNP has been advancing that argument on the basis of a thesis that to do so, and to defeat the Government and approve new clause 49, would bring down the Government—or, at the very least, force the resignation of the Prime Minister. The hon. Gentleman said that we would never be forgiven by the Scottish people for voting with the Government to keep the right hon. Member for Huntingdon (Mr. Major) in his position as Prime Minister.

It is on that basis that the Scottish National party has created its argument in the past few weeks. What evidence does that party have that, faced with the prospect of defeat this evening, the Foreign Secretary would say that it was a resigning matter for either him or the Prime Minister? I do not believe that they would resign. We know from experience what happened on the occasion when, in Committee, the Government were foolish enough to put a proposition to the vote and were defeated on the issue of the Committee of the Regions. I understand that the Foreign Secretary was out of the country at the time, and the Government were not forced to a humiliating defeat on his advice. Whatever happened, they learned their lesson, and on three subsequent occasions, facing defeat, they simply accepted our amendments. Ministers would have to accept the will of the House. If there were a referendum, they would have to ask the Scottish National party and its leader to help them in the campaign for the Maastricht treaty. That would be the effect.

There is no evidence to suggest that the Prime Minister, the Foreign Secretary or anyone of note in the Government would resign if Parliament decided on a referendum, yet we are being told that it is critical and crucial and that the Government hang by a thread this evening, relying for their survival and the Prime Minister's future only on the votes of Labour Members.

Mr. Austin Mitchell Will my hon. Friend give way?

12.30 am

Mr. Robertson: Let me finish explaining the position.

We are then told that the Labour party and the SNP would not have to campaign with the Government for a Maastricht treaty that did not include the social chapter, because the hon. Member for Banff and Buchan has produced amendment (a) to new clause 49.

I have to tell right hon. and hon. Members who have just come in, and who may well be at their first debate of the Committee, that amendment (a) to which the hon. Member for Banff and Buchan gave so much attention this evening, the critical point that he says obliges the Labour party to vote for the referendum, was tabled last Thursday. However, the SNP has tabled its own new clause calling for a referendum.

I concede that the idea of a referendum is not a new SNP policy, because it tabled its own new clause 48, which does not contain any reference to the social chapter. It was not tabled last Thursday or starred this Monday; it was tabled on 2 December 1992, 19 weeks ago.

For 18½ weeks, the SNP has been campaigning for a referendum without any questions on the social chapter, a referendum on a treaty that specifically excludes Britain from the social chapter. However, last Thursday, SNP Members decided, realised or woke up to the fact that they could do something that could give them a momentary advantage. Why would they look for advantage? Why would the SNP want to criticise the Labour party for voting with the Government? They want to get off the hook.

This elaborate, noisy smokescreen has been put up for only one reason—to cover up the cynical way in which, only a few weeks ago, the gullible SNP teamed up with a desperate Government to stand against the principle of elected councillors representing Britain on the European Committee of the Regions. That is why they have made such a big issue of this and why last Thursday, opportunistically, they tabled an amendment (a) to each of those new clauses.

Mr. Salmond: Clearly, the hon. Gentleman has been shaken and stirred by the arguments that have been deployed. Can he have forgotten that only last week he sent me a letter saying that,

"for one principal and good reason",

the Labour party would not help to defeat the Government this evening—it would not be possible to get the social chapter into the referendum argument? Now that the fig leaf has been removed, what excuse does the hon. Gentleman have for saving the Prime Minister's skin this evening?

Mr. Robertson: There we have it. This is the man who was trying to save the Prime Minister's skin only a few weeks ago—the very man who led his party into the Lobby to save the principle of Government appointees serving on the Committee of the Regions—and now he dares to lecture me on the subject.

One of the principal reasons why we are not interested in a referendum is that, almost inevitably, with a Conservative Government putting the question to the country, we would be obliged to campaign for a Maastricht treaty that did not contain the social chapter. That is not the only reason; we have, after all, developed our policy on a referendum over the past year, not in the past five days.

We all know why the hon. Member for Banff and Buchan is so desperate. Anyone who has read the Scottish press and learned what has happened in the SNP over the past few weeks knows perfectly well the reasons for this evening's burst of indignation. If the hon. Gentleman and

his colleagues who are members of the SNP national executive had not voted for themselves on a motion of censure, they would indeed have been censured by the national executive committee of the SNP.

Everyone knows that this is not a question of bringing down the Prime Minister. This SNP amendment has little or no chance of gaining the support of the Tory dissidents. Yet we are told to change the policy that we have adopted over the past year. That is a bogus and cynical attempt to wriggle off the hook that the Scottish people will never let the SNP wriggle off.

Mr. Austin Mitchell: Will my hon. Friend give way?

Mr. Robertson: I may eventually come to some of the points that my hon. Friend has raised. After all, I have been listening to them for the past nine years.

During the debate, some hon. Members have put up arguments supposedly advanced by those who oppose a referendum and then easily shot those arguments down. That is the simplest and oldest debating trick in the book. We are told that some say that the issue is too difficult for the British people to decide. I have never heard anyone, anywhere, say that. If it were true, the House could not decide the matter either. It is a patronising argument, and I have never heard anyone advance it.

My hon. Friend the Member for Dagenham (Mr. Gould) claims that some people say that progress towards economic and monetary union does not matter anyway. I have never heard anyone say that either. Even those in favour of the treaty say that it matters. We have all, in fact, said that it matters.

We have been told that the nature of the treaty is so fundamental that Parliament must put it to a plebiscite. But the treaty does not concern only one issue. Some hon. Members have been honest enough to admit that not just one referendum is being asked for; there would have to be another on stage 3 of economic and monetary union. That, too, is fundamental. If so, why not have another on progress towards a common foreign and security policy? What about the transition to a common asylum policy? Where do we stop? When should Parliament stop taking decisions and start holding referendums?

I was one of the few people here who were on the Labour Front Bench to discuss the Single European Act in 1976—[HON. MEMBERS: "Nineteen eighty-six."] It just seems that long ago. I was in a road accident in 1976.

Some Conservative Members and some of my hon. Friends will remember that there was rarely such a large attendance at debates in 1986. Of course, the Conservative party put through probably the most fundamental treaty not just without a referendum but on a guillotine. I am not surprised that my good old friend, the right hon. Member for Shropshire, North (Mr. Biffen), is not here tonight, although he has been a consistent attender at many of these debates. There may be a good reason for his absence, but I can think of one: he was the Leader of the House who moved the guillotine motion. I do not think that he likes to be reminded of that.

Is the treaty irrevocable? Is that the real reason why some people want a referendum? The original decision was on being in or out. If we are in the Community, we are all in the same boat—sharing sovereignty, sharing decisions, occasionally winning, occasionally losing. The decision is not irrevocable. The country can decide whether we are in or out of the European Community. That decision can be made and, if necessary, would be made by Parliament. Nothing is irrevocable.

Mr. Shore: It is the most extraordinary flight of fancy to pretend that, as we sign treaty after treaty with a European connection, we have the equal right that we had before we began this disastrous process to reverse it and pull out if we dislike something. My hon. Friend knows that that is not so. The real reason why we should have a referendum on this occasion is that, in spite of the fact that earlier treaties, all of which I have opposed, handed over great chunks of British power to decision-making in the European institutions, this treaty signs us up to a European union which carries the shape of a new state in Europe. If my hon. Friend cannot understand that, he is not fit to speak for my party.

Mr. Robertson: I do not think that my right hon. Friend ever thought that I was fit to speak on the issue for my party, so that does not come as news to me. I will not rehearse all my usual complimentary remarks about him. Although he has lost the argument and the vote in the Labour party consistently, the reality is that, if the representatives of this country want to come out of the Community and want to get out of the union that is being created—probably only in name—by the treaty, they can do it. I do not want to do that; I do not see the same spectres in the night as so many others do. If the country wants to get out of the Community, it has the right to do so, and nobody can stop it.

Hon. Members have said that we must let the people have a direct say. On what? It is not a simple, straightforward treaty on one issue. On which issues would the people have a say? Would it be on economic and monetary union and a single currency? Would it be on more powers for the European Parliament, or on more new competences in the Community? A yes or no answer is not relevant in circumstances where there is a series of issues.

Parliament has been able to consider the Bill. The Opposition Front Bench has not sought to wreck the treaty on any individual amendment, nor should we. We never said that we would do that. Every socialist party in the European Community and in all the applicant countries wants the Maastricht treaty, so we will not wreck it for them on the basis of one amendment on one aspect. The Government wanted to make the Committee of the Regions some mini health board consisting of a handful of friendly Tory business men, Government appointees. We forced them to accept that it will be made up of locally elected representatives.

On Monday, the Government accepted new clause 1, which places an obligation on the Governor of the Bank of England to place a report before Parliament. New clause 2 and amendment No. 420 were accepted. Who knows what the Government will accept at the end of tonight's debate?

That all happened because Parliament went through the Bill. Without destroying the treaty, we have improved it for the whole of Europe. A yes or no referendum would not and could not do that.

Mr. Gill: Does the hon. Gentleman believe that the majority of Labour voters are in favour of this treaty on European union?

12.45 am

Mr. Robertson: Yes, I do. *[Interruption.]* I cannot prove that they do, any more than the hon. Gentleman can prove that they do not. When the Labour party conference debated it last year after the election and after debate in the party on the treaty as a whole, an overwhelming majority said that, although it was not perfect, it was the best that was obtainable in the circumstances.

My hon. Friend the Member for Dagenham advanced an argument that is not confined to Opposition Members. He said that Parliament was not really reliable to carry out such scrutiny. He said that, after all, we are all subject to the Whips and that, when both Front Benches agreed on the basic thesis that the Maastricht treaty should go through, Parliament was not reliable. My hon. Friend was in the shadow Cabinet for years telling people what the whipping would be for the following week. Now he tells me that Parliament has no right to a say and cannot make decisions on its own, that it is precluded from doing so because the party leaderships, through their decision-making machinery, some of which is democratic and some of which is certainly not democratic, have decided. That does not stand any scrutiny.

Mr. Allason: Will the hon. Gentleman give way?

Mr. Robertson: No. I wish to make progress.

It was said that, during the election campaign, there was a cover-up conspiracy by the two Front Benches. It was said that the issue was not raised in the election and people did not know about it, and that therefore there must be a referendum. The Foreign Secretary said that, for party political advantage, he tried to raise it. That comes as a surprise, because I thought that the right hon. Gentleman was above that. I and my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) also tried, and we can produce the press releases that we put out. We can produce journalists who were briefed to the point of tedium, but, of course, little was heard about that.

I spent much time repeatedly telling the electorate that the Government were proud of opting out of one of the significant advantages of the Maastricht treaty. During that election campaign, my hon. Friend the Member for Dagenham was quite properly drawing attention to other matters. People were listening to him and, sad to say for my political future, they were not listening to me. The topic was there all the time and has not been suppressed in any way.

Mr. Gould: Will my hon. Friend refresh our memories about how people might have voted if they had taken a view contrary to the view of the leaders of both the major parties? Does he recall people having any option to vote for or against the Maastricht treaty, or were they simply presented with a monolithic position, agreed to by the leadership of all the major parties? For that reason, the matter was never an issue in the general election campaign.

Mr. Robertson: My hon. Friend was in the leadership of the Labour party during that campaign, and that leadership told the people that, if we were returned to power we would ratify the Maastricht treaty. My right hon. Friend the Member for Gorton made that absolutely plain. We would have ratified it, with the social chapter included in it.

The leaderships of the parties were united on a number of other issues. I dare say that that, in a clinical, technical way, denied people the right to vote against such issues. However, as my right hon. Friend the Member for Copeland said, the British people must have drawn some conclusion from the fact that the leaderships of all the parties standing in the election, with the exception of the Ulster Unionists, were in favour of the Maastricht treaty, however imperfect they may have thought it in the detail. They would have drawn a conclusion from that, but to suggest that there was a conspiracy is nonsense.

We are told that public opinion must be the criterion. I agree that pubic opinion is extremely important. However, hardly a single politician in the Committee, if asked to comment on an opinion poll, would not say, if it were on a matter that he thought was contrary to his party's interest, "Ah well, it is only a snapshot, I am interested only in trends, I don't rely on one opinion poll."

A significant number of people want a referendum on Maastricht, but a similar majority would want a referendum on the return of capital punishment, perhaps on the abortion laws, almost certainly on the Sunday trading laws. On a whole series of issues, if people were asked whether they would like a referendum, they would say in almost the same proportion that they would like a referendum. However, if that is to be the principle on which we base the judgments we take, what will there be left for us to do?

I make the point that many others have made in the debate. Those who cry loudest about Parliament handing over sovereignty to Brussels—when we are sharing power with 12 other countries at Brussels, building on that share of sovereignty, making sure that we participate in, and get advantage from, that shared sovereignty—happen also to be those who are most keen to hand over sovereignty, on this and probably many other issues, to the rule of the plebiscite.

Several hon. Members *rose*——

Mr. Robertson: No, I shall not give way. I have tried to answer many points, but time is moving on.

Sir Roger Moate: Will the hon. Gentleman give way?

Mr. Robertson: The hon. Gentleman has had his chance, and a fairly lengthy chance at that, but I should like to conclude so that others may speak in the debate.

Most of the people—I concede, not all—who are seeking a referendum do so because they want a "no" majority. If they were frank, as some are, they would admit that what drives and motivates them is not just opposition to Maastricht but opposition to the European Community as a whole. So be it: they are entitled to that view. They failed in Parliament in 1972 and in 1976 and in the referendum of 1975, but they are entitled to keep on their campaigning.

The Labour party believes that Britain is in the European Community and should remain there. We believe that Parliament is the place where the issues can be debated, and the scrutiny that the British people expect and deserve can be given to the treaty and all the serious issues that are in it. For that reason, and many of the other reasons that I have enunciated and that have been enunciated by my right hon. and hon. Friends here and elsewhere, we shall oppose new clause 49.

Mr. Michael Lord (Suffolk, Central): It is significant that, as we near the end of the Committee, the previous two speakers—from the Front Benches—addressed us in a

way that showed clearly the cosy relationship that the two Front Benches have had throughout the Committee proceedings.

I am not sure what impact my words will have, but it is vital to me to be able to tell the Committee how strongly I feel about this issue. I feel certain that, however well or badly I put my thoughts, this will be my most important contribution in my 10 years in the House and, together with my vote at the end of the debate, it may be the most important thing that I do for as long as I am a Member of Parliament.

The debate is not simply about whether this great House of Commons continues to govern our nation; it is also about how it is governing today and how in touch it is with the people it governs.

The whole sorry tale of the Maastricht treaty began at an intergovernmental conference in Rome in December 1990. As I was one of the delegation from the House at that conference, I suppose that I must, to some extent, bear some responsibility for what resulted from it. What a farce that first intergovernmental conference was! The delegates were supposed to attend as representatives of their countries, not of their political parties, and with reasonably open minds. On arrival, however, we were all placed in party-political groupings and it quickly became clear to me that few open minds were to be seen. It also became clear to me almost as soon as I arrived that the final proposals that the conference would put forward had been decided before it even started. If one asks what influence that conference had on the final proposals, the answer is absolutely none.

Europe can sometimes be very colourful. On the final morning of the conference, we voted for hours on 220 different amendments, all produced on purple paper. I have them with me and I will keep them for ever to remind me of that day. The voting finally finished, one or two of us having voted against the amendments while hundreds voted for them. Everyone seemed very happy, glasses clinked and we departed homewards. If ever the slogan, "Is your journey really necessary?" was applicable, it was to the 1990 intergovernmental conference in Rome.

The purple amendments gave way to the yellow treaty. Of course when we ask, "Why a referendum?" we must remember that the people of this country were not consulted about the drafting of that treaty. They never have been properly consulted since.

Under normal circumstances, I would not advocate a referendum because I believe that it is the duty of Members of Parliament to take decisions on behalf of their constituents and not to thrust those decisions back on their constituents' shoulders. But this is different. The Maastricht treaty will take away from Members of Parliament the right and the ability, fought for and cherished for centuries, to represent and stand up for their constituents in the House. If that power is to be given away or greatly diluted, as it is under the Maastricht treaty, only the British people, individually, can agree to it. The House of Commons cannot give away power, rights and responsibilities which belong not to it, but to the people.

The constant refrain from Ministers has been that some people are in favour of the Maastricht treaty, while others would like to come out of Europe altogether. That statement is one of those quarter truths that have clouded the entire debate. Most people do not fall into one of those two groups; they lie exactly between those two extremes.

During the general election, in common with many other hon. Members, I knocked on many doors. I must confess that the Maastricht treaty was not on the lips of everyone to whom I spoke. When it came up, however, the message I always received, loud and clear, was that people believed in the need for a common market, for which they clearly understood the nation voted in a referendum some years ago. They believed that a common market, or a free trade area, in Europe made a great deal of sense, but they did not want to go beyond that.

There are many good reasons for a referendum on this issue which I will not rehearse because many of them were given earlier.

Mr. Nicholas Winterton: My hon. Friend will accept that our right hon. Friend the Foreign Secretary made repeated reference to the 1972 treaty of Rome. He said firmly to the Committee that it not only had an economic content but a political one. Is not the reality that the House misled the people into believing that the common market and the treaty of Rome were primarily, if not exclusively, about trade and economic matters and would not in any way impugn or undermine the sovereignty of the country and our Parliament?

I am

Mr. Lord: My hon. Friend makes a good point. The debate has teased out many truths about what has happened over the years in respect of agreements and treaties. If those truths had been made known to the people at the time, I believe that they would have reacted differently.

Ministers often say that the people are not happy about the Maastricht treaty and the present position in Europe because they do not understand the treaty. When the people come to understand fully what has already been given away in their name, we shall see the strongest possible reaction.

There are many good reasons why a referendum should be held. For example, as all the major parties were in favour of the treaty during the general election campaign, the electorate was unable to register its vote against it. The text of the treaty was not available to the general public until some time after the election.

This is too important a matter to be bulldozed through the House of Commons as a face-saving exercise for the Government so as not to upset our European colleagues. Nothing annoys me more than to hear many hon. Members on both sides of the Chamber who are voting for the Bill saying behind the scenes that they want only to get the Bill out of the way and then start negotiations to get the Europe that we want. What humbug! What family, business or organisation would sign a contract in which it did not believe on the basis that on the next day it could enter into new negotiations for a better deal?

Let no one fool himself about the reaction of Delors or others in Europe to the ratification of the treaty. We think that Europe is slowing down and that our voice is being heard, but once the treaty is ratified, Jacques Delors and his colleagues will have seen the process as a minor hiccup on the grand march towards the Europe in which they believe.

A referendum would not undermine parliamentary sovereignty. After all, previous referendums have not done so. If a referendum is properly carried out, it can supplement and enrich democracy and restore people's

[Mr. Lord]

faith in the system. An excellent editorial in *The Times* on 25 February showed how a referendum is far from alien to the Conservative tradition. Various leaders have been referred to, including Balfour, Baldwin and Churchill. They all considered and advocated referendums at various times. Parliament is undermined not by the idea of a referendum but by the squalid tactics that have been and are being employed to get the Bill through the House of Commons.

The Europe to which the Maastricht treaty is taking us is a dream of an out-of-touch, elitist group of civil servants and some senior, not to say in other parts of Europe, elderly politicians. It is not a Europe which makes any sense to the people of the United Kingdom. Jacques Delors said after the French referendum that Europe was an elitist venture and only the decision makers needed to be convinced. At the end of March, Willy de Clerc, the leader of the committee that produced an appalling report on rebuilding the Community's image, said that Governments and the Community should stop trying to explain the treaty. To use his words, "It is 'inexplainable'." He added that treaty decisions were far too technical and removed from daily life for people to understand. Should any laws be so incomprehensible? We are faced with a civil servant's dream and an ordinary person's nightmare.

Civil servants and politicians involved in European legislation seem to suffer from schizophrenia. Views depend entirely on which side of the channel an individual is sitting. Directives that seem sensible and communautaire when agreed in the neutral, rarefied and utopian atmosphere of a Brussels committee room or a Strasbourg restaurant become nonsensical when applied to the local factory, the corner shop or the women's institute. It would be funny if they were not doing so much damage.

A referendum campaign would initiate the debate that the nation has so far been denied and would widen the understanding of the treaty. The Danish people seem to manage it, so why cannot we?

Mr. Nicholas Winterton: Will my hon. Friend give way on that very point?

Mr. Lord: With respect, I must press on. The hour is late. There is a little more that I want to say and I have waited a long time to say it.

Are we really going to say that our people cannot have a referendum—that their fate must hang on the decision made by the people of Denmark in their referendum? The Irish and French have now held referendums. Are they so much more intelligent and politically aware than our people? I do not think so.

I am one of the Conservative Members who, throughout our debates on the Bill, have been called rebels. It is a label of which I am neither proud nor ashamed. I have never voted against the Government before in the 10 years in which I have been in the House, but this matter is much more important to me than any of the labels that are bandied about. If "rebel" is the correct term for a Member of Parliament who does what he believes to be right in regard to a great issue of the day, I am happy to be associated with former rebels in the Conservative party who also stuck to their guns.

In the 1843 Session of Parliament, Disraeli voted against the Government 10 times. In 1844, he did so seven times. During the passage of the Government of India Bill in the 1930s, Winston Churchill voted against the Bill 30 times in Committee and once on Report. It is interesting tc note that, on at least two occasions, Churchill moved motions to report progress.

Macmillan joined the rebellion against the Government's appeasement policy; and, after a foreign affairs debate in June 1936, he was one of two Tory Members who voted against the Government. A week later, he resigned the Whip. When Anthony Eden resigned in February 1938, he said at the start of his resignation statement:

"there are occasions when strong political convictions must override all other considerations. Of such occasions only the individual himself can be the judge. No man can be the keeper of another man's conscience".

It is interesting to note how little things have changed in the last half century. During the Committee stage of the Government of India Bill in 1935, Winston Churchill wrote to his wife:

"we do very well in the debate but the Government have mobilised 250 of their followers who do not trouble to listen to the debates but march in solidly and vote us down with large majorities usually swelled by the Socialists and always by the Liberals. It is going to be a long weary business".

On 2 March, he wrote to her again:

"The Government's supporters are cowed, resentful and sullen. They keep 250 waiting about in the Libraries and Smoking Rooms to vote us down on every amendment and we have a fighting force of about 50 which holds together with increasing loyalty and conviction."

His letter ended:

"The Divisions go the other way, but we mock at them for being lackeys and slaves".

During this Committee stage, I have heard the best speeches that I have heard since becoming a Member of Parliament. How sad it is that they have all too frequently been made to almost empty Galleries. I believe that the speeches have been so good because, by and large, the hon. Members who have taken part in the debate have understood their subject and cared deeply about it. The Government have won the votes, but they have never won the arguments.

Perhaps the most important point for me so far was raised by my hon. Friend the Member for East Lindsey (Sir P. Tapsell). In a wonderful speech on 24 March, he comprehensively destroyed any credible case for a central bank. His remarks were given added authority by the fact that—I suspect—he knows more about international banking than any other Member of Parliament.

However, it is not my hon. Friend's remarks about banking that I shall remember for many years to come; it is his description of how a colleague of his in the House many years ago, Walter Elliot, had told him that voting for Munich—out of loyalty to Neville Chamberlain—had not only eventually wrecked his political career, but, more important, permanently damaged his self-esteem. He never ceased to reproach himself for his vote as events unfolded. My hon. Friend predicted that, 10 years from now, very few Conservative Members would admit that they had ever supported the Maastricht treaty.

Churchill said, "Trust the people." We have heard that phrase several times today. On this issue, we must not only trust the people; we must explain to them what is at stake and seek their views. We keep talking about open government, but if people really do not understand what

we are doing in the House of Commons, they are shut out of the affairs of our nation just as effectively as if a door had been slammed in their face.

Many recent decisions by the Government have raised serious questions about how in touch with the people we are. How tragic it would be if this estrangement were to reach its peak on a matter of such magnitude. It is essential for any Government to keep in touch with the people. We may not think that they need to be consulted, but what happens if they think that they ought to be and they are not? If their views are not sought and if events in Europe go the way that I suspect they will, they will feel cheated and angry.

What, then, will be the repercussions, not just on European issues but on the whole relationship between the nation and its Government? We want more open and more honest government. Why do we not start now? A referendum on this issue could be the turning point, giving back to the people their involvement and rekindling their trust.

I particularly urge the Prime Minister not to allow the responsibility for forcing this dubious treaty on our country to rest entirely on his own shoulders. He has done all that anyone possibly could to keep his word on the Maastricht treaty and to honour his commitment, but it is now almost a year and a half since that commitment was given and so much has changed in the Community and the wider Europe. The world has moved on significantly. The Danes have voted no. There is great anxiety throughout Europe about this treaty and a growing belief in all countries that on this issue leaders are out of touch with their people. Our Prime Minister is entitled to say, "I have done my best, but the whole European scene is now so changed that I feel obliged to recognise the concerns of the British people about this issue and to put the matter to them in a referendum."

The Prime Minister wants a nation at ease with itself. Our nation is not at the moment at ease with itself. It is a nation hypnotised by Europe and frustrated by its inability to act decisively, not just in its own best interests but in the best interests of the other nations of Europe. For a nation to be at ease with itself, it needs to be at ease with its neighbours, and we are not.

There should be no need to enforce co-operation between European allies in a treaty. If they agree on policies, they can act together freely and in their own mutual interest. Forced co-operation and co-ordination, as in the exchange rate mechanism, creates unnecessary pressures which eventually have to be released, one way or the other.

I believe that very few Members of this House of Commons really have their hearts in the Maastricht treaty any more. If that is true, how wrong it would be to foist it on the British people without their consent. I am prepared to admit that I want to see a referendum, not just for the reasons that I gave earlier but because I very much hope and believe that the British people do not want the Maastricht treaty and would vote against it.

I hope that hon. Members who vote against a referendum tonight will at least admit to themselves that they may be voting against a referendum on the Maastricht treaty partly on principle but also because they know that a referendum, if granted, would result in a resounding no.

The House of Commons, established and maintained by sacrifices and traditions for centuries, has to make a historic decision. This issue is said to be an extremely complicated one, but I wonder whether that is really true. Perhaps all great issues are essentially very simple. Perhaps we make them complicated when we do not want to face them. The very simple question that I want the British people to be asked is: "Do you want to be governed by the House of Commons or Brussels?"

This is about our country's independence, integrity and individuality. It is about all those things which, as has already been mentioned in the debate today, pilots in the battle of Britain fought and died for. In its own way, the treaty is a battle for Britain, the big difference being that we, as Members of Parliament, do not have to sacrifice our lives but only to cast our votes. I hope that when hon. Members cast their votes, they will allow the people of this country to say what they want our votes to mean and to stand for in the years to come.

Mr. Austin Mitchell: It is an unusual pleasure to be able to follow speeches by members of the two main Front Benches because in Maastricht debates we have usually heard no senior but junior members of the Front Benches —senior members of the Front Benches have wanted to stay away and not commit themselves to anything in the dead of night. It is interesting that two senior Front Benchers feel so guilty about what is being said in opposing a referendum that they have come to justify it at such length and in such arcane ways.

1.15 am

The Foreign Secretary's speech was interesting. I have always regarded him as an other-worldly figure, possibly a foreigner, in his Loden overcoat about which I heard someone remark, "The last time I saw someone wearing an overcoat like that, I shot him." His speech revealed that he is so other-wordly that he has spent the past six months on another planet. He feels that the people of this country are in favour of the Maastricht treaty and that the overwhelming majority of the Conservative party is in favour of it and opposed to a referendum.

If he feels that, why not put it to the test? Why not put the issue to the people if they think as he believes they do? Instead, he says that we should not have a referendum because we did not have one on the Single European Act which, to people like me, simply means that one should not trust politicans again. They said that the Act changed nothing but subsequently admit that it changed everything so much that we should have had a referendum. The Foreign Secretary even says that the 1975 referendum produced a final verdict. Yet we were positively assured that it had stopped progress towards monetary union and all the things that we are being offered now.

My party's Front Bench spokesman gave a brilliant performance in whipping up support for a referendum. For that reason, I did not want to interrupt him. However, he did not deal with the central argument of those of us who want a referendum. It has nothing to do with the intricate politics of Scottish nationalism or an internal argument in Scotland. I hesitated to intrude on the domestic row. The central point is our belief that, on a matter of basic constitutional change, the people should be consulted. That is what it is about, not a desire to bring down the Government or to do anything else. The people have a right to be consulted.

I thought that the Liberal Front Bench spokesman made the most effective speech of the three Front Bench

spokesmen. He made the basic point that the only way to get the treaty settled in and accepted and to get popular consent is to let the people speak. If not, there will be the long whingeing embittering rear-guard action about which the critics of a referendum have complained all along. Refusal will guarantee that the bitter feeling of frustration will be amplified.

If we now refuse the people a referendum, they will justly feel cheated because they will have been cheated. When the consequences of the treaty, in terms of economic deflation and the other problems that we have foreseen, become apparent, their resentment will take the form of a long, whimpering, whingeing bitterness, which will guarantee that neither the treaty nor European union will be acceptable to them and that both will be bitterly resisted.

One cannot make people enthusiastic about Europe by putting them out of a job or, especially, by not telling them that that will be the consequence of the treaty or by not giving them the opportunity to say whether they want to accept it in the first place. A referendum is the only way to get democratic acceptance of the treaty.

I cannot see what the critics of a referendum fear. They have the support of the Front-Bench spokesmen on both sides of the House, and the Foreign Secretary tells us that they have the support of the Conservative party. They have the support of the majority of the Labour party, and the support of the Liberals, the Scottish nationalists, the CBI, the TUC—so they tell us—and of the press and all the rest of the media. They have the support of *The Independent* and of *The Guardian*, which believes in "My Europe, right or wrong,"—or, as *The Guardian* would put it, "My Europe right or wrong." Yet with all that support they still fear that there will not be a majority in favour of Maastricht. That is inconceivable. Their case must be absolutely pathetic if even with all that support they fear that Maastricht will be rejected.

At this stage in the argument I must make a confession. When I used to teach political science—when I was concerned with the theory, before coming here to fail the practicals—I opposed referendums, for two basic reasons. First, I thought that the system as it was worked well and that party government gave us the power to change. I thought that a majority, a mandate, would give a Labour party the power to change the system in this country and make it a fairer society. Secondly, I believed that a referendum, as a conservative device that was opposed to change, would deny us that power. We have to face the fact that a referendum is a conservative device.

Those two reasons for opposing referendums were confirmed by my first experience of a referendum in 1967. In New Zealand I voted in favour of ending the 6 o'clock swill. That was a basic mistake in my life, because the result changed New Zealand society and ruined social habits there. It meant that people were drinking all night instead of going totally berserk and being out of their brains by 7 o'clock, with the rest of the evening to sober up. So my first referendum vote was a basic mistake.

Since then I have changed my view, because the social base on which parties and politics in this country rests is now out of adjustment with the polity in the country. Because the social base has changed we now get, not alternation of parties, not the power to change things, but a prolonged period of dictatorship by the minority. That is the consequence of the change in the system.

There is now a growing gulf between politics, politicians and parties on the one hand, and the people on the other. There is now a class of professional career politicians who want to get on, and one way to get on is to testify one's loyalty to Europe, the source of all blessing, jobs, sinecures and cashflow. Ours becomes a system in which people climb by conforming, and as they do so they get more and more out of touch with the people. That gulf is compounded by the economic difficulties of a country in decline, which mean that politicians cannot deliver the well-being that people ask for.

For all those reasons, there is a gulf between politicians and people, and the people feel resentful. They feel that they are not consulted or listened to. We make that worse if we do not allow them to be consulted on a basic constitutional issue. They should be consulted on constitutional issues, and the Labour party has led the way in doing that. We gave the people the referendum on entry, although it came belatedly in 1975, and we gave the people a referendum on devolution in Scotland and Wales. It went against us, and it was not adequate, but it was Labour party policy to consult the people.

Mr. Salmond: The referendum did not go against you. The people supported it.

Mr. Mitchell: The figure was slightly over 50 per cent., but we did not get the 40 per cent. that we required; it was 32·8 per cent. or something like that. I forget the exact figure. All that I am saying is that we gave the people the referendum; it was Labour party policy, which we all voted for and supported. Why now change our minds? It is clear that there should be a referendum on a constitutional issue.

Mr. Graham: My hon. Friend will know that the Labour party's policy in Scotland is to have a multi-referendum. We are still keen to have one, so we would give the people in Scotland the right to make a decision on a highly complex issue. I say, and I am sure that my hon. Friend agrees, that we shall be insulting the intelligence of the people of Britain if we do not give them a referendum. I do not know which way the people of Britain would vote. However, that is not important. The point is that democracy is important. If it is good for Boris Yeltsin, it is good for other folk.

Mr. Mitchell: I am not sure whether everything that is good for Boris Yeltsin is good for me. I do not take as much of it, if I can put it that way.

The people should be consulted on constitutional issues. Labour has consulted them in the past and there will be a change in their powers over our system of government in respect of their constitutional role. In respect of Maastricht, we cannot make people citizens of a union, with the rights and duties of citizens of a union, without consulting them. We cannot impose on the people the kind of economic framework that we are imposing on them without consulting them.

This basic change is being made by the back door. There is a surge and drive to unity in Europe. However, popular consent cannot be achieved in referendums and there is no intergovernmental agreement. If we had been able to achieve intergovernmental agreement, the CAP would not have survived for as long as it has, still absorbing more than 60 per cent. of Europe's spending. As popular consent and intergovernmental agreement cannot

be achieved, the idea is to impose unity from the top down through monetary union which is the core of the Maastricht treaty.

As a result, we will be committed to re-enter the ERM and to monetary union. As part of the treaty we are committed to hand over the powers that a Labour Government, or any sensible Government, would need to revive the declining economy of this country and to widen our industrial base. That includes power over interest rates, over the exchange rate, over borrowing and over the money supply.

All those tools will have been handed over. We do not have the ability or the right to hand over to another entity those powers which rightly belong to the people and the Government whom they elect, without consulting the people. However, that is what we are being asked to do. It is a mistake to create a Europe in which central bankers rule OK and untrammelled without any control over their decisions without consulting the people. We should not hand over those weapons.

At one stage in the debate, we asked what a Labour Government would do, when they took office in 1996 with a mandate to rebuild the economy, to fight rising unemployment and to widen the industrial base, if all those powers had been handed over. The Opposition Front Bench spokesman said, "Oh well, we'll go to Brussels and negotiate." We will not actually do anything because we cannot do anything, so we end up with the spectacle of a Labour Government—a Labour Government—hiring taxis to scuttle around Brussels to ask permission to stop making their own people redundant as consequence of the treaty.

It has been said that this is not irrevocable, but it is. It is absolutely irrevocable. Once the powers are gone, they are gone and that is it. It has also been said that we do not need to consult the people in a referendum because they have already been consulted in the election. That is totally bogus. All the parties presented the same policies on Maastricht. There was no choice for people in most constituencies who were against the treaty. What were they to do? Were they to abdicate the hope of change or were they to concentrate simply on the issue of Maastricht? It is totally unrealistic to claim that the election decided the issue.

It is also unrealistic to say that Parliament should decide the issue because there is effectively a conspiracy between the parties.

Sir Teddy Taylor: Will the hon. Gentleman give way?

Mr. Mitchell: Yes, of course. I am sorry, I did not see the hon. Gentleman rising.

Sir Teddy Taylor: Will the hon. Gentleman avoid misleading his Front Bench about the powers after the Maastricht treaty has been passed? Does he accept that the power available to a possible future Labour Government to go to Brussels and plead for certain changes in policy will be removed totally when the central bank takes over? Will the hon. Gentleman consider page 91 of the treaty where he will see that, after the central bank takes over, no Labour Government, Conservative Government or even a Liberal Democrat Government will be allowed to make representations or a telephone call to the bank, or even send it a letter? Does he appreciate that it is not simply the abolition of freedom, democracy, socialism or conservatism? Basically, it means that there is not much point in voting for anyone at the next election.

1.30 pm

Mr. Mitchell: The hon. Gentleman is correct. Our only power will be not to send letters to the bank but to receive letters from it. Presumably, we will be charged 30 million ecu for each letter telling us that we are in overdraft. The hon. Gentleman reinforces my point.

Government Front Bench and Labour Front Bench spokesmen are saying the same thing: the treaty is not perfect; it will not work well; time has passed it by; it is probably dead and it is unable to be implemented but we must still pass it as a testimony to our commitment to the Community. Our electors—the people—do not share that commitment, but we must testify to it to Europe. For the first time, the Liberals have tasted power——

Mr. Robert G. Hughes (Harrow, West) *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The Committee divided: Ayes 299, Noes 110.

Division No. 245] **[1.30 am**

AYES

Adley, Robert
Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Alton, David
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Ashdown, Rt Hon Paddy
Aspinwall, Jack
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beith, Rt Hon A. J.
Bellingham, Henry
Beresford, Sir Paul
Blackburn, Dr John G.
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davis, Cynog
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Field, Frank *(Birkenhead)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Foster, Don *(Bath)*

Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gallie, Phil
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, John
Grant, Sir Anthony *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Johnson Smith, Sir Geoffrey
Johnston, Sir Russell
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles *(Ross,C&S)*
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkwood, Archy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Llwyd, Elfyn
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Lynne, Ms Liz
Macdonald, Calum
MacGregor, Rt Hon John
Maclean, David
Maclennan, Robert
McLoughlin, Patrick
Madel, David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Michie, Mrs Ray *(Argyll Bute)*
Milligan, Stephen
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Tyler, Paul
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wigley, Dafydd
Willetts, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Andrew MacKay and
Mr. Timothy Kirkhope.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Allason, Rupert *(Torbay)*
Barron, Kevin
Bayley, Hugh
Beggs, Roy
Bendall, Vivian
Benn, Rt Hon Tony
Bennett, Andrew F.
Budgen, Nicholas
Callaghan, Jim
Canavan, Dennis
Cann, Jamie
Carlisle, John *(Luton North)*
Cash, William
Chisholm, Malcolm
Clarke, Eric *(Midlothian)*
Cohen, Harry
Connarty, Michael
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cran, James
Cryer, Bob
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Dixon, Don
Donohoe, Brian H.
Dowd, Jim
Dunwoody, Mrs Gwyneth
Etherington, Bill
Ewing, Mrs Margaret
Fatchett, Derek
Fisher, Mark
Galloway, George
Gardiner, Sir George
Gill, Christopher
Gorman, Mrs Teresa
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Hanson, David
Hardy, Peter
Harvey, Nick
Heppell, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Hughes, Robert *(Aberdeen N)*
Illsley, Eric
Jessel, Toby
Jones, Lynne *(B'ham S O)*
Kennedy, Jane *(Lpool Brdgn)*
Knapman, Roger
Lawrence, Sir Ivan
Leighton, Ron
Lewis, Terry
Lord, Michael
Loyden, Eddie
McAllion, John
McKelvey, William
McNamara, Kevin
Madden, Max
Mahon, Alice
Marlow, Tony
Marshall, Jim *(Leicester, S)*
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon James
Pickthall, Colin
Pike, Peter L.
Prentice, Gordon *(Pendle)*
Reid, Dr John
Robinson, Peter *(Belfast E)*
Rooker, Jeff
Rooney, Terry
Ross, William *(E Londonderry)*
Rowlands, Ted
Salmond, Alex
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Simpson, Alan
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Spearing, Nigel
Spicer, Michael *(S Worcs)*
Stevenson, George
Stott, Roger
Sweeney, Walter
Tapsell, Sir Peter
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon John D. *(Strgfd)*
Taylor, Sir Teddy *(Southend, E)*
Tipping, Paddy
Walker, Bill *(N Tayside)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wilkinson, John
Williams, Rt Hon Alan *(Sw'n W)*
Winnick, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'f'ld)*
Wise, Audrey
Wray, Jimmy

Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Harry Barnes and
Mr. Ken Livingstone.

Question accordingly agreed to.
Question put accordingly and negatived.

The Chairman of Ways and Means (Mr. Michael Morris): As promised on Monday, I shall now call for separate Divisions only on new clause 10 and new clause 12, neither of which is directly connected with the matter that the Committee has been discussing on new clause 8. A separate Division on new clause 49, which is related to new clause 8 and the referendum, will come after the two new clauses.

New clause 10

Report of European Council

'.—After the European Council has submitted its report after each of its meetings, Her Majesty's Government shall publish and lay such reports, and those annual reports in writing, as required by Title 1, Article D of the Treaty on European Union before Parliament, together with a statement as to their policy and performance in respect of the activities of the Union and their policies for its future.'—*[Mr. Shore.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The Committee divided: Ayes 189, Noes 292.

Division No. 246] **[1.43 am**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Allason, Rupert *(Torbay)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Hilary
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Bermingham, Gerald
Blair, Tony
Boateng, Paul
Bradley, Keith
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Budgen, Nicholas
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Carlisle, John *(Luton North)*
Carttiss, Michael
Cash, William
Chisholm, Malcolm
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Cohen, Harry
Connarty, Michael
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cran, James
Cunningham, Rt Hon Dr John
Darling, Alistair
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Dewar, Donald
Dixon, Don
Donohoe, Brian H.
Dowd, Jim
Dunwoody, Mrs Gwyneth
Enright, Derek
Etherington, Bill
Ewing, Mrs Margaret
Fatchett, Derek
Field, Frank *(Birkenhead)*
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gardiner, Sir George
Garrett, John
Gill, Christopher
Golding, Mrs Llin
Gorman, Mrs Teresa
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Illsley, Eric
Ingram, Adam
Jessel, Toby
Jones, Barry *(Alyn and D'side)*
Jones, Lynne *(B'ham S O)*
Kaufman, Rt Hon Gerald
Kennedy, Jane *(Lpool Brdgn)*
Kilfoyle, Peter
Knapman, Roger
Lawrence, Sir Ivan
Leighton, Ron
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Lord, Michael
Loyden, Eddie
McAllion, John
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Alice
Marek, Dr John
Marlow, Tony
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
O'Brien, William *(Normanton)*
O'Neill, Martin
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Quin, Ms Joyce
Radice, Giles
Reid, Dr John
Robertson, George *(Hamilton)*
Robinson, Peter *(Belfast E)*
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, William *(E Londonderry)*
Rowlands, Ted
Salmond, Alex
Sheerman, Barry
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skeet, Sir Trevor
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Rt Hon John *(M'kl'ds E)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Spearing, Nigel
Spicer, Michael *(S Worcs)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Tapsell, Sir Peter
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon John D. *(Strgfd)*
Taylor, Sir Teddy *(Southend, E)*
Tipping, Paddy
Vaz, Keith
Walker, Bill *(N Tayside)*
Walker, Rt Hon Sir Harold
Walley, Joan
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wilkinson, John
Williams, Rt Hon Alan *(Sw'n W)*
Winnick, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'f'ld)*
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Bob Cryer, and
Mr. Austin Mitchell.

NOES

Adley, Robert
Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Alton, David
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Ashdown, Rt Hon Paddy
Aspinwall, Jack
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beith, Rt Hon A. J.
Bellingham, Henry
Beresford, Sir Paul
Blackburn, Dr John G.
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew

Channon, Rt Hon Paul
Churchill, Mr
Clappison, James
Clarke, Rt Hon Kenneth *(Ruclif)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Dafis, Cynog
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Gale, Roger
Gallie, Phil
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, John
Grant, Sir Anthony *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Johnson Smith, Sir Geoffrey
Johnston, Sir Russell
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles *(Ross,C&S)*
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkwood, Archy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Llwyd, Elfyn
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Lynne, Ms Liz
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
Maclennan, Robert
McLoughlin, Patrick
Madel, David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Michie, Mrs Ray *(Argyll Bute)*
Milligan, Stephen
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Tyler, Paul
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Sir Jerry
Wigley, Dafydd
Willetts, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Sydney Chapman and
Mr. Timothy Kirkhope.

Question accordingly negatived.

New clause 12

Application of Article 100c of the Treaty of Rome to certain provisions on co-operation in the fields of justice and home affairs

'No notification shall be given to the Council of the European Communities that the United Kingdom has adopted a decision of the Council under Article K 9. (Application of Article 100c of the Treaty of European Union) of the Treaty of European Union unless a draft of the notification has first been approved by Act of Parliament.'. —*[Mr. Shore.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The Committee divided: Ayes 84, Noes 292.

Division No. 247] **[1.54 am**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Allason, Rupert *(Torbay)*
Barnes, Harry
Beggs, Roy
Benn, Rt Hon Tony
Bennett, Andrew F.
Budgen, Nicholas
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Canavan, Dennis
Cann, Jamie
Carlisle, John *(Luton North)*
Cash, William
Chisholm, Malcolm
Cohen, Harry
Connarty, Michael
Corbyn, Jeremy
Corston, Ms Jean
Cran, James

Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham, H'dge H'l)*
Dunwoody, Mrs Gwyneth
Etherington, Bill
Field, Frank *(Birkenhead)*
Galloway, George
Gardiner, Sir George
Gill, Christopher
Gorman, Mrs Teresa
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Hanson, David
Harvey, Nick
Howarth, George *(Knowsley N)*
Jessel, Toby
Jones, Lynne *(B'ham S O)*
Kennedy, Jane *(Lpool Brdgn)*
Knapman, Roger
Lawrence, Sir Ivan
Leighton, Ron
Lewis, Terry
Livingstone, Ken
Loyden, Eddie
McAllion, John
McKelvey, William
Madden, Max
Mahon, Alice
Marlow, Tony
Marshall, Jim *(Leicester, S)*
Michie, Bill *(Sheffield Heeley)*
Molyneaux, Rt Hon James
Morris, Estelle *(B'ham Yardley)*
Mullin, Chris
Pickthall, Colin
Prentice, Gordon *(Pendle)*
Robinson, Peter *(Belfast E)*
Rooney, Terry
Ross, William *(E Londonderry)*
Rowlands, Ted
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Simpson, Alan
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Spearing, Nigel
Spicer, Michael *(S Worcs)*
Steinberg, Gerry
Tapsell, Sir Peter
Taylor, Rt Hon John D. *(Strgfd)*
Taylor, Sir Teddy *(Southend, E)*
Walker, Bill *(N Tayside)*
Watson, Mike
Wilkinson, John
Williams, Rt Hon Alan *(Sw'n W)*
Winnick, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'f'ld)*
Wise, Audrey
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Bob Cryer and
Mr. Austin Mitchell.

NOES

Adley, Robert
Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Alton, David
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Ashdown, Rt Hon Paddy
Aspinwall, Jack
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beith, Rt Hon A. J.
Bellingham, Henry
Beresford, Sir Paul
Blackburn, Dr John G.
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Channon, Rt Hon Paul
Churchill, Mr
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Dafis, Cynog
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Gale, Roger
Gallie, Phil
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, John
Grant, Sir Anthony *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Johnson Smith, Sir Geoffrey
Johnston, Sir Russell
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles *(Ross,C&S)*
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkwood, Archy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Llwyd, Elfyn
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Lynne, Ms Liz
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
Maclennan, Robert
McLoughlin, Patrick
Madel, David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Michie, Mrs Ray *(Argyll Bute)*
Milligan, Stephen
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David

Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Tyler, Paul
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Sir Jerry
Wigley, Dafydd
Willetts, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Sydney Chapman and
Mr. Timothy Kirkhope.

Question accordingly negatived.

New clause 49

COMMENCEMENT PROVISIONS

'This Act shall take effect on the first day of January 1996 or on such earlier date as may be specified in any subsequent Act of Parliament as the date for the holding of a consultative referendum to establish whether or not majority opinion supports The Treaty on European Union.'.—*[Mr. Gould.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:——

The Committee divided: Ayes 124, Noes 363.

Division No. 248] **[2.5 am**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Allason, Rupert *(Torbay)*
Alton, David
Ashdown, Rt Hon Paddy
Barnes, Harry
Beggs, Roy
Beith, Rt Hon A. J.
Bendall, Vivian
Benn, Rt Hon Tony
Bennett, Andrew F.
Bermingham, Gerald
Bonsor, Sir Nicholas
Boyson, Rt Hon Sir Rhodes
Budgen, Nicholas
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Canavan, Dennis
Cann, Jamie
Carlisle, John *(Luton North)*
Carttiss, Michael
Cash, William
Chisholm, Malcolm
Clarke, Eric *(Midlothian)*
Cohen, Harry
Connarty, Michael
Corbyn, Jeremy
Corston, Ms Jean
Cran, James
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham, H'dge H'l)*
Deva, Nirj Joseph
Donohoe, Brian H.
Duncan-Smith, Iain
Dunn, Bob
Dunwoody, Mrs Gwyneth
Ewing, Mrs Margaret
Field, Frank *(Birkenhead)*
Foster, Don *(Bath)*
Fry, Peter
Galloway, George
Gardiner, Sir George
Gill, Christopher
Gorman, Mrs Teresa
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Greenway, Harry *(Ealing N)*
Hall, Mike
Harvey, Nick
Hood, Jimmy
Howarth, George *(Knowsley N)*
Hughes, Simon *(Southwark)*
Jenkin, Bernard
Jessel, Toby
Jones, Lynne *(B'ham S O)*
Jones, Nigel *(Cheltenham)*
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Knapman, Roger
Lawrence, Sir Ivan
Legg, Barry
Leighton, Ron
Lewis, Terry
Livingstone, Ken
Lord, Michael
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McKelvey, William
McWilliam, John
Madden, Max
Mahon, Alice
Marek, Dr John
Marlow, Tony
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Mullin, Chris
Pawsey, James
Pickthall, Colin
Prentice, Gordon *(Pendle)*
Robinson, Peter *(Belfast E)*
Rooney, Terry
Ross, William *(E Londonderry)*
Rowlands, Ted
Salmond, Alex
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Simpson, Alan
Skeet, Sir Trevor
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Spearing, Nigel
Spicer, Michael *(S Worcs)*
Steinberg, Gerry
Stevenson, George
Sweeney, Walter
Tapsell, Sir Peter
Taylor, Rt Hon John D. *(Strgfd)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy *(Southend, E)*
Townend, John *(Bridlington)*
Tyler, Paul
Walker, Bill *(N Tayside)*
Walker, Rt Hon Sir Harold
Wallace, James
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Whittingdale, John
Wilkinson, John
Williams, Rt Hon Alan *(Sw'n W)*
Winnick, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'f'ld)*
Wise, Audrey
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Bob Cryer and
Mr. Austin Mitchell.

NOES

Adley, Robert
Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allen, Graham
Amess, David
Ancram, Michael
Anderson, Donald *(Swansea E)*
Arbuthnot, James
Armstrong, Hilary
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Barron, Kevin
Bates, Michael
Batiste, Spencer
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Bell, Stuart
Bellingham, Henry
Beresford, Sir Paul
Blackburn, Dr John G.
Blair, Tony
Boateng, Paul
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Bradley, Keith
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, Gordon *(Dunfermline E)*
Brown, M. *(Brigg & Cl'thorpes)*
Brown, N. *(N'c'tle upon Tyne E)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Campbell-Savours, D. N.
Carlile, Alexander *(Montgomry)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Channon, Rt Hon Paul
Churchill, Mr
Clappison, James
Clark, Dr David *(South Shields)*
Clarke, Rt Hon Kenneth *(Rushcliff)*
Clarke, Tom *(Monklands W)*
Clifton-Brown, Geoffrey
Clwyd, Mrs Ann
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Cousins, Jim
Cunningham, Rt Hon Dr John
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Darling, Alistair
Davies, Quentin *(Stamford)*
Davies, Ron *(Caerphilly)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dewar, Donald
Dickens, Geoffrey
Dixon, Don
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Enright, Derek
Etherington, Bill
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*

Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fatchett, Derek
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Foster, Rt Hon Derek
Foulkes, George
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Fraser, John
Freeman, Roger
French, Douglas
Fyfe, Maria
Galbraith, Sam
Gale, Roger
Gallie, Phil
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Garrett, John
Gillan, Cheryl
Golding, Mrs Llin
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, John
Grant, Sir Anthony *(Cambs SW)*
Greenway, John *(Ryedale)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Gunnell, John
Hague, William
Hamilton, Rt Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hanson, David
Hardy, Peter
Hargreaves, Andrew
Harman, Ms Harriet
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Henderson, Doug
Hendry, Charles
Heppell, John
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hill, Keith *(Streatham)*
Hogg, Rt Hon Douglas *(G'tham)*
Home Robertson, John
Hoon, Geoffrey
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes, Robert *(Aberdeen N)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hurd, Rt Hon Douglas
Illsley, Eric
Ingram, Adam
Jack, Michael
Jackson, Robert *(Wantage)*
Johnson Smith, Sir Geoffrey
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kaufman, Rt Hon Gerald
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkwood, Archy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Lloyd, Tony *(Stretford)*
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McAvoy, Thomas
Macdonald, Calum
McFall, John
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLeish, Henry
Maclennan, Robert
McLoughlin, Patrick
McNamara, Kevin
Madel, David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, Jim *(Leicester, S)*
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Martin, Michael J. *(Springburn)*
Mates, Michael
Mawhinney, Dr Brian
Meale, Alan
Mellor, Rt Hon David
Merchant, Piers
Michael, Alun
Milburn, Alan
Miller, Andrew
Milligan, Stephen
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Estelle *(B'ham Yardley)*
Moss, Malcolm
Mowlam, Marjorie
Murphy, Paul
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
O'Brien, William *(Normanton)*
O'Neill, Martin
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Peacock, Mrs Elizabeth
Pendry, Tom
Pickles, Eric
Pike, Peter L.
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Prescott, John
Quin, Ms Joyce
Radice, Giles
Rathbone, Tim
Redwood, John
Reid, Dr John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, George *(Hamilton)*
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rogers, Allan
Rooker, Jeff
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Sheerman, Barry
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shersby, Michael
Short, Clare
Sims, Roger
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Sir Dudley *(Warwick)*
Smith, Rt Hon John *(M'kl'ds E)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Streeter, Gary
Sumberg, David
Sykes, John
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Tipping, Paddy
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaz, Keith
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Waller, Gary
Walley, Joan
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Wolfson, Mark
Wood, Timothy
Worthington, Tony
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Sydney Chapman and Mr. Timothy Kirkwood.

Question accordingly negatived.

To report progress and ask leave to sit again.—*[Mr. Arbuthnot.]*

Committee report progress; to sit again this day.

Royal Prerogative

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Arbuthnot.]*

2.20 am

Mr. John Garrett (Norwich, South): I wish briefly to explore the scope and limits of the royal prerogative and its present-day usage by the Government, and to put a number of questions to the hapless Minister who has the duty of answering the debate. I want to ask him about the profoundly undemocratic practice that allows a Government to act with royal absolutism.

As I understand it, the royal prerogative denotes what remains of the monarch's power to legislate without the authority of Parliament. As the monarch acts on the advice of Government, the procedure enables a Government to produce primary legislation without parliamentary consent—legislation which, as was made clear by the GCHQ case, may not be challenged in the courts.

Blackstone's 18th century "Commentaries on the Laws of England" referred to the prerogative as

"that special pre-eminence which the King hath, over and above all other persons, and out of the course of the common law, in right of his royal dignity"—

an arrangement that Blackstone described as

"in its nature singular and eccentrical".

In the past 10 years, some 1,400 orders have been made under the prerogative. Ministers usually imply that such orders relate to such quaint and innocuous matters as the grant and amendment of charters, and the appointment of visitors and governors of universities. Many do; but the prerogative is also applied to important international obligations and, in particular, to citizens' rights.

The prerogative is used for the making of international treaties—which may be why from time to time, when it suits them, Ministers tell us that any Commons vote on the Maastricht treaty can be disregarded by the Government. It is also used for the declaration of war and blockade. The Government used it to commit British military forces in the Gulf war—prompting my right hon. Friend the Member for Chesterfield (Mr. Benn) to observe:

"this is the first time in the history of this country that British troops have been sent into battle under foreign command, using the royal prerogative of war-making to do so, without the House having had an opportunity to express its view on any motion other than that we adjourn".—[*Official Report*, 14 January 1991; Vol. 183, c. 616.]

My right hon. Friend contrasted the handling of the matter in the House of Commons with the way in which both Houses of the United States Congress had debated and voted on a resolution on military action.

The Government used prerogative powers to enable the United States military to bomb Libya from bases in England. That was a matter of awesome political importance, in which—once again—the House of Commons had no status. The prerogative is used for the control and organisation of the armed forces. In the matter of civil liberties, under the royal prerogative the Government can refuse or withdraw a passport, and can forbid a citizen to leave the country. There is no legal obligation on the Government to provide a passport, which I should have thought was a fundamental right of any citizen of this country.

Jury vetting guidelines and telephone tapping are authorised by royal prerogative, apparently under an ancient royal right to intercept communications between subjects. The criminal injuries compensation scheme was established by royal prerogative without statutory authority.

Most notoriously in recent times, the royal prerogative was used in 1984 to ban from membership of trades unions the staff of the Government intelligence establishment GCHQ. In a subsequent court case on that subject, the Government argued successfully that not only were their powers not open to judicial review, but that instructions given in exercising them enjoyed the same immunity. This situation derived from the fact that the legal relationship between the Crown and civil or Crown servants is governed by the prerogative, and is unlike any normal contractual relationship between employer and employee. That explains why we in this country have yet to resolve the crucial issue whether the duty of a civil servant is to the national interest or to the Government, and why there is no protection for whistleblowers in the civil service.

In any other country, the civil service would be regulated by a civil service Act that set out in law the rights, duties and constitutional position of civil servants. Here, the civil service is subject to the monarchical whims of some Minister. My first question to the Minister is, why cannot the civil service be governed by a civil service Act, and are the Clerks of this House also governed by the royal prerogative, rather than by legislation passed by the House?

The royal prerogative is used for literally thousands of appointments in the public sector, and it is the fount of Government patronage. In 1965, Lord Reid observed:

"it is not easy to discover and decide the law relating to the royal prerogative and the consequences of its exercise."

He noted that there had been "practically no authority" on the matter since 1688.

The most extensive discussion recently of the royal prerogative was by Professor Colin Munro in a publication in 1987. He wrote:

"In practice . . . the supervision of prerogative powers does seem to be attended by greater than average difficulty. The very nature of these powers makes them less readily subject to challenge."

He tells us that the Parliamentary Commissioner for Administration, or ombudsman, has no power to examine decisions under the royal prerogative and says:

"the exercise of prerogatives by the Attorney General may not be reviewed."

He also says:

"The correlation between the matters excluded from the Commissioner's jurisdiction and the spheres of activity in which governments exercise prerogative powers is striking."

We also learn from Munro that the manner of the exercise of prerogative powers lies outside the scope of judicial review, so we are inevitably brought to the conclusion that a British subject may be deported, or refused a passport, or have his or her telephone tapped or mail opened by the state without legislative authority, and that neither Parliament nor the judiciary is entitled to examine the matter.

The Minister will also know that subsidiary powers flow from the royal prerogative. The Crown's right to have admissible evidence withheld from a court when it claims that the public interest so demands has been known as Crown privilege although nowadays its existence is disputed. Does it exist, I ask the Minister, and what does it cover? Is there still such a concept in British law as Crown privilege which exempts the Crown from justiciable matters?

Crown immunity is certainly alive and kicking. The sovereign—and, therefore, the Government—still enjoy a number of immunities derived from the ancient "prerogative of perfection"—that is, "The King can do no wrong." What it means today is that Government Departments and many public bodies are not bound by a huge range of protective legislation, such as health and safety, food hygiene laws and planning and environmental regulations. I understand that that legislation does not, for example, protect those who work in the parliamentary precincts, let alone the hundreds of thousands of people in other public organisations. Therefore, to be employed in a public building means that one cannot be protected by a wide range of legislation.

Munro concludes:

"Behind the phrase "royal prerogative" lie hidden some issues of great constitutional importance, which are insufficiently recognised."

It seems that the prerogative could be dispensed with almost entirely. The civil service and the military could be governed by Acts of Parliament, as in other countries. Telephone tapping, mail interception, deportation and entitlement to travel should be justiciable. Senior public appointments could be supervised by Select Committee. The Speaker could take over some prerogative powers, such as the dissolution of Parliament and the invitation to the leader of the party with the largest majority to form a Government.

In a recent written answer to my hon. Friend the Member for Nottingham, North (Mr. Allen), the Prime Minister said:

"It is for individual Ministers to decide on a particular occasion whether and how to report to Parliament on the exercise of prerogative powers."—[*Official Report*, 1 March 1993; Vol. 220, c. *19*.]

It is nothing less than a constitutional outrage that Ministers should decide whether to withhold matters from Parliament. It should be the Speaker's job to decide how the exercise of prerogative powers should be reported to the House. It should also be up to the Speaker to judge whether a Minister should answer to the House for the use of extra-statutory power.

The royal prerogative is an anachronism—an example of the overweening and authoritarian power of Government over Parliament. In truth, the purpose of our Parliament is to provide a Government and to scrutinise their actions and decisions, but only to the extent that Government will allow. That is not good enough. The royal prerogative is a chilling manifestation of the way in which our democracy is deficient, and it should be mapped by the Select Committee on Procedure as soon as possible, and then largely ended.

I am keen to hear what the Minister has to say about the boundaries of the royal prerogative and the extent to which as, I hope, a democrat he thinks that government by proclamation and diktat could be replaced by a proper legislative process.

2.32 am

The Parliamentary Under-Secretary of State for the Home Department (Mr. Charles Wardle): The hon. Member for Norwich, South (Mr. Garrett) has shown interest in constitutional matters for 25 years. I know that because I have read the flyleaf of his book. I mean no disrespect in mentioning it. In the final paragraph on page 65, he uses the same quotation from the right hon. Member for Chesterfield (Mr. Benn).

Tonight the hon. Gentleman has raised the question of ministerial exercise of powers under the royal prerogative and implied that there is some abuse in the exercise of such powers. That is not the case, as I shall prove. I shall attempt to deal with most of the points that he has raised but, if there are any that I have not dealt with by the end of the debate, I shall write to him.

As the hon. Gentleman knows, the history of the royal prerogative goes back to the middle ages, when the king was both feudal lord and head of the kingdom. He therefore had all the rights of a feudal lord and certain exceptional rights. The king could not be sued in his own courts and, in addition, had powers to defend the realm against enemies and an

"undefined residue of power which he might use for the public good."

It was the "undefined residue" of prerogative power which caused disputes when claimed by the Stuarts. Lawyers claimed then that there was a fundamental distinction between the ordinary and the absolute prerogative; the ordinary prerogative being those functions the king would exercise only in defined ways, which involved no element of discretion. Thus the king could dispense justice only through the judges, and make laws through Parliament.

The absolute prerogative, on the other hand, the king's discretionary powers, were the powers on which Charles I relied in seeking to govern without Parliament. The conflict was resolved after the execution of one king and the expulsion of another.

However, the problem still remained. It was resolved in two stages. The Bill of Rights of 1689 declared illegal certain specific uses and abuses of the prerogative, and since then there has been a growth in responsible government and the establishment of a constitutional monarchy. It became established that certain prerogative powers could be exercised only through and on the advice of Ministers responsible to Parliament.

The royal prerogative has been described by a distinguished constitutional writer as an "attenuated remnant". The rights of Parliament to limit the prerogative are unrestricted. It is a one-way street. By definition, the scope of the prerogative is not greater now than it was in, say, 1979, and I have seen no convincing demonstration that the use of the prerogative is significantly different, or that practice in reporting such use to Parliament has changed.

It is simply not the case that the royal prerogative has to a large extent got stuck in Whitehall, as the hon. Gentleman implied. The legislative authority of Parliament to limit prerogative powers is unlimited, and the extent of the prerogative has been steadily reduced over the years and cannot be increased. Such prerogative powers are residual and may be restricted or abolished by statute, and even where statute overlaps prerogative powers, the prerogative power falls into abeyance and the Crown from then on uses the statutory rather than the prerogative power.

The hon. Gentleman claims that the prerogative has been used some 1,400 times in the past 10 years and asks why, implying that the Government have abused their powers. The same powers have of course been used, in much the same way, by previous, Labour, Governments; indeed, they have been used by successive Governments.

The hon. Gentleman cites in particular the declaration of war, the making of international treaties, and judicial

[Mr. Charles Wardle]

and civil service appointments. But it is inconceivable that any Government would declare war without being confident that they would command parliamentary support. The money needed to sustain the war could be voted only by Parliament.

No sensible Government would take the risk of declaring war without being assured of parliamentary support. The events of 1939 and 1940, and the way in which this country fought that war as a democracy, changing the Prime Minister as a direct result of an expression of the feeling of the House, provide evidence of the flexibility and strength of our unwritten constitution.

Treaties are published under the Ponsonby rule. It has been in use for nearly 70 years, including periods when the Labour party was in power. It applies to all treaties that are signed subject to ratification, and was born out of the desire to give Parliament the opportunity to examine such treaties before they were ratified. They include those which established NATO and the Western European Union, and more recently the Antarctic treaty, the Montreal protocol on the control of CFCs, and so on.

The value of the procedure, and its effectiveness for allowing an opportunity for parliamentary scrutiny and debate before ratification, is thus well proven, and has been accepted by successive Governments. Where a treaty cannot be ratified without making a change to domestic law, the full Bill procedure is required for that change to be made, as Members will be well aware from the debates on the Maastricht treaty, which is surely the most widely debated and closely analysed of any international treaty in recent memory.

This country is rightly proud of the political neutrality of its civil service and of the independence of its judiciary. Those would not necessarily be strengthened if Parliament was involved in the appointments process. Judicial appointments are made either by a responsible Minister, as in the case of the Lord Chancellor, or, as in the case of the senior judiciary, by the Queen on the advice of the Prime Minister. In the case of both civil service and judicial appointments, Ministers are accountable to Parliament through a substantive motion. The Civil Service Commission upholds and oversees the principle of appointment on merit through fair and open competition.

The hon. Gentleman also questioned the use of the prerogative in the issue and refusal of passport facilities. Under the present system, United Kingdom passports are issued at the discretion of my right hon. and learned Friend the Home Secretary and my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs, exercising the royal prerogative.

In practice, refusal of passport facilities to United Kingdom nationals is confined to certain well defined cateories, of which Parliament has been informed from time to time. Those are necessary in order to maintain the principle of discretion and to prevent it from being prejudiced by the criticism of arbitrary restriction of travel, which is created when a passport is refused.

Although the issue of passports is a discretionary power under the royal prerogative, it is as constrained as any statutory power might be, and the exercise of the discretion may be reviewed by the courts. The system has worked well, and it has been generally accepted that, under successive Administrations, that exercise of the royal prerogative has not been abused.

Implicit in what the hon. Gentleman says is the notion that Governments are somehow secretive. My right hon. Friend the Chancellor of the Duchy of Lancaster is leading a review of unnecessary secrecy, and the Government will be publishing a White Paper in the summer. However, I am not convinced that a charge of secretiveness about the use of the prerogative can be made to stick. The hon. Gentleman may ask why, if we are that open, we do not write down what all the prerogatives are.

As my right hon. Friend the Prime Minister made clear in the written answer to the hon. Member for Nottingham, North (Mr. Allen), the relationship between statutory powers and prerogative powers can be very complex, especially if the wider definition of the prerogative to which I referred earlier is used, and it would be impracticable to list all the occasions when action was taken under the prerogative. For example, every time a passport is issued, it is in fact an exercise of the prerogative. It would have been just as difficult to enumerate every action taken under statutory authority. There is very eminent authority for this view in Wade and Bradley on constitutional and administrative law. The 10th edition states:

> "Because of the diverse subjects covered by the prerogative, and because of the uncertainty of the law in many instances when an ancient power has not been used in modern times, it is not possible to give a comprehensive catalogue of prerogative powers".

The scope of Orders in Council approved under the prerogative, on the other hand, is narrow. Most orders are made in exercise of statutory powers—that is, under powers delegated by Parliament. Prerogative orders consist essentially of: first, those recording the appointment or swearing of new Privy Councillors; secondly, and the largest number, those granting royal charters or approving changes to existing charters, which are made on the submission of the bodies themselves; thirdly, those directing the affixing of the great seal to proclamations —for example, proroguing or dissolving Parliament; and fourthly, those making certain appointments such as governors of the BBC.

Those orders represent less than half the total made by the Queen in Council. The remainder are made under statutory powers, and are subject to such parliamentary procedures as are specified in the relevant Acts. They are in exercise of a delegated authority to legislate given by Parliament, not an expression of the prerogative at all.

The hon. Gentleman sees Crown immunity as an aspect of the prerogative. But the Government's policy on Crown immunity, as set out in the "Citizen's Charter" White Paper which deals with services to the public by Departments and Crown bodies, is to ensure that those bodies are not shielded from obligations placed upon others. That is consistent with the progressive removal of immunities from the health service. It is also consistent with the approach taken in the Food Safety Act 1990, which exposed the Crown to inspection and enforcement procedures, but not to criminal prosecution. A similar approach was followed in the Environmental Protection Act 1990.

The Government gave a commitment in the "Citizen's Charter" White Paper that the same approach would be

followed in similar future legislation, retaining immunities only for special reasons, such as the protection of national security.

At this point, I return to the hon. Gentleman's remarks about GCHQ. The Government's decision to remove the right of GCHQ staff to be members of the national civil service unions was taken because industrial disruption of GCHQ had been used by the national unions to put pressure on the Government in national civil service disputes. Between 1979 and 1981, 10,000 man days were lost disrupting an organisation whose continuous operation is vital to national security.

The Government's objectives remain unchanged since 1984. However, there have been discussions with the Council of Civil Service Unions to look for an alternative solution that would meet the concerns of all parties. The exercise of prerogative powers is subject to judicial review and I recommend that the hon. Gentleman reads the judgment of Lord Scarman in the GCHQ case. In general, if the question at issue is justiciable, the prerogative function will be subject to judicial review.

So the approach is a progressive one. Opportunities are being taken as they arise to bring the Crown within regulatory provisions applying to other bodies. Where the Crown is not at present bound by existing requirements, Crown bodies are expected to comply as though requirements applied to them whenever this is appropriate and practicable.

In any parliamentary democracy, the Government must not be above the law and are subject to parliamentary scrutiny. It is open to Parliament to restrict the prerogative powers exercised by Ministers further, if it wishes to do so, by introducing new Acts of Parliament. However, there is no sensible option of a blanket approach, as the hon. Gentleman would like to see. The case must be made and considered specifically, and in each area.

Mr. Garrett: Will the Minister give way?

Mr. Wardle: I have finished.

Mr. Garrett: The Minister trots out weasel words about the Government being able to remove prerogative powers as though it was democratic.

Madam Deputy Speaker (Dame Janet Fookes): Order. We have a slight procedural difficulty. The Minister having sat down, the hon. Member cannot have a second bite at the cherry.

Mr. Garrett: I thought he had given way.

Madam Deputy Speaker: I realise that. It then became clear that he had not.

Question put and agreed to.

Adjourned accordingly at fifteen minutes to Three o'clock.

House of Commons

Thursday 22 April 1993

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

BRITISH WATERWAYS BILL *[Lords] (By Order)*

CROSSRAIL BILL *(By Order)*

EAST COAST MAIN LINE (SAFETY) BILL *(By Order)*

GREATER MANCHESTER (LIGHT RAPID TRANSIT SYSTEM) BILL *[Lords] (By Order)*

WOODGRANGE PARK CEMETERY BILL *[Lords] (By Order)*

Orders for Second Reading read.
To be read a Second time on Thursday 29 April.

BRITISH RAILWAYS (No. 4) BILL *(By Order)*

Order read for resuming adjourned debate on Question [8 February], That the Bill be now read a Second time.
Debate to be resumed on Thursday 29 April.

CROYDON TRAMLINK BILL *[Lords] (By Order)*

Order for Second Reading read.
To be read a Second time on Thursday 29 April.

Oral Answers to Questions

NORTHERN IRELAND

Acute Hospital Services (Eastern Board Area)

1. **Mr. McGrady:** To ask the Secretary of State for Northern Ireland what assessment he has made of the manner of consultation by the Eastern health and social services board in respect of its document statement of intent for general acute hospital services within the Eastern board area.

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Jeremy Hanley): As the hon. Gentleman is aware, the Eastern health and social services board is currently consulting on its "Statement of Intent for General Acute Hospital Services" and this process is due to end on 14 May. I understand that the board is making strenuous efforts to consult as widely as possible, and it is engaged in an intensive programme of meetings with public representatives and local communities.

Mr. McGrady: Is the Minister aware that many of the delegations to the Eastern health and social services board have been refused explanations of the terminology of the statement of intent on such important factors as split-site operations, midwifery-led obstetrics, intermediate and day surgical procedures, accident and emergency provision services and consultant staffing? If the board is unable to clarify to delegations what those terms mean, how can the Minister say that that is consultation? Will he intervene to ensure that people's statutory right to consultation is properly executed and fulfilled?

Mr. Hanley: I am grateful to the hon. Gentleman for bringing that matter to my attention. It is always open to anybody who is unsatisfied with the avenues of consultation to write to my noble Friend Lord Arran, the Minister with responsibility for health and social services in Northern Ireland, and let him know of their dissatisfaction. The consultation process will end on 14 May and the board will have until the end of July to make its recommendations. There will then be further public consultation, when people can put questions directly to my noble Friend and I hope that they will take every opportunity to do so.

Mr. Peter Robinson: Is the Minister aware that there is considerable concern throughout the area of the Eastern health and social services board about the proposed changes? Will he therefore ensure that the suggested consultation is widespread and includes the people themselves, so that those such as my constituents the Costello family can give their view on the services being handed out by the board? Is the Minister aware that it took one hour and five minutes for a cardiac ambulance to arrive 20 minutes after Mr. Costello had died? Will the Minister look into that matter and examine the services provided by the board as they are thoroughly inadequate and need to be reviewed and improved?

Mr. Hanley: The hon. Gentleman refers to a most distressing case which I read about yesterday in the *Belfast Newsletter*. The hon. Gentleman has written to my noble Friend about the case. I assure him that the Ulster, North

Down and Ards hospital health and social services trust is investigating the matter. Lord Arran will write to the hon. Gentleman as soon as those researches have been completed.

Rev. Martin Smyth: Does the Minister share the concern of delegations to the board, who have described it as a dialogue with the deaf? That may be an insult to the deaf community. Does the Minister accept that if the board sets down criteria for judgment and then moves away from those criteria, it has moved the goalposts? Will he ask the board to refrain from implementing the suggestions on maternity provision in the board's area until the Department's new working party has made its recommendations?

Mr. Hanley: Again, all that I can say is that my information is that the board is carrying out its responsibilities conscientiously. If the hon. Gentleman has any particular complaints, he should address them to my noble Friend. I have nothing to add to the answer that I gave earlier as to the further consultation process which is available.

Cohesion Funds

2. **Sir Teddy Taylor:** To ask the Secretary of State for Northern Ireland if he will make a statement on the impact on jobs in Northern Ireland of the proposed distribution of EC cohesion funding.

The Minister of State, Northern Ireland Office (Mr. Michael Mates): The United Kingdom and, therefore, Northern Ireland does not qualify for assistance from the cohesion fund agreed at Maastricht. However, the retention of objective 1 status, as agreed at Edinburgh, for the next round of funding will ensure that Northern Ireland continues to benefit substantially from the three structural funds that are the main instruments for strengthening cohesion throughout the Community.

The allocation of the structural funds is currently under negotiation and it will be some months before decisions will be made. It is therefore not possible at this stage to quantify the impact on jobs.

Sir Teddy Taylor: Does it not seem desperately unfair to the people of Northern Ireland that the EC proposes to provide about £1,000 million over six years for the Republic of Ireland and not one penny for Northern Ireland? Does the Minister accept that employers in ports and other transport institutions in Northern Ireland cannot see the logic of a Conservative Government's giving their cash to provide jobs in the Republic of Ireland when the only effect will be to destroy jobs in Northern Ireland?

Mr. Mates: On the contrary, any money that comes into the island tends to help the already fast-moving experience of co-operation between north and south in trade and business and in the general flow of goods across the border. It is not true to suggest, as my hon. Friend does, that not one penny of funds is coming to Northern Ireland. Many millions of pounds are coming into Northern Ireland, but under arrangements other than the cohesion fund, which is available to only four members of the Community.

Mr Hume: Does the Minister agree that, as the cohesion fund was set up under his Government's presidency, the exclusion of Northern Ireland constitutes extreme neglect? As Northern Ireland is an objective 1 region, which means that it has been designated as one of the poorest regions in the European Community, as the cohesion fund is specifically for transport and the environment, and as Northern Ireland has the same offshore problems involving transport and the environment as the Republic of Ireland, does the Minister not think that we should have been treated exactly the same and does he think that he can correct that serious neglect on the part of whoever represented the Government when the fund was set up?

Mr. Mates: The hon. Gentleman suffers under the misapprehension that the cohesion fund is available to the poorer regions of the Community, whereas in fact it is available only to the poorer countries. There are other funds available to poor regions, and objective 1 status, which the Government won at Edinburgh last November, is a considerable improvement. For as long as Northern Ireland remains part of the United Kingdom, it has to take the gains and losses of that membership.

Mr. Hunter: With regard to developments that have an impact on jobs in Northern Ireland, is my hon. Friend in a position to give us further details about the training centres and the market testing of those centres? Presumably those would have a positive impact on jobs in Northern Ireland.

Mr. Mates: It is too early for me to be able to give my hon. Friend any details about that. We have not yet heard what funds will be provided in this round, but as a result of the previous funds available from the Community many, many jobs were created in Northern Ireland.

Mr. Stott: The Minister will be aware that the European Community has financed many cross-border initiatives by using the cohesion fund and objective 1 status funds. Does he agree with me and with Dr. Quigley, the chairman of the Ulster Bank, that the present definition of "cross-border" is too narrow? The relevant geographical area in the south has usually been considered to include only the counties contiguous with the north. Should not the term "cross-border" be redefined to embrace the totality of economic relationships within the island, and should not the EC regard the island economy as a whole as the relevant entity and direct its attention to the needs of that economic area?

Mr. Mates: I fully agree with what the hon. Gentleman says, and we are working hard to increase co-operation. I have made some proposals to my colleagues in the Government of the Republic that when we go to Brussels to seek to improve some of the arrangements we should go together and speak for the whole island. I very much hope that they will respond to those proposals.

Rev. William McCrea: Is not the Minister really saying to the people of Northern Ireland that the Government advise that we would be far better as part of one united Ireland rather than as part of the United Kingdom? They always try to equate or link us with the Irish Republic. For example, a few days ago when we were pleading for more money for potato farmers and money was available in the

south of Ireland, they said, "Ah, but if you were all one you would get the money." Surely that is skulduggery at the highest level.

Mr. Mates: I think "skulduggery" might be a bit of poetic licence. The hon. Gentleman is looking at this one fund in isolation. If it is looked at in isolation, it has to be said that the Republic gains more than we in the United Kingdom gain, because we are not eligible for it. The hon. Gentleman should look at all the other advantages that membership of the United Kingdom conveys on Northern Ireland. The totality of the advantages should be put together and then put to the majority in Northern Ireland for them to decide how they want to live.

Glass-fronted Fires

3. **Mr. Clifford Forsythe:** To ask the Secretary of State for Northern Ireland how many complaints have been reported in the past year regarding glass-fronted fires in Housing Executive dwellings.

The Minister of State, Northern Ireland Office (Mr. Robert Atkins): This is a matter for the Northern Ireland Housing Executive, but I understand from the chief executive that between 1 April 1992 and 31 March 1993 there were approximately 35,200 requests for repairs to glass-fronted fires in Executive dwellings. Over 97 per cent. were of a minor nature, such as a cracked or broken pane of glass.

Mr. Forsythe: In view of the great concern about those appliances and their flues and the fear that many tenants, particularly the elderly, have about them, will the Minister take the initiative and set up a committee or a consultative group—to include members of his Department, the Housing Executive, the manufacturers of the appliances and any other interested parties who have the expertise —to sort out this problem once and for all? Will the Minister give an assurance that he will do that?

Mr. Atkins: I am grateful to the hon. Gentleman for asking the question in the way he has. I know that he has given a great deal of attention to this problem over some years. The Housing Executive is responsible in the first instance. It has told me that it is aware of the concerns and is doing all that it can to ensure that proper training in the use of the fires is given, and that tenants understand what they are required to do to keep the equipment efficient throughout its lifetime. I shall, of course, communicate the hon. Gentleman's concern to the Housing Executive.

Dr. Hendron: With regard to glass-fronted fires and the fumes—including carbon monoxide—that can be associated with them, will the Secretary of State make a statement detailing the number of people in my constituency and elsewhere in Northern Ireland who, in the past 10 years, have taken the Northern Ireland Housing Executive to court on the ground of damage to their health, including the number of cases that were successful or settled out of court? A number of people in Northern Ireland have died as a direct result of the fires—one recently in the constituency of Newry and Armagh—and probably many hundreds more have died as an indirect result of the fumes, even though the words "due to glass-fronted fire" were not on the death certificate.

Mr. Atkins: I think that the hon. Gentleman would be astonished if I were able to give the answer on the Floor of the House. I will ascertain the answer and write to the hon. Gentleman.

Mr. Budgen: On a previous occasion when a question of this sort was asked in the House, I suggested that what was required in Northern Ireland was not constitutional arrangements by which America or the south was invited to offer impertinent advice, but that the sooner the Government got on with instituting a proper system of local government in Northern Ireland the better. I recollect that on that occasion the Secretary of State nodded in agreement. What is happening about that?

Mr. Atkins: My right hon. and learned Friend the Secretary of State has heard my hon. Friend's question and will doubtless find ways to tell my hon. Friend exactly what is going on.

Water Privatisation

4. **Mr. Beggs:** To ask the Secretary of State for Northern Ireland what investigations he has carried out into alternatives to water privatisation in Northern Ireland; and if he will make a statement.

Mr. Atkins: As always in such circumstances, I have considered a number of options for the future of water. Nevertheless, the Government remain committed to water privatisation as soon as practicable. It was originally anticipated for 1995-96, but our financial advisers suggest that some technical problems which have to be addressed will delay it beyond the lifetime of this Parliament.

Mr. Beggs: I welcome the announcement that, albeit for technical reasons, water in Northern Ireland will not be privatised during the life of this Government. That can only lead us to anticipate the next Government and the assurance that the Labour party has already given that it will not be privatising water.

In addition to those technical problems, however, to what extent did my initiative on behalf of the Ulster Unionists—which gained the support of all Northern Ireland Members, MEPs and district councillors in opposition to the proposals—and the recognition of the growing number of disconnections and the hardship and threats to health caused by those disconnections in England and Wales affect the proposals?

Mr. Atkins: There is no secret about the technical reasons——

Ms Short: What are they, then?

Mr. Atkins: If the hon. Lady will wait, I shall tell her. When my hon. Friend the Minister of State replied to a debate on an earlier occasion, he was not able to give the details then because there were other matters in hand that he was addressing. There are, however, three reasons.

First, there is a long overdue reform of the charging procedure for Northern Ireland. As the hon. Member for Antrim, East (Mr. Beggs) will understand, there is concern that some people are paying either too much or not enough and the balance must be redressed.

Secondly, we are under pressure from the EC in respect of directives on the purity and quality of water. That will cost some £350 million to £500 million which at present will be found by the taxpayers. I am sure that the hon.

Member for Antrim, East and other Northern Ireland Members will recognise that that will be a substantial burden on taxpayers in Northern Ireland.

Thirdly, it is certainly the case that I and my hon. Friends on the Government Front Bench would want, if possible, to be able to float water privatisation rather than for it to be a straight sale, simply because that would give people the opportunity to buy shares as they have been able to do in other successful privatisations, such as Shorts, Harland and Wolff and, currently, Northern Ireland Electricity. Although there was opposition to those privatisations, they turned out to be successful.

Several hon. Members *rose*——

Madam Speaker: Order. We do not want ministerial statements. I should be much happier if we could have brisker questions and brisker answers so that we may make progress.

Mr. Allason: When my hon. Friend deliberates on water privatisation, and bearing in mind his reference a moment ago to the £500 million cost of the EC water purity directives, will he also consider the fact that that kind of investment by the taxpayer was not made when South West Water was privatised? When my hon. Friend considers water privatisation, will he bear in mind the fact that daft European directives can cost an enormous amount of money, not just to the taxpayer? Particularly in the south-west of England, it is our bitter experience that it has been a huge cost to the water charge payers.

Mr. Atkins: I apologise for the length of my previous answer, but I was asked for the technical reasons and I had to spell them out.

The answer to my hon. Friend's question is quite simply that I will draw it to the attention of my right hon. and learned Friend the Secretary of State for the Environment, who is responsible for those matters in England. Therefore, I cannot really be asked to comment any further.

Mr. William O'Brien: In view of the reply given to the hon. Member for Antrim, East (Mr. Beggs), will the Minister explain to the House what is happening to the £10 million allocated for the investigation into the privatisation of water in Northern Ireland? How much has been spent on the consultants appointed by the Minister's Department and how much is left in the fund? Will he agree to channel that money into other causes in Northern Ireland to improve the quality of life of the people—in particular, the bypass of the township of Omagh in County Tyrone?

Mr. Atkins: The hon. Gentleman is right to raise that point. It is worth reminding the House, however, that if one enters into any project, including a privatisation project, it is necessary to have specialised technical advice. These days, that costs money. If we had not obtained that specialised advice, we would be open to legitimate criticism from Opposition Members and others. In terms of the costs expended, I believe that that is value for money. Clearly, however, we have to spend more on investment projects such as those asked for by the hon. Gentleman. The kind of money to which I referred, for example, in respect of the water quality directives from the EC, will require expenditure of up to £500 million. That is a lot of money which will have to be found by the taxpayer. That is why we need private sector involvement.

Non-denominational Schools

5. **Mr. John Marshall:** To ask the Secretary of State for Northern Ireland what representations he has received about non-denominational schools.

Mr. Hanley: While many schools could be included in a strict definition of the term "non-denominational", I understand that my hon. Friend is specifically interested in the integrated schools. I am pleased to report that the continued growth in the integrated schools sector is impressive. I had the opportunity to discuss developments with representatives of the Northern Ireland Council for Integrated Education during my visit to its offices recently.

Mr. Marshall: Does my hon. Friend accept that, important as denominational schools may be, in the specific circumstances in Northern Ireland it is wise that children of all denominations should be taught in the same schools? If children grow up together, learn together and play together, they will not become loud-mouthed bigots when they grow up. How many children are currently educated in integrated schools in Northern Ireland?

Mr. Hanley: At present, there are 14 integrated primary schools and four integrated secondary schools in Northern Ireland, and there are three more in the pipeline. Those schools teach just over 3,300 pupils.

Integrated schools have a significant part to play in helping to overcome community divisions. However, I do not believe that that implies that other schools—after all, we equally respect the right of parents to choose any school for their children—are in some way sectarian merely because they happen to be from one denomination. All schools are actively promoting the cross-curricular themes of education for mutual understanding and cultural heritage. That is a formal part of the Northern Ireland curriculum. More than one third of schools are participating in joint activities through the cross-community contact programme.

Mr. A. Cecil Walker: Will the Minister ensure that controlled schools are treated on an equal basis with maintained schools? Will he give careful consideration to a recent statement by the leader of the Northern Ireland Anglican Church about a council for controlled schools, to be treated on an equal basis with that for Roman Catholic maintained schools?

Mr. Hanley: The hon. Gentleman will be aware that there is currently under way, after consultation, a review of the education administration in Northern Ireland, so the latter issue that he raised will naturally be considered. On the other point, the answer is that such schools have parity in terms or capital grants and individual payments of expenses once they have been set up.

Mr. Beggs: On a point of order, Madam Speaker. An hon. Member has referred to people who are not educated in integrated schools as "loud-mouthed bigots". I put it to you that the hon. Member for Hendon, South (Mr. Marshall) should withdraw his remarks.

Madam Speaker: Order. That is hardly a point of order for me. If the hon. Gentleman has a point of order, I will take it at the appropriate time.

Arts Council for Northern Ireland

6. **Mr. Hague:** To ask the Secretary of State for Northern Ireland what plans he has to reform the Arts Council for Northern Ireland; and if he will make a statement.

Mr. Hanley: On 30 March, I made a statement announcing the Government's decision to appoint a new Arts Council for Northern Ireland on a statutory basis. The chairman of the new body will be Mr. Donnell Deeny QC, and I have invited suggestions for membership. I have arranged for copies of my statement to be placed in the Library of the House of Commons.

Mr. Hague: Can my hon. Friend confirm that Government support for expenditure on the arts has risen considerably in recent years in Northern Ireland, as in the rest of the country? Therefore, is it not right that the Arts Council for Northern Ireland should be fully accountable to Parliament? Will my hon. Friend complement that by ensuring that there are links with district authorities so that there is also a local influence?

Mr. Hanley: I am grateful to my hon. Friend. Expenditure on the arts in Northern Ireland has increased considerably in recent years. Following the recent announcement of an extra £300,000 at the end of the last financial year, we almost have parity per capita with Great Britain. My hon. Friend is right: because of extra expenditure, extra revenue and the proceeds that could flow from the national lottery, it is right that the Arts Council for Northern Ireland should be accountable to Parliament.

I pay a tribute to Professor Radford and the existing council, and also to Clive Priestley who wrote the report on which the new council is based. It is right that we should have people who are properly qualified to carry out the role. In no way does that denigrate the existing qualities of the council. It is also vital that district councils should have a role. I am therefore considering making it statutory that the new Arts Council for Northern Ireland shall deal with district councils in a forum in which at least one person from each council is represented and which is consulted at least annually. My hon. Friend is absolutely right: we need a balance between experience and consultation with

Mr. John D. Taylor: Is the Minister aware that in the past few years there has been increasing anxiety across the community in Northern Ireland that there is an imbalance of interest in the Arts Council and in particular that it does not give sufficient support or take sufficient interest in the cultural activities of the majority community in Northern Ireland? Will he ensure that in future the Arts Council membership reflects the strength and supports the cultural interest of the majority community in Northern Ireland?

Mr. Hanley: In the reform of the Arts Council in Northern Ireland I am pleased and regard it as highly desirable that the council's independence as the Government's advisers on our policies has been retained. It is therefore the decision taker on the allocation of resources for the arts. I hope that that will remain the position for good and all. However, I hope that the right hon. Gentleman will make his comments to the chairman. If he has any criticisms, he can take them up with the new Arts Council.

Inward Investment

7. **Mr. Clifton-Brown:** To ask the Secretary of State for Northern Ireland if he will give an estimate of the amount of inward investment to Northern Ireland in the last five years and the number of extra jobs this has created.

The Secretary of State for Northern Ireland (Sir Patrick Mayhew): During the past five years, 52 inward investment projects have been attracted to Northern Ireland, holding out on completion the prospect of 7,500 new jobs. Nearly 3,000 of those jobs have been created so far. Of those 39 projects that have received financial assistance from the Industrial Development Board, the total amount of inward investment to Northern Ireland is £400 million.

Mr. Clifton-Brown: While I welcome that excellent news for the people of Northern Ireland, does my right hon. and learned Friend agree that inward investment would be greatly increased if political talks were to start?

Sir Patrick Mayhew: That must be so, as my hon. Friend says. I am grateful to him for his welcome of the figures that I have given. To the extent that there is dissension and, of course, paramilitary activity, that is a disincentive to inward investment. It is yet another illustration, if one were needed, of how absurd it is for those who take part in violence for political ends to claim that they act on behalf of the ordinary people of Northern Ireland, or any section of them.

Mr. Mallon: The Secretary of State will be aware that groupings in many towns throughout Northern Ireland are attempting to interest people in America and other places in inward investment and job creation in Northern Ireland. He will also be aware from his visits there that it is a difficult and arduous task. What plans does the Department of Economic Development have to assist in practical and financial ways those groupings, which are doing a good job against all the odds?

Sir Patrick Mayhew: The parts of Northern Ireland of which the hon. Gentleman speaks, and the one that he represents, always have access to the Industrial Development Board in particular for assistance in that matter. We recognise the need to spread investment widely throughout the Province. But, of course, one cannot dictate to inward investors in what part of the Province they shall place their investment. That has to be left to them. To them, Northern Ireland is a small place. However, I give an undertaking to the hon. Gentleman that I will encourage the IDB and any other suitable agency to give whatever assistance it can. I notice that Her Majesty's Customs and Excise relocated to the hon. Gentleman's constituency with 100 jobs. But I have to recognise that that was in 1990-91. I know that the hon. Gentleman would like something more recent.

Dame Peggy Fenner: It is unusual for me to ask a question in Northern Ireland time, but, while I understand the great need to attract inward investment to Northern Ireland and the difficulties that Northern Ireland has, does my right hon. and learned Friend believe that it should be done at the expense of British firms? In my constituency,

the unemployment level is 12·2 per cent. Northern Ireland has offered to Montupet, a French firm, a product line in Northern Ireland. It is undercutting my constituency's product line on the ground that it has Government support. There must surely be free competition.

Sir Patrick Mayhew: One of the IDB's considerations is the likely or potential impact that inward investment of a particular character might have on businesses already established in the United Kingdom. However, my hon. Friend will recognise that in Northern Ireland the unemployment rate is much greater than that of the rest of the United Kingdom. I do not think that the people of the United Kingdom as a whole would grudge the people of Northern Ireland, with the special problems that they face, the assistance they get through the IDB and other agencies.

Mr. Trimble: Does the Secretary of State appreciate that the figures he mentioned in his original reply are minuscule compared with the need and that they compare unfavourably with the success of neighbouring regions? Will he confirm that it is the objective of the Industrial Development Board to attract investment to Northern Ireland? Will he then repudiate the recent sentiments expressed by the chairman of the IDB that all of Ireland should be treated as a single unit—a not surprising view because of the way in which the Irish Government effectively secured his appointment?

Sir Patrick Mayhew: The hon. Gentleman pursued a number of hares. Anything that the extremely distinguished new chairman of the IDB has said is capable of speaking for itself. I do not regard the figures as minuscule or anything like it; nor would any of those who have benefited through jobs created welcome that description. The total jobs promoted, 7,500, is substantial and we look forward to more. In the past year, a substantial investment —£167 million—has been attracted. All of that is very much to the good right across the board in Northern Ireland.

Sir Giles Shaw: Can my right hon. and learned Friend say how much of the new investment over that five-year period has come from the United States of America?

Sir Patrick Mayhew: Not precisely. I will correct the figure if I am wrong, but something like 30 companies that are established in Northern Ireland are domiciled in the United States. The United States contributes substantially to the International Fund for Ireland and is an important investor in the Province. That was one reason why I was glad to welcomed the southern legislative conference of United States politicians a few months ago and, incidentally, to read what they said when they left—that they were determined to correct the image of Northern Ireland because they did not recognise the place that they visited against what the media showed in the United States.

VAT (Fuel)

8. **Mr. Wicks:** To ask the Secretary of State for Northern Ireland what steps his Department intends to take to offer those already receiving social security benefit extra payments fully to offset the increases in fuel bills after the levy of VAT at 8 and 17·5 per cent.; and if he will make a statement.

Mr. Hanley: In his recent Budget speech, my right hon. Friend the Chancellor of the Exchequer made it clear that from April 1994 poorer pensioners and other poor families will get extra help. Details of the precise way in which the extra help will be provided will be announced in the autumn. Other social security beneficiaries will be assisted through the normal uprating mechanism.

Mr. Wicks: Given the very high fuel costs in Northern Ireland, and the fact that already cold-related deaths each winter kill more people than even the terrorists, will the hon. Gentleman take action not only to protect social security payments but to provide a home energy efficiency programme so that the old and the cold may have some reassurance about the terrible proposal to put VAT on fuel?

Mr. Hanley: Perhaps the hon. Gentleman, who takes a keen interest in the matter, may welcome the fact that over the last five years there has been a reduction in real terms of between 6 and 7 per cent. in electricity costs in Northern Ireland, while I admit that costs are high. In addition, since February 1988, there has been a reduction in real terms of between 13 and 15 per cent. in the cost of solid fuel, including coal.

The hon. Gentleman referred to deaths which result from severe weather. The Government, as he knows, have introduced changes so that cold weather payments are made automatically without a claim. As to energy efficiency, although my noble Friend Lord Arran is now the Minister responsible for that issue, when I was Minister I was pleased to visit at least three energy efficiency schemes. They are popular and welcome.

Mr. Robert B. Jones: Does my hon. Friend agree that it is just as important to ensure that energy is used efficiently as to ensure that benefits are updated? Therefore, may I congratulate him and his Department on the steps taken to place a duty on the electricity industry in Northern Ireland to seek energy efficiency saving measures? The Environment Select Committee is about to embark on an inquiry into this and I hope that the Northern Ireland experience will be of help to my colleagues and me on that Committee.

Mr. Hanley: I am most grateful to my hon. Friend. I know that my colleagues on the Front Bench will welcome what he says. It is worth pointing out that the introduction of VAT on domestic fuel is designed for environmental protection. It is strange that the Labour party does not welcome that quite as much as it should when one considers that it said in its manifesto that it would consider increased use of the fiscal system to promote environmental protection.

Mr. Molyneaux: Although I welcome the limited assurances about persons in receipt of various income benefits, will the Minister pay particular regard to the plight of the frugal poor who will be extremely hard hit by the application of VAT to domestic fuel?

Mr. Hanley: The right hon. Gentleman speaks for many hon. Members when he expresses concern for that category of person, above income support levels, whom we should consider sympathetically. We will always try to increase benefit levels in line with need. I am sure that he

would not want me to announce in advance any changes that might be considered to the upratings in November or April.

Electricity Generating Capacity

9. **Mr. Foulkes:** To ask the Secretary of State for Northern Ireland what representations he has received from private companies in Northern Ireland regarding new electricity generating capacity.

Sir Patrick Mayhew: I have received a number of representations, but the responsibility for new generating capacity rests with Northern Ireland Electricity plc.

Mr. Foulkes: Could the Secretary of State clear up a mystery for me? Why is it that he and his junior Minister seem to favour an interconnector—which will scar my constituency—that will bring electricity from Scotland to Northern Ireland more expensively than cheaper electricity generated in Northern Ireland by lignite, coal or gas? What is the hidden agenda of the Northern Ireland Office on this matter?

Sir Patrick Mayhew: The thinking of the Northern Ireland Office is that it will be a good thing if we can get some competition in the supply of electricity and the supply of fuel for electricity. The hon. Gentleman is aware that we are 70 per cent. dependent on oil. That is why we want an interconnector to bring electricity from Scotland and that is why we shall have a gas interconnector, as requested by the hon. Gentleman. Northern Ireland Electricity will certainly take into account the claims of lignite when it starts the competition for the supply of further generating capacity, which it will need towards the end of this century.

Mr. Bill Walker: Will my right hon. and learned Friend, when considering this matter, bear in mind the advantages to Scotland should an interconnector be put in place? Will he also bear in mind that many of us would like him and many of his colleagues in the Cabinet to look at European funds, which we see as our money, and get them back for the United Kingdom, if we can? The cost of an interconnector would be an admirable reason for receiving money from the cohesion fund or other funds.

Sir Patrick Mayhew: I am glad to confirm to my hon. Friend that the European Community will contribute 35 per cent. of the cost of the electricity interconnector, if it receives the necessary planning permission. That fits in extremely well with the EC policy for trans-European networks. On that ground and on others, I believe that there are advantages for Northern Ireland and I am very glad to hear that there are also advantages for Scotland.

Mr. William Ross: Does the Secretary of State understand that although we regret the steady increase in electricity costs—*[Interruption.]*

Madam Speaker: Order. The House must come to order. The hon. Gentleman has the right to be heard in the House.

Mr. Ross: Perhaps the microphone is not working. We welcome the fact that, although the electricity costs are increasing, the Secretary of State has been able to phase them in over a much longer period than was previously thought. Because Northern Ireland depends upon electricity to such an extent, and given our need to use the cheapest possible sources of electricity, will he ensure that whenever the possible use of lignite is considered it will be allowed to compete on a level playing field?

Sir Patrick Mayhew: The answer is yes. The hon. Gentleman is right in that there is considerable advantage in the phasing arrangements that I have announced. They will apply not only to large industrial users but to all 4,000 industrial users right across the board, not for two but for four years. So, as he acknowledges, that is a considerable alleviation. Also, nobody will have to pay more this year than a single figure increase.

Ports (Traffic)

10. **Mr. Fabricant:** To ask the Secretary of State for Northern Ireland which of the principal ports of Northern Ireland has carried the greatest tonnage of outward traffic in each year since 1987.

Mr. Atkins: In 1987, the port of Larne carried the greatest tonnage of outward traffic, but in each year since then Belfast has carried the higher total.

Mr. Fabricant: Will my hon. Friend join me in congratulating the port of Larne on its investment of £7 million in a new quay? Is he aware that, contrary to earlier suggestions, a substantial amount of that money comes from the European Commission, from the European regional development fund?

Mr. Atkins: Yes, Madam Speaker.

PRIME MINISTER

Engagements

Q1. **Mr. Clifton-Brown:** To ask the Prime Minister if he will list his official engagements for Thursday 22 April.

The Prime Minister (Mr. John Major): This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Clifton-Brown: Will my right hon. Friend welcome today's unemployment figures, down for the second month running and coming on top of an increase of 1½ per cent. in manufacturing output and 2 per cent. in the retail sales figures—proof that the economy is growing in confidence? Does he agree that it is about time Opposition Members stopped prophesying gloom and doom about the economy?

The Prime Minister: This is only the second successive month, but today's fall in unemployment will be seen as very good news by everyone, especially the families of people now back in work. Especially welcome is the fact that the number of unemployed people has fallen in Scotland, Wales, Northern Ireland and in each and every region in England. My hon. Friend is right to say that there are signs of growing business and consumer confidence. I hope that in the future that will bring further good news on jobs, which everyone who wishes this country well will surely welcome.

Mr. John Smith: While welcoming the fall—[HON. MEMBERS: "Hear, hear."]—in the official unemployment total announced today, is it not the case that a total of over 2,900,000 is still far too high and should never have been allowed to reach anything like that level? If the Prime Minister seeks to take credit for a fall of 26,000 in the official figures, is he equally prepared to accept responsibility for the million people who have lost their jobs since he became Prime Minister, the vast majority of whom are still unemployed?

The Prime Minister: Grudging might be an appropriate word for that welcome, but I at least welcome the fact that the right hon. and learned Gentleman has this month, unlike last month, welcomed the fall in unemployment. Perhaps he might mention to the shadow Chancellor—who said even yesterday that unemployment would go on rising—that he should look more carefully in future.

If the right hon. and learned Gentleman shares with me a wish to produce permanent, long-term jobs in a growing economy, perhaps he will also join me in the right policies to achieve that, including welcoming limits on public sector pay, welcoming caps on council spending, welcoming our trade union reforms, dropping his equivocation over strikes and welcoming our reforms to improve education. If he really cares about future long-term employment, will he welcome those? Yes or no?

Mr. John Smith: Does the Prime Minister appreciate —[HON. MEMBERS: "Answer."]—that unemployment at this continuing high level is in large part a reflection of the underlying weakness of an economy bedevilled by persistent under-investment in manufacturing and skills and menaced by a dangerously high balance of payments deficit? if the Government's economic policies are satisfactory, why are we suffering a multi-billion pound deficit in our balance of payments at a time of recession? What does the Prime Minister propose to do about that?

The Prime Minister: The right hon. and learned Gentleman really should lift his eyes. I know that he has to encourage his Back Benchers, but he should know that across Europe, 17 million people are unemployed and it is becoming increasingly apparent to everyone except the right hon. and learned Gentleman that that is the result of the international economy over many years. There are also 3 million unemployed in France. If the right hon. and learned Gentleman wants the answer to the question he should look at what is now happening in the economy. Car production figures last month were the highest for 19 years, a survey by the British chambers of commerce shows that business confidence is up, there has been the biggest growth in manufacturing exports for three years, surveys by the Royal Institution of Chartered Surveyors all show good news. In addition, there are extra jobs at Toyota in Derbyshire, Ford in Dunton and Kimberly-Clark in Humberside. Why does not the right hon. and learned Gentleman welcome what everyone else but him can see?

Mr. John Smith: Why does the Prime Minister not answer the question that I asked him? Why was it predicted in the Budget that the balance of payments would deteriorate from £12 billion to £17·5 billion? Is there any other country in the European Community with such a miserable prospect?

The Prime Minister: The European Community as a whole has a deficit, which the right hon. and learned Gentleman clearly does not know. The right hon. and learned Gentleman is yet again changing horses. Every month he used to ask me about inflation, until it fell when he stopped talking about it. He then started talking about unemployment until it began to level off and fall. Now he has changed horses again. I have bad news for the right hon. and learned Gentleman: he is going to run out of things to whinge about.

Q2. **Mr. Pickles:** To ask the Prime Minister if he will list his official engagements for Thursday 22 April.

The Prime Minister: I refer my hon. Friend to the answer that I gave some moments ago.

Mr. Pickles: In replying to the Leader of the Opposition, my right hon. Friend referred to the report of the British chambers of commerce. Did he see in that report that business confidence and business activity are both at high levels? Did he also note that the amount of export orders is at an all-time high? Given that trade union leaders, commentators and even economists now see an improvement—*[Interruption.]* I am sorry that the Opposition do not like improvements. Does my right hon. Friend, like me, look forward to the time when all hon. Members will welcome good economic news and talk Britain up rather than whinge?

The Prime Minister: My hon. Friend, of course, is right. Any good news for the economy is bad news for the Labour party. There has been a range of encouraging economic news, but we wish to see far more—to that extent, I agree with the right hon. and learned Gentleman, the Leader of the Opposition. There has been a range of encouraging economic information—retail sales are up, exports are up, manufacturing output is up, car production is up, house sales are up and business confidence is up. That is leading to a position whereby Britain will be on the up.

Mrs. Roche: Given the appalling record of Group 4 prison escort services, will the Prime Minister urge his right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler), who is the chairman of the Tory party, to resign from another Group 4 company?

The Prime Minister: No.

Q3. **Mrs. Gillan:** To ask the Prime Minister if he will list his official engagements for Thursday 22 April.

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mrs. Gillan: Will my right hon. Friend join me in welcoming the overwhelming vote in Italy against proportional representation—*[Interruption.]* Does it not reinforce my right hon. Friend's view that the first-past-the-post system is the best one, and delivers decisive, democratic and honest government? Will he join me, 32 million Italians and the deputy Leader of the Opposition in recommending the first-past-the-post system to the Leader of the Opposition and the Front-Bench team?

The Prime Minister: This is, of course, a divisive issue, which divides, not least, the Labour party as to whether it is in favour of proportional representation. I have never

made any secret of my views on proportional representation. It is one of the few matters on which I share the views of hon. Gentlemen below the Gangway. While others have tried to dance on the head of a pin during the election, the Conservative party campaigned four-square for the existing system. It has brought us over many decades stable and secure government. I hope that it will do the same for the Italians. The Italians are right to scrap the backstairs deals that inevitably come with PR.

Mr. Salmond: Talking of back stairs, does the Prime Minister believe—

[Hon. Members: Back stairs

Madam Speaker: Order. All these interruptions are very time-consuming.

Mr. Salmond: Does the Prime Minister believe that the provisions of the social chapter are popular or unpopular with the general public? Does he intend to include in his European speech this evening a passage expressing thanks to the leader of the Labour party for saving his political bacon in the referendum vote in the early hours of this morning?

The Prime Minister: I know that the hon. Gentleman will, as he always does, read my speech with great care——

Mr. Hood: Send him a letter.

The Prime Minister: I will not promise to send the hon. Gentleman a letter on this matter but, at the risk of leaking my own speech, he may not find the sentence that he seeks in it this evening.

Q4. **Mr. Ward:** To ask the Prime Minister if he will list his official engagements for Thursday 22 April.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Ward: Will my right hon. Friend speed up the efforts being made to prevent British industry and commerce being stifled by over-regulation? Is he aware that there is still much evidence that officials are being over-zealous in the interpretations of health, safety and fire regulations, with the resulting damage to British commerce and industry?

The Prime Minister: My hon. Friend is entirely right that unnecessary regulation and bureaucracy—I emphasise the word unnecessary—stifle industry and enterprise. I also agree with him that we have to beware of over-implementation of regulations whether from Whitehall, Brussels, county hall or town hall. My right hon. Friend the Secretary of State for Employment and my other right hon. Friends are all examining regulations to see what might satisfactorily be diluted or scrapped. This will be a continuing programme and I hope that we shall be able to bring measures before the House before too long.

Mr. Hood: Will the Prime Minister take the opportunity to restate his confidence in the Chancellor of the Exchequer? Would he like to describe his position as unsellable?

The Prime Minister: I know that I am keen on exports, but there is a limit.

Thurlestone Hotel, South Devon

Q5. **Mr. Steen:** To ask the Prime Minister if he will make an official visit to the Thurlestone hotel in South Devon.

The Prime Minister: Although I have no current plans to do so, I will certainly bear the possibility in mind for my next visit to the west country. I understand, however, that my right hon. Friend the Secretary of State for National Heritage met the proprietor, Mr. David Grose, when he visited the area last Friday. I gather that the hotel has been in the same family since the 1890s and even in difficult times has been expanding its business.

Mr. Steen: When my right hon. Friend does come to the hotel, I think that he will be fascinated to take a look at the decor, because every room in the hotel is covered in a plethora of red tape. I suggest that the Prime Minister should get hold of the new officials who are zealously interpreting the rules and regulations and make sure that they do not destroy hotels and small businesses. In particular, he should have regard for the undercover operations of the hygiene police.

Will my right hon. Friend, in his deregulation initiative, make sure that he gets rid of a number of public officials and puts a moratorium on the implementation of rules and regulations—and lifts the burden of such rules and regulations off the backs of the hoteliers?

The Prime Minister: My hon. Friend is well known as a champion both of the south-west and of deregulation. I know how important both are to him and I will take careful note of what he has to say. We certainly wish to cut as much red tape as possible.

Mr. Hume: When the Prime Minister visits this hotel in Devon, will he give consideration to the fact that this generation of human beings is living through the greatest economic revolution in the history of the world—a technological, telecommunications and transport revolution? Will he bear in mind that it means that the wealth of society is being created by far fewer people and that that in turn has great implications for the role of the state in the social and economic welfare of people? The Government should therefore be paying far greater attention to the role of the state in that capacity, instead of heading in the direction in which they are going: privatisation, survival of the fittest and, ultimately, the law of the jungle.

The Prime Minister: I think that the hon. Gentleman is quite right about the fact that this is likely to be one of the most rapidly changing decades in peacetime in the lifetime of even the most venerable Members in the House.

Technological change is inevitable and should be welcomed. It brings with it great benefits. I know that many people always fear that any technological change will have an adverse effect on jobs. I am sure that that argument was advanced when the wheel and a whole series of other inventions were thought up. We must live with technological change; we must advance it; we must make the most of it; and we must lead it.

Business of the House

3.31 pm

Mrs. Margaret Beckett (Derby, South): Will the Leader of the House state the business for next week?

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): Yes, Madam. The business for next week will be as follows:

MONDAY 26 APRIL—Second Reading of the Finance (No. 2) Bill.

TUESDAY 27 APRIL—Until about seven o'clock, Second Reading of the Non-Domestic Rating (No. 2) Bill.

Remaining stages of the Disability (Grants) Bill.

WEDNESDAY 28 APRIL—Remaining stages of the National Lottery etc. Bill.

THURSDAY 29 APRIL—Debate on Bosnia, on a motion for the Adjournment of the House.

FRIDAY 30 APRIL—Private Members' Bills.

As the following Monday is a bank holiday, I thought it would be helpful for the House to have, on the usual provisional basis, an indication of the business that we have in mind for Tuesday 4 May. Subject to progress in Committee, there will be progress on remaining stages of the European Communities (Amendment) Bill.

It may also be for the convenience of the House to know that the House will be invited to approve the motions on the Order Paper relating to the House of Commons Members Fund tomorrow, Friday 23 April.

The House will also wish to know that European Standing Committee B will meet on Wednesday 28 April at 10.30 am to consider a European Community document on distance selling.

[Wednesday 28 April:
European Standing Committee B
Relevant European Community Document
7151/92 Distance selling
Relevant Report of the European Legislation Committee HC 79-vi (1992-93).]

Mrs. Beckett: I thank the Leader of the House for that statement. The Opposition strongly welcome his announcement of a debate on Bosnia on Thursday. We all very much appreciate the speedy response from the Government to our pressure on them to find time for such a crucial debate.

Is the right hon. Gentleman aware of the evidence given yesterday to the Public Accounts Committee showing that, following disclosure of millions of pounds worth of mismanagement and fraud in the West Midlands regional health authority, the chair of that authority relinquished his post, whereupon a golden handshake of some thousands of pounds was personally authorised by the Secretary of State for Health? Will he arrange for the right hon. Lady to come to the House and make a statement about why she authorised that payment?

Could the right hon. Gentleman also arrange for a statement about the future of Prime Minister's Question Time? He will recall that last week, in answer to my hon. Friend the Member for Delyn (Mr. Hanson), he was good enough to say that he considered Prime Minister's Question Time an effective means of scrutiny. Has he seen the statement in today's *Financial Times*, suggesting that the Prime Minister does not think so and proposes to arrange televised press conferences at which he will be enabled to present his point of view unhindered by the House of Commons? What progress has been made in those discussions, and will the Leader of the House arrange for discussions with the broadcasting authorities so that we may have a balance, with other parties having a similar facility?

Will the right hon. Gentleman consider making time to deal with two ten-minute Bills passed yesterday, one at its Committee stage and the other on Second Reading? Both Bills help to address some aspects of rising crime that are worrying the British public. The Bill of my hon. Friend the Member for Warwickshire, North (Mr. O'Brien) gives the Government the opportunity to end, without having to wait for major legislation, the anomaly in the Criminal Justice Act 1991 that stops magistrates and judges giving proper consideration to previous convictions. The other Bill, which completed its Committee stage in one sitting, is that of the hon. Member for Shoreham (Mr. Stephen) and deals with repetitive car offences such as death riding. I understand that it has been greatly improved by amendments introduced in Committee by my party. We would welcome the Government considering finding time for those measures; and, of course, we would like an Opposition day.

Mr. Newton: I note the right hon. Lady's last request, which I thought might come. I think that I have been meeting the right hon. Lady's frequent requests at the rate of about one a week, so I am not doing too badly. I shall continue to bear her last request in mind.

The right hon. Lady asked about the Public Accounts Committee and the West Midlands regional health authority. I think that the House will agree that it would not be appropriate at this stage for me to comment on what the right hon. Lady said. I shall certainly draw it to the attention of my right hon. Friend the Secretary of State for Health, who is to answer questions on Tuesday 4 May.

The right hon. Lady asked about ten-minute Bills. She will know that it has not been our practice to make Government time available for private Members' Bills. She will also know that it is not impossible for such Bills to make progress, provided that there is sufficient co-operation in the House. I take her remarks as an indication that such co-operation would be forthcoming.

The right hon. Lady spoke about Prime Minister's Question Time and referred to press conferences. I think that she will agree that the main thrust of her question was primarily for the broadcasting authorities and not for me. I imagine that the answer would depend in part on whether it was felt that what others had to say was of as much interest as what my right hon. Friend had to say. Any thoughts that my right hon. Friend might have about communicating more widely certainly do not call into question the effectiveness of the process that we witnessed over the past 20 minutes.

I am glad to have been able to make time for a debate on Bosnia, and I know that many of my hon. Friends will also be pleased about that. It was kind of the right hon. Lady to be so generous in her observations. Some of the discussions—I hope that I am allowed to say this—through the usual channels that led to that took place when we found ourselves in the same Lobby late last night.

I hope that the right hon. Lady will take that as an encouragement to be in the Government Lobby more frequently.

Mrs. Angela Knight (Erewash): Would my right hon. Friend consider a debate in the next few days on financial mismanagement by some local councils? Many of my constituents are concerned about the way in which the police are hampered in their excellent job by the failure of Derbyshire county council to give them the funds they need. Is that poor financial priority not one of the reasons why constituents such as mine who live in a Labour area will, on average, pay £100 more in council tax than they would pay if they lived in a Conservative-controlled area?

Mr. Newton: I note my hon. Friend's request, and I fully understand the reasons for the concern that has led her to raise the matter in this way. Therefore, I am all the more sorry that I cannot immediately promise such a debate.

Sir David Steel (Tweeddale, Ettrick and Lauderdale): In view of the deadline of 15 May for the return of the IACS forms, will the Leader of the House arrange for an urgent debate on early day motion 1763?

[That this House, noting the commitment of the Minister of Agriculture, Fisheries and Food to reduce bureaucracy and the comparative simplicity of the administration in other EC member states, calls upon the Prime Minister to set up an immediate reappraisal of the Integrated Administration and Control System for the arable area, beef special and suckler cow schemes as part of his deregulation initiative.]

It deals with the maladministration of the scheme. Is the Minister aware that the scheme is much more complicated than those in any other European Community country, that it is expensive for farmers, in some cases, to hire surveyors to measure their fields, and that Ordnance Survey is unable to supply the required maps for some of them? Therefore, it is urgent that the matter be debated in the House.

Mr. Newton: I cannot undertake to provide time for such a debate, but I know that my right hon. and hon. Friends in the Ministry of Agriculture, Fisheries and Food have been assiduously attending meetings around the country to explain their proposals and the position on the forms. They have found that the reception, when farmers have found that the forms are not as difficult to fill in as they thought, has been good.

Mr. Barry Porter (Wirral, South): I am delighted to note that we shall have a debate about Bosnia, although I doubt very much that the United Kingdom will have much effect on the fate of that country. Could we have a debate about a part of the United Kingdom where British troops are committed, where we have a responsibility and where we can have some effect? I am talking about Northern Ireland. That is without reference necessarily to Dublin or Washington.

Mr. Newton: As my hon. Friend knows, we have a number of opportunities to debate Northern Ireland matters. That includes one last week, quite apart from Northern Ireland questions within the last hour and a quarter or so. I cannot immediately undertake to provide time for another debate, but I am sure that it will not be too long before there will be an opportunity for one.

Mrs. Alice Mahon (Halifax): The Leader of the House will be aware of the significant rise in poverty-related diseases such as scabies, tuberculosis and dysentery. Many Labour Members are concerned about public health, and know that there are many reasons for that rise, not least privatisation of the water industry and cuts in benefits. Will he make time for an early debate on that urgent matter, and will he bear in mind the fact that such diseases do not respect class and, quite often, those at the top of the hill get the diseases as well?

Mr. Newton: Leaving aside some of the over-political messages in the first part of the hon. Lady's question, which I do not accept, she will know that there have been a number of opportunities in the House—probably more than under any Government for some time—to discuss general matters in the improvement of public health. In recent times, that has been not least because the Government have a more developed strategy for the improvement of the nation's health than any in the country's history.

Mr. Nicholas Winterton (Macclesfield): Every right hon. and hon. Member should welcome the improvement in the economic information that is coming through day by day. In order to build on that, and to reduce the heavy costs to the country and the taxpayer of unemployment, will my right hon. Friend find, at an early date, time for a debate on industry and trade, which is so important to the improvement of the economy, so that hon. Members on both sides of the House can share with the appropriate Secretary of State their views on such matters as the importance of import substitution and investment allowances, which can be so beneficial in further improving the recently improved economic indicators?

Mr. Newton: I am grateful for my hon. Friend's remarks about the improved economic indicators. I hope that he will not take it amiss if I acknowledge his question as a trailer for the Adjournment debate that I understand that he has tonight on import substitution. I am sure that, having heard him this afternoon, everyone present will now be here to hear him tonight.

Ms. Ann Coffey (Stockport): Will the Leader of the House arrange for an early debate on the aerospace industry, in view of Lord Weinstock's evidence to the Select Committee on Trade and Industry, which showed that the decline of Government investment in the industry is prejudicing our future ability to compete with countries such as Japan and the United States, whose Governments are putting in a far higher level of investment and research —for example, in new materials?

Mr. Newton: I understand why the question has been raised in that way. I recall that a somewhat similar question was asked of me last week, when I made a point that I shall repeat now. There can be no doubt of the Government's commitment to the aerospace industry, not least as evidenced by the efforts of my right hon. Friends the Prime Minister and the President of the Board of Trade and my right hon. and learned Friend the Secretary of State for Defence in obtaining further orders for it.

Sir Anthony Grant (Cambridgeshire, South-West): How is my right hon. Friend getting on with the excellent

[Sir Anthony Grant]

all-party Jopling report? Is he aware that there is increasing exasperation in all parts of the House about getting these reforms implemented?

Mr. Newton: I am certainly aware of the concern that progress should be made. As I have said on a number of occasions, I too am anxious to see progress. I know that the right hon. Member for Derby, South (Mrs. Beckett) is also keen to see progress, whenever that is possible.

Mr. Alan Simpson (Nottingham, South): I am sure that the Leader of the House will be aware of the terribly sad loss of life of citizens from Nottingham, Manchester and elsewhere in the Waco inferno. Will he find time in the Government's programme to make a statement about the consular support to be given to those who survived the siege, and in that statement will he find space for an explanation of the contradictory reports about the events leading up to the inferno?

Mr. Newton: Obviously enough, the United States Administration are conducting their inquiries and we shall follow them closely. As for the hon. Gentleman's point about consular support, the right course would be for me to bring that matter to the attention of my right hon. Friend the Foreign Secretary.

Mr. Patrick Cormack (Staffordshire, South): May I, not surprisingly, thank my right hon. Friend for providing time for a debate on Bosnia? Will that debate be on a motion for the Adjournment, and will both the Foreign Secretary and the Secretary of State for Defence take part in it?

Mr. Newton: I said in my statement that the debate would take place on a motion for the Adjournment. It will be within my hon. Friend's knowledge that my right hon. and learned Friend the Secretary of State for Defence is out of the country, so I had better not make a commitment on his behalf in his absence, but my right hon. Friend the Foreign Secretary will certainly take part in the debate.

Mr. Thomas Graham (Renfrew, West and Inverclyde): Will the Leader of the House arrange to bring the Secretary of State for Scotland here to make a statement regarding what happened to a seven-and-a-half-year-old girl in my constituency? She had a serious accident. When she went to her local hospital, they did not treat her properly. She was given no tetanus jab—no nothing—and was sent home. All she was asked was whether she wanted a private dentist. She went to another hospital, where she was kept in, operated on and fully looked after. The Secretary of State for Scotland ought to come here and make a statement to the House about why my young constituent was not properly dealt with. It was a disgrace.

Mr. Newton: Were my right hon. Friend the Secretary of State for Scotland here, I am sure that he would certainly undertake to look into the point that the hon. Gentleman has raised. I shall bring it to his attention so that he can have the opportunity to do so.

Mr. David Sumberg (Bury, South): May we have a statement next week from the Foreign Secretary outlining the Government's efforts to support the worldwide attempt to obtain the release of the Israeli airman, Ron Arad? I ask that question because his family is coming to this place next week to meet a number of hon. Members, including myself and my hon. Friend the Member for Hendon, South (Mr. Marshall), when it would be good to be able to reassure the family that his plight is not forgotten.

Mr. Newton: I am grateful to my hon. Friend for raising that point. He knows that the Government collectively, and, I am sure, the whole House, have great sympathy for the families of those who are still held. We shall continue to call for the release of all those who are still held outside the due process of law. My hon. Friend will be aware that the United Nations also has an important role to play.

Mr. Bob Cryer (Bradford, South): Will the Leader of the House arrange for the Prime Minister to make a statement following his meeting with Salman Rushdie, which could be next week, and assure the House that the means of safeguarding his life are to be sustained and continued, that anybody who advocates his death or harm should be prosecuted, and that the Government are determined to work for the day when Salman Rushdie can walk and argue his case freely among the rest of the community?

Mr. Newton: The very fact that my right hon. Friend is due to meet Mr. Rushdie is an indication of the British Government's concern that his rights should be properly protected.

Ms Angela Browning (Tiverton): Will my right hon. Friend consider holding an urgent debate in the House on school transport? As he will be aware, the regulations are enshrined in the Education Act 1944. The rules and regulations that local authorities have to implement are anachronistic in the 1990s. Anomalies such as the different provision that is made for eight-year-olds and nine-year-olds in the same family are particularly poignant in rural areas, where conditions today are quite different from those in 1944. This issue is causing great concern in my rural constituency of Tiverton.

Mr. Newton: I cannot promise my hon. Friend an early debate but, as ever, I can promise that the matter will be drawn to the attention of one of my right hon. Friends —in this case, my right hon. Friend the Secretary of State for Education.

Mrs. Margaret Ewing (Moray): Will the Leader of the House arrange for a statement to be made next week by the Home Secretary in connection with the deliberations of the Boundaries Commission on the allocation of the six additional United Kingdom seats in the European Parliament? Is the right hon. Gentleman aware that strong rumours are circulating in the House that all six seats will be allocated to England, with none for Scotland, Wales or Northern Ireland? That is a matter for great concern to those of us in the parties that represent those nations of the United Kingdom, and we also recognise that it has important implications for the European Communities (Amendment) Bill.

Mr. Newton: The hon. Lady will be aware that the position remains as I have stated it once or twice in recent weeks. The Government are still considering the matter, and once proposals have been formulated, we plan to consult the Opposition parties.

Mr. Richard Tracey (Surbiton): In passing, I thank my right hon. Friend for his announcement that the National Lottery etc. Bill will be further considered on Wednesday. Many good causes outside the House will applaud the Government for that.

However, looking to the future, may I ask my right hon. Friend to consider a full debate on London soon, preferably in the middle of the week? Conservative Members strongly support causes that try to promote London through the London Forum, and to cut out corruption, which unfortunately is happening in too many London boroughs, but Opposition Members are apparently petitioning to bring back the dreary days of the Greater London council.

Mr. Newton: The first part of my hon. Friend's question was a classic example of what I would call the Oliver Twist mentality in this place. No sooner does one fulfil one demand than another comes along. At any rate, I am glad to have pleased not one but two of my hon. Friends with my announcements this afternoon.

I continue to take note of my hon. Friend's second concern, but just before the Easter Adjournment, the House had an opportunity to debate London matters for some three hours during the debates that substituted for the old Consolidated Fund Bill debates.

Mr. Bill Olner (Nuneaton): I support my hon. Friend the Member for Stockport (Ms Coffey) in asking the Leader of the House to provide time for a debate on the British aerospace industry. Although I welcome the small reduction in the number of the unemployed, it is ironic that, on the day on which those figures were announced, 500 people at Rolls-Royce factories in the Coventry area received compulsory redundancy notices in their pay packets. The British aerospace industry, a great leader and export earner for the country, is slowly haemorrhaging away, and needs Government support for research and development and other activities to tide it over a difficult period. I wish that the Leader of the House would find time for a debate on that most important matter.

Mr. Newton: I am afraid that I cannot add to what I said to the hon. Member for Stockport this week and to somebody else last week or the week before, but I hope that the hon. Member for Nuneaton (Mr. Olner), too, will draw some encouragement from the improved economic indicators. Part of the underlying problem has been the drop in demand from airlines and others that has arisen from the worldwide recession, so improvements in the economy anywhere will help in due course.

Mr. John Butcher (Coventry, South-West): May I persuade my right hon. Friend to arrange a debate on the effects of the worldwide and domestic shortage of risk capital for investment, especially in small and medium-sized manufacturing companies in this country? Does he share my sense of urgency, because that shortage of capital for small unquoted companies may impede our industrial recovery? If, for example, we were to signal the abolition of capital gains tax during such a debate we might, in line with the Prime Minister's policy, make this country a haven for inward investment and give ourselves a considerable competitive edge.

Mr. Newton: That is the kind of question I really like. It leads me straight to the first piece of parliamentary business for next week, the Finance (No. 2) Bill. I forecast, Madam Speaker, that my hon. Friend will be seeking to catch your eye.

Mr. John McAllion (Dundee, East): Earlier today, the House was informed that the Northern Ireland Office was abandoning its plans to privatise water in this Parliament, not for policy reasons but for technical ones—in particular, for reasons relating to EC directives. As these same directives must apply equally to Scotland, may we have an early statement from the Secretary of State for Scotland to confirm that he too is abandoning any plans he may have to privatise Scottish water? I warn the Government that, if they leave Scotland alone to face the prospect of water privatisation in this Parliament, they will be met with resistance, inside and outside the House, which will make the troubles of this year look like the tamest of tame tea parties.

Mr. Dennis Skinner (Bolsover): There will be blood and snot.

Mr. Newton: I do not know whether to regard those as helpful observations, but they were clearly welcomed by the hon. Member for Bolsover. The principal reason for my right hon. and learned Friend's announcement is related to the new customer billing system scheduled for introduction in April 1996. The Government's commitment to water privatisation in Northern Ireland as soon as practicable was reaffirmed. I do not see that it has any implications for the current consideration of these matters in relation to Scotland.

Mr. Andrew Hunter (Basingstoke): Bearing in mind the considerable public concern that has been expressed about the Government's intention to treat timeshare dwellings as commercial property, and therefore subject to the uniform business rate, will my right hon. Friend give serious consideration to making arrangements for statutory instruments Nos. 526 and 542—against which I have prayed—to be referred to a Standing Committee for debate?

Mr. Newton: My hon. Friend will be aware that such properties are already subject to the uniform business rate, and were during the latter period of the community charge. I know of the concern that has been expressed in some quarters about this, and my hon. Friend's prayer. I cannot give an immediate undertaking of the kind that my hon. Friend seeks, but I will certainly look into the point that he has raised.

Mr. Skinner Now let's see if the Leader of the House can handle this one. Before the right hon. Gentleman got this job, he used to be well versed in social security—right? Is he aware that a few days ago, when we had the mining debate—in a blaze of publicity—we had a statement on emphysema and bronchitis, and thousands of people in every part of Britain believed that they were going to get payment? Now it seems to have gone dead.

I want to know from the Leader of the House whether, with his knowledge of social security, he can give a guarantee that a statement is going to be made very shortly as to how the payments are going to be made, who is going to qualify and will the widows of miners also qualify. Will he get the answers to those questions for the House? In every constituency, people want to know the answer.

Mr. Newton: The answer to the original question—which, in effect, was, do I recall being the Secretary of State for Social Security?—is yes. The answer to the other part is that I am aware of the pleasure that was caused by my right hon. Friend's announcement in response to the report from the Industrial Injuries Advisory Council. I am also aware that, because of the very nature of the scheme, industrial injury claims can be difficult and complex to assess. I shall not attempt to give an off-the-cuff-answer, because I do have that experience as a Secretary of State. My right hon. Friend the current Secretary of State for Social Security and his Ministers will be here on Monday next to answer questions, and I will draw their attention to what the hon. Gentleman has said.

Sir Teddy Taylor (Southend, East): The Leader of the House has kindly advised us that the Report stage of the European Communities (Amendment) Bill will start a week on Tuesday. Is it the Government's intention for Third Reading not to be debated until after the Danish referendum?

Mr. Newton: I have no reason to depart from the statements that my right hon. Friend the Prime Minister and others have made about that matter on a number of occasions.

Mr. David Winnick (Walsall, North): Will the Leader of the House give an assurance that there will be adequate time on Report to discuss the many aspects of the European Communities (Amendment) Bill? Is the Leader of the House aware that, although the issue of a referendum was decided one way on a whipped vote earlier today, that issue will not go away? The British people are entitled to say whether such a constitutional matter of such crucial importance should take place. Therefore, that whipped vote in the early hours of the morning does not amount to much, no matter how much the two Front Benches combined.

Mr. Newton: Whatever the nature of the vote, from what I observed last night, there was not a great deal of evidence that the Whip had much effect on those who held views opposite to those of the Front Benches. Therefore, I regard the vote as a genuine expression of the real opinions of the House. There was an overwhelming majority against a referendum.

Mr. Tony Marlow (Northampton, North): When the other place exercises its constitutional duty in respect of what happened last night, it will take account of the fact that, although there was a three-line Whip, 100 Labour and Conservative Members defied that Whip and a further 100 were absent after the 10 o'clock vote. In other words, despite the fact that the Front Benches colluded, 200 hon. Members opposed the measure, while fewer than 200 Back Benchers supported it. As the referendum issue is to be introduced in another place, will my right hon. Friend the Leader of the House tell the other place now, or make a statement next week, whether he will sustain that referendum or seek to throw it out?

Mr. Newton: It would be quite wrong for me to tell another place what conclusions to draw—indeed, it would probably be some kind of breach of privilege. The conclusion that I draw is that, whatever statistical contortions my hon. Friend engages in, the fact is that well over half the House voted against a referendum last night.

Mr. Harry Barnes (Derbyshire, North-East): Will the Leader of the House have a word with the Minister of State, Home Office, the hon. Member for Fareham (Mr. Lloyd), to ensure that, when my Representation of the People (Amendment) Bill returns to the House, it is not objected to and stopped simply by one person, as happened during its earlier passage through the House? It was stopped only on a closure motion, and no one voted against it. In those circumstances, should there not be some progress on a measure that would improve electoral representation and access to polling stations for disabled people?

Mr. Newton: I will certainly bring the hon. Gentleman's point to the attention of my hon. Friend the Minister of State. However, the hon. Gentleman will understand that whether or not someone says, "Object" is determined not in one mind, but possibly in any of 651 minds.

Mr. Robert Adley (Christchurch): Is my right hon. Friend aware that many of us who voted to support the Government in respect of the referendum clause last night did so with as much enthusiasm as that expressed by my hon. Friends who take the alternative point of view?

On my substantive question, is my right hon. Friend aware that, due to the complexity and inadequate thought given to the clauses in the Railways Bill, the Bill has been subjected to substantial amendment and is due to leave Committee without any reference to pensions—which, as my right hon. Friend knows, is a very contentious issue? May I therefore flag up at an early date the fact that we need at least three full days for the Report stage, with probably one full day devoted to the pensions issue alone?

Mr. Newton: My gratitude for the first half of my hon. Friend's question waned rather rapidly as he went on. I will do no more than take note of his request.

Mr. David Trimble (Upper Bann): Can we have an early statement on the Government's proposals, revealed in the press on Monday, to introduce a scheme for the registration of building contractors and building workers? I trust that they are not the new clauses to deal with terrorist funding and racketeering which the Home Secretary said would be added to the Criminal Justice Bill in Committee. While we support the general principle, the detail is quite complex and will require considerable consideration. Unlike the other bodies to which the Northern Ireland Office sent the document for consultation some six or seven weeks ago, the Department has not bothered to consult the political parties concerned.

Mr. Newton: I will bring that complaint—as I take it to be—to the attention of my right hon. and learned Friend the Secretary of State. However, I am slightly surprised that it was not raised with him during Northern Ireland questions not so many minutes ago.

Mr. Harry Greenway (Ealing, North): Can my right hon. Friend arrange an early debate on adoption policy, so that the House can consider the decision of a committee of the Hampshire county council to allow a lesbian couple to adopt? The question of adoption is absolutely crucial and must always be in the interests of the child. The House should consider whether that decision is in the interests of any child.

Mr. Newton: Since I cannot undertake to find time for a debate on that matter, perhaps the right course is to

bring to the attention of my hon. Friend the fact that general policy responsibility in this area rests with my right hon. Friend the Secretary of State for Health, who will be here answering questions on Tuesday 4 May.

Mr. Clive Soley (Hammersmith): In his capacity as Leader of the House, does the right hon. Gentleman approve of the letter sent from the Government Whips Office by the hon. Member for Wanstead and Woodford (Mr. Arbuthnot) to Tory Back-Benchers inviting them to speak on the totally innocuous and unopposed Bill which is due for consideration before my Freedom and Responsibility of the Press Bill tomorrow, leading Tory Members to believe that the Government's intention is to talk the Bill out? Does he approve of that?

Mr. Newton: I am not immediately familiar with the contents of the letter to which the hon. Member is referring. I shall certainly bring what he says—again, I think it is a complaint—to the attention of those at whom it appears to be directed.

Mr. Rupert Allason (Torbay): My right hon. Friend will be aware that the country is in the grip of a car theft epidemic. Would he be kind enough to ask the Home Secretary to come to the House next week to clarify the law on so-called man traps? There are few deterrents available to the police to prevent car theft. One of them is the self-immobilising vehicle which traps a car thief in the vehicle until the police arrive to cart him off to jail. It is a vital weapon in the fight against crime, but there is some doubt about its legality. It is important that the Home Secretary clarifies the matter as soon as possible. Can my right hon. Friend give an undertaking that the Home Secretary will come to the House to reassure the police?

Mr. Skinner: It is a job for a double agent.

Mr. Allason: The hon. Gentleman should know.

Mr. Newton: Is the hon. Member for Bolsover (Mr. Skinner) offering? I will bring the request of my hon. Friend the Member for Torbay (Mr. Allason) to the attention of my right hon. and learned Friend the Home Secretary.

Mr. D. N. Campbell-Savours (Workington): Can we have a full day's debate split into two parts—one on Members' interests and the other on procedure? Was the Leader of the House being serious when, in reply to the hon. Member for Billericay (Mrs. Gorman) the other day, he suggested that the Select Committee on Procedure should reconsider the whole question of tabling questions effectively to reopen the door to syndicates? Will he condemn the syndicating of questions and thereby close the door once again on matters of principle?

Mr. Newton: I note the first part of the hon. Gentleman's request. He well knows that I am continuing to look for progress in respect of Members' interests. I think that the prospects may be improving at present.

I do not understand the latter part of the hon. Gentleman's question. My recollection of the exchange with my hon. Friend the Member for Billericay is that it related to the amount of time allowed before the cut-off —it used to be four o'clock, and is now five o'clock— which my hon. Friend appeared to be seeking to have further extended. That is my recollection. I certainly did not have in mind any question of returning to rules which would make syndication easier.

Mr. Nigel Evans (Ribble Valley): The House will be reassured by the Prime Minister's commitment to the abolition of unnecessary regulations, especially as they affect many of the 3 million small businesses in the United Kingdom. Will my right hon. Friend find time soon for the House to have a debate on deregulation, especially as it affects matters such as the new regulations on abattoirs, which are causing many small abattoir owners to face bills of £20,000 and £30,000, and the beer regulations which will impose massive costs on pubs throughout the country——

Madam Speaker: Order. The hon. Gentleman must complete his question.

Mr. Evans: Yes, Madam Speaker. The beer regulations will also impose massive costs on hotels and small restaurants.

Mr. Newton: My hon. Friend will be aware—indeed, my right hon. Friend the Prime Minister referred to it not so many minutes ago—of the substantial drive which is going on throughout Government in respect of deregulation. I have no doubt that opportunities for debate will arise in due course. While I cannot promise them next week, I can draw the attention of my hon. Friend to the fact that the Minister of Agriculture will be here answering questions on Thursday 29 April. He has the responsibility for abattoirs.

Mr. Rhodri Morgan (Cardiff, West): Will the Leader of the House nudge the Foreign Secretary and the Minister of State, Foreign and Commonwealth Office, the right hon. Member for Watford (Mr. Garel-Jones), to take note of early-day motion 1818 signed by me and 10 other Members of Parliament?

[That this House is appalled by the violation of the basic human rights of Alan and Paul Sell of Cardiff and Jamie Humphries of Bridgend in the failure of the Spanish judicial authorities, having arrested them at Calella near Barcelona on 30th May 1991 and imprisoned them ever since, to bring them to trial; and calls on the Foreign Secretary to press the Spanish authorities to ensure that there are no futher delays in bringing this matter to trial, now that 5th May has been set as the date, following the aborting on the day of the trial of the two previous trials arranged in November 1992, and March 1993, since this entire long drawn out legal case has already amply proved the truth of the age-old maxim that justice delayed is justice denied.]

It refers to the imprisonment without trial of my constituents Alan and Paul Sell and the constituent of my hon. Friend the Member for Bridgend (Mr. Griffiths) Jamie Humphries in the youth prison in Barcelona. They will have been imprisoned without trial for two years on 30 May.

Will the Leader of the House ask the Foreign Secretary to make a statement to the House on how he intends to draw the attention of the Spanish authorities in Britain to the strength of feeling in south Wales that justice delayed to those three young men from south Wales is justice denied, and a gross violation of human rights?

Mr. Newton: The House will well understand the anxiety that has led the hon. Gentleman to raise that point. Happily, as he observed, those to whom his question was

[Mr. Newton]

directed are here to listen to it. I am sure that they will respond appropriately. The Government as a whole well understand the anxiety expressed in his motion. We hope that the trial will go ahead on 5 May. If it does not, we shall consider with the lawyers of the defendants what action is in their best interests.

Mr. Jacques Arnold (Gravesham): I support the calls today for a debate on foreign trade, which is so necessary to the opportunities for Britain. During that debate, could we highlight the rapid growth of many of the economies of Latin America, which qualifies those countries for the introduction or extension of the Export Credits Guarantee Department limits, and above all the importance of our diplomatic missions overseas and the support which they give to our traders?

Mr. Newton: I join my hon. Friend, especially in the presence of my right hon. Friend the Foreign Secretary, in what I take to be a tribute to the increasingly valuable work done by many of our Foreign and Commonwealth Office officials in many countries throughout the world. I am sure that my right hon. Friend will also have noted the other parts of my hon. Friend's question.

Mr. Richard Burden (Birmingham, Northfield): When the Leader of the House discusses with his right hon. Friend the Secretary of State for Health the request of my right hon. Friend the Member for Derby, South (Mrs. Beckett) for a statement on the West Midlands regional health authority, will he draw to her attention the urgency of the case, and stress that millions of pounds of public money is being wasted and that the obligation of district health authorities remains? Top executives have been awarded golden handshakes running into thousands of pounds——

Madam Speaker: Order. These are questions about next week's business. All hon. Members should put their question briskly and pointedly to the Leader of the House.

Mr. Burden: I am sorry. During the statement next week which I hope that the Leader of the House will press the Secretary of State for Health to make, will he also draw it to her attention that the reports considered by the Public Accounts Committee were different from those distributed to the public? If the Government are to retain any credibility, we need a statement on the matter next week.

Mr. Newton: Will that do, Madam Speaker? I must make it clear that I did not undertake to ensure that a statement was made next week. I observed that my right hon. Friend the Secretary of State for Health would be here on Tuesday 4 May to answer questions. As I said in response to the right hon. Member for Derby, South (Mrs. Beckett), I will bring the points about West Midlands regional health authority to my right hon. Friend's attention.

Mr. John D. Taylor (Strangford): Many of us are worried that, if the United Kingdom became involved in air attacks on any of the combatants in Bosnia, our troops from the Cheshire Regiment and Royal Irish Regiment would be put at risk. Can the Leader of the House assure us that we shall have a full debate next Thursday on Bosnia before the United Kingdom commits itself to any attacks in Bosnia?

Mr. Newton: The right hon. Gentleman will recognise that any Government in such circumstances must reserve the right to take judgments according to those circumstances. However, part of the purpose of having a debate is to allow the House to express its views before too many more developments have occurred.

Mr. John Denham (Southampton, Itchen): I am sure that, when the Leader of the House turned the tap on for his bath this morning, water came out. He will recognise that that puts him in a much better position than the thousands of people who have been disconnected from their supply by the privatised water companies. I am sure that that will make him sympathetic to my call for a statement next week about the growing number of water disconnections.

The Southern water company in my area has made a record number of disconnections. It is disconnecting families with young children, elderly people and people suffering from chronic diseases. The House must have an opportunity to debate that scandal and to call for the prosecution of directors of water companies where disconnection leads to ill health.

Mr. Newton: The right course is for me to draw the hon. Gentleman's attention to the presence here next Wednesday of the Secretary of State for the Environment.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): Bearing in mind the revelation this morning by the Newbury Green party that the headquarters of Blue Circle Cement was built on the site of a former privately owned nuclear reactor, that Blue Circle Cement intends to vacate the premises because nuclear contamination has been recorded on the site, and that this is the first occasion when a decommissioned site has been restored to use which is open to the public, will the Leader of the House make time available in the near future for a debate on that bizarre and disturbing state of affairs?

Mr. Newton: I cannot undertake to find time for a debate, but I can undertake to bring the hon. Gentleman's question to the attention of the appropriate Minister.

Mr. John Gunnell (Morley and Leeds, South): Will the Leader of the House tell us when we may have a debate on opencasting? The recent debate on coal properly focused on mine closures. Opencast was a second area where there was considerable difference between the recommendations of the Select Committee on Trade and Industry and the proposals in the report.

Mr. Newton: The hon. Gentleman was kind enough to refer to the debate that we had not so long ago covering the whole range of these matters. Clearly, points relating to opencast would have been within the scope of that debate. I am sorry if the hon. Gentleman did not get an opportunity to raise them. I cannot promise that it would be possible to have a further debate on an early occasion.

Mrs. Barbara Roche (Hornsey and Wood Green): May I urge the Leader of the House to arrange a debate on priorities in local government spending, given the recent report that Enfield council is closing children's play-grounds while at the same time refurbishing its council chamber?

Mr. John Marshall (Hendon, South): Why was the hon. Lady not here on Friday?

Mr. Newton: My hon. Friend helpfully makes a point that perhaps I ought to have thought of earlier in relation to the question of my hon. Friend the Member for Erewash (Mrs. Knight). It is only about a week since a Friday debate was devoted to local government matters. My understanding was that the usual channels on both sides of the House had difficulty finding enough hon. Members to speak in it.

Point of Order

4.17 pm

Mr. Roy Beggs (Antrim, East): On a point of order, Madam Speaker. May I bring to your attention the remarks made earlier by the hon. Member for Hendon, South (Mr. Marshall), during his support for integrated education in Northern Ireland? His remarks cast a slur on every Northern Ireland Member present who was educated at a Roman Catholic maintained school or a state school in Northern Ireland. I ask you to examine those remarks. In the event that the hon. Gentleman does not concede that he was suggesting that each of us is a loud-mouthed bigot, will you ask him to withdraw the remark?

Madam Speaker: Is the hon. Member referring to the Minister?

Mr. Beggs: No, the hon. Member for Hendon, South.

Madam Speaker: Does the hon. Member for Hendon, South (Mr. Marshall) want to make a comment? I will let him make it on a point of order, if he wishes.

Mr. John Marshall (Hendon, South): Further to the point of order, Madam Speaker. Nothing in what I said was meant to be a slur on individual Members. I am sorry that certain hon. Members may have taken it as such, because it was not intended in that way.

Madam Speaker: I think the matter is ended.

Orders of the Day

European Communities (Amendment) Bill

Considered in Committee [Progress, 21 April]

[MR. MICHAEL MORRIS *in the Chair*]

New clause 74

COMMENCEMENT (PROTOCOL ON SOCIAL POLICY)

'This Act shall come into force only when the House of Commons has come to a Resolution on a motion tabled by a Minister of the Crown considering the question of adopting the Protocol on Social Policy.'.—*[Mr. George Robertson.]*

Brought up, and read the First time.

4.19 pm

Mr. George Robertson (Hamilton): I beg to move, That the clause be read a Second time.

The Chairman of Ways and Means (Mr. Michael Morris): With this it will be convenient to discuss also new clause 75—*Transferred Powers (Commencement)*—

'No power transferred by this Act from the United Kingdom to European institutions shall be so transferred unless and until the House of Commons has had an opportunity to vote on a motion tabled by a Minister of the Crown relating to the incorporation or otherwise of the United Kingdom into the Agreement annexed to the Protocol on Social Policy.'.

Mr. Robertson: I understand that, although they have not yet said so, the Government intend to accept the new clause. That is interesting. It is not a concession, but a surrender. It is an admission by the Government that they have no majority and no authority on this issue and that they face defeat in Committee. Rather than face that defeat honourably, they have simply said that it does not matter.

I intend to consider the new clause in detail and to explain to the Committee and the sceptics perched on the Back Benches precisely what its effect will be and precisely how it will place them on the spot—on the horns of their ultimate dilemma.

This is a new debate, but it is hardly a new subject.

Sir Teddy Taylor (Southend, East): Will the hon. Gentleman give way?

Mr. Robertson: I shall come to the hon. Gentleman in time.

Sir Teddy Taylor: Will he give way just once?

Mr. Robertson: Very well.

Sir Teddy Taylor: I promise that this will be my one intervention. Can the hon. Gentleman tell us how there is a dilemma over new clause 74 when the Government have already said that, whether we vote for or against it or chuck it out of the window, they will leave us in the treaty? What is the point of it?

Mr. Robertson: To believe the hon. Gentleman when he says that he intends to intervene "just once" is like listening to the right hon. Member for Watford (Mr. Garel-Jones) and accepting that his is the authoritative view of the Government.

I shall tell the hon. Member for Southend, East (Sir T. Taylor) precisely why new clause 74 is the ticking bomb. I hope that he will listen with great care to my conclusions, because he is wrong. He will be on the spot and I will watch him to see what he does.

This is hardly a new subject, but it is vital. The social chapter, the agreement attached to the protocol on social policy, is important to the fate of Britain and Europe. It should not be judged simply in the context of the treaty. It is important because it illustrates perhaps more graphically than any other issue the awesome gap that stands between the Government's vision and ambition for Britain and for Europe and that of all the other European Community countries.

The Tory party's lonely vision of Europe is of a marketplace alone and its myopic ambition is to dominate it by low wages, low standards and down-market, service-based activities. The market exclusively will matter to the Tory party. Commerce will count, money will rule and people will be kept in their place—at the bottom of the rights league.

Every country in Europe has woken up to the reality of the modern world—the terrifying competition to Europe and to Britain from the far east, Japan and even a dynamic and growing United States. All our European colleagues have embraced the philosophy of quality, skills, high standards and up-market, high value-added production. They see that as their only salvation in the new world. They look on in dismay and with disbelief at our Government making a virtue out of competing at the bottom, at the lowest level of any market.

We are fortunate that British business is increasingly rejecting that suicidal ambition and is looking for, and can now find, an alternative, practical set of policies from the Labour party to take the country into a winning and not a sinking position in Europe and the world markets.

This debate is about a totem, not a policy. The objection of the British Government to the social chapter is about Tory party unity and is not about the British national interest. In the Tory party, the conflict between national interest and Tory party unity has always been resolved by putting the British national interest second to the priority of keeping the whole shambles together.

Mr. David Winnick (Walsall, North): On the Labour side, there is absolutely no difference of view between the occupants of the Front Bench and critics over the social policy. If we are to have the treaty—I despise it and do not want it—we might as well have it with the social chapter.

Does my hon. Friend agree that whatever gains—there will be some, but not many—working people get from the social chapter, they will be offset by provisions such as article 104c, which will lead to much more deflation and unemployment, so that many people now in work may be out of work? When one is set against the other—the social chapter against article 104c and the rest—I do not see much gain for the people of Britain as a result of having the treaty.

Mr. Robertson: The fact that I do not agree will come as no surprise to my hon. Friend or the House. He has not persuaded his party colleagues, at national executive or party conference level, of his view. Although he is entitled to that view, it must be placed in that context.

Much was made in the debate last night of the decision of the Scottish TUC yesterday in favour of a referendum.

Much less was made—indeed, hon. Members were silent on the subject—of the substantive vote on Maastricht at the STUC yesterday when, by an overwhelming majority, a motion critical of the treaty was thrown out. That important fact should be on the record.

Mr. Tony Marlow (Northampton, North): Some on the Conservative Benches are mystified about why Labour Members get so worked up about the social chapter and the opt-out. Supposing the Government changed their mind and signed up. That would mean that when the Europeans were trying to do all manner of daft things through the social chapter and protocol, British Ministers would be there and might be able to prevent them from doing those things. Because of our not being there, those things will happen and, through other routes in the treaty, will be imposed on the United Kingdom. So perhaps the hon. Member for Hamilton (Mr. Robertson) should not be proposing the new clause but should leave matters as they are. The Government will then have social issues forced on them through the treaty, whereas if they are in the thick of things arguing the case, they will be in a position to oppose what is being proposed.

Mr. Robertson: For once in his life, the hon. Gentleman is ingenious, though not correct, in arguing the point. I have heard from Conservative Members the argument that matters will be forced on us, so we should not make a fuss about them. New clause 74 will give the hon. Member for Northampton, North (Mr. Marlow) and his hon. Friends a chance to vote on the social protocol and become part of the process by which members of the Government—not the Minister of State, because he will be abandoning the sinking ship once this is over—will be in there fighting for their corner and perhaps be able to do something about the bits of legislation about which we are speaking. Having provided the hon. Member for Northampton, North with that chance, I look forward, at the appropriate time, to being in the same Lobby with him. His ingenuity will then be confirmed and his wisdom will be on display.

Sir Russell Johnston (Inverness, Nairn and Lochaber): I have a totally uningenious but better question for the hon. Gentleman; why are the Government making such a fuss about the social chapter?

Mr. Robertson: That is an extremely good question. The answer is as I explained—that it is a totem, an ideological figleaf designed in vain to keep the Tory party together. It has nothing to do with substance. The other European countries—irrespective of complexion, left wing, right wing or middle of the road—all think that the British Government are completely crazy to be making such an issue out of the social chapter. They think that it is plain, reasonable, uncontroversial, simple, straightforward and makes sense in the context of building the single European market. Therefore, the answer to the question can only be, and is, that the Government are fixated by the social chapter as a means—not a very successful one—of keeping the Conservative party together.

This is a new debate for which we are profoundly grateful to you, Mr. Morris, because the subject was debated before. As a debate, it is complementary to, but not a substitute for, the debate on 28 January which was, as my right hon. Friend the Member for Copeland (Dr. Cunningham) said, targeted on amendment No. 27. In the same way, new clause 74 is complementary to, but certainly not an alternative to, amendment No. 74—sorry, amendment No. 27—and what it means. I have always wondered whether, if we added the numbers together, we would arrive at a magical figure; perhaps someone will do that.

4.30 pm

I shall outline the differences between amendment No. 27 and new clause 74. My contention is that, although they use entirely different means, they are both designed to achieve the same ultimate objective on behalf of the British people: the accession of the United Kingdom to the social chapter—the agreement attached to the social protocol of the Maastricht treaty.

Mr. Ron Leighton (Newham, North-East): I agree very much with what my hon. Friend has said about the fact that we must have not just a business man's Europe, but a social Europe, a social dimension and a social chapter. Am I right in thinking that, as a result, my hon. Friend will be unable to vote for the Bill's Third Reading without the social chapter?

Mr. Robertson: As my hon. Friend knows, I am not in a position to announce a decision on that, because we will not be making a decision on it, yet my hon. Friend should bear in mind that if, by some means, the House chose to wreck the treaty or stop the process of the ratification of the treaty throughout the Community, the social chapter would die, not just for Britain—which has temporarily been deprived of it—but for the whole of Europe and any future Labour Government. My hon. Friend should consider his question in that context.

It is important for the Committee to understand the new clause and the fact that the Government, in a generous surrender, have allowed us to avoid voting on it. Amendment No. 27 will remove the protocol on social policy—with the agreement attached to it—from the Bill and, ultimately, from the Act. Therefore, it would remove the protocol from United Kingdom domestic law.

The Attorney-General and his mouthpiece on that occasion, the Foreign Secretary, came to the House and said, "So what, if it takes the protocol out of British law? It is a double negative and we are not part of it anyway". With a wave of an expensive legal hand, we are told that the treaty can be ratified, the Bil can be enacted and Parliament can be ignored. They said that amendment No. 27 had no legal consequences as we could still ratify the treaty through the royal prerogative, and Parliament's clear voice was not significant. With one flick of the monarch's pen, Parliament was confined to a mere talking shop. But the Attorney-General stil said that he wanted to defeat amendment No. 27 and the Foreign Secretary said that he still did not want amendment No. 27. They said that they still did not want it for the sake of neatness and tidiness, and asked us to believe that. We do not.

The reasons of the Attorney-General and the Foreign Secretary have nothing to do with neatness and tidiness, but involve something much more substantial. They still appear to be terrified by amendment No. 27, which mesmerises them. They are relieved each time that it temporarily disappears beneath the waves. They are uneasy each time it rises out of the waves again. Why is that? We know that it is because if the protocol on social policy is taken out of United Kingdom law, they will lose the authority that that protocol gives for the 11 countries of the Community to go ahead and use all the institutions

[Mr. Robertson]

of the Community—the Commission, the Council, the Parliament—which will continue to be paid for by British taxpayers collectively and by the other taxpayers of Europe, to make law that will apply to only 11 Community countries, not 12.

The Attorney-General says that that does not matter: it is outwith the treaty, like the common foreign security policy and the home affairs and justice policy. That is what we are being led to believe, but it is not true. If that permission is not enshrined in British domestic law, the Government of this country will be in a real legal stew, in a limbo of litigation and potential litigation in the courts of this country and in the courts in Strasbourg as well.

It is our belief—this is why we are interested in amendment No. 27, insist on it and are confident that it will be debated on Report—that one of the consequences of that legal mish-mash could be that the European Court of Justice or the courts of this country will say that, even without the protocol being enshrined in British legislation, it is impossible for the legislation coming out of the agreement attached to the protocol to apply only to 11 countries in the Community; it must apply to all 12 and, as a consequence of that, the people of this country will enjoy the legislation that arises from the social chapter and the rights and protection of the social chapter.

That is why we believe that amendment No. 27 is important, different and must be debated and decided upon by the House.

Mr. Michael Spicer (Worcestershire, South): I have been listening very carefully indeed to what the hon. Gentleman is saying. I understand the logic of what he says, but, if all that is true, why did Her Majesty's Opposition put down these extra new clauses that we are debating, which, leaving aside a whole lot of arguments, at the very least have confused the issue of amendment No. 27? At the least, they opened up the possibility that it would be assumed that these new clauses would be substitutes for amendment No. 27. What was the point? If amendment No. 27 is so important, why not leave it at that?

Mr. Robertson: The hon. Gentleman writes thrillers, and I once read two thirds of one. They are all based on highly convoluted and usually incredible plots. I do not know whether they sell. I do not know whether any other hon. Member has ever read one of them. The right hon. Member for Watford has, of course, because he is part of the same sort of conspiracy theory. He is right in the middle of the spider's web, although unfortunately falling off it at the moment.

The hon. Member for Worcestershire, South (Mr. Spicer) writes these thrillers—although they are not nearly so good, by any manner of means, as the fiction of the Foreign Secretary, which has been reaching very realistic proportions in recent days—and he wants to believe that there is some sort of conspiracy here. Alone among the sceptics even, he holds to that conspiracy theory, which he thumps into me every time we meet in the Tea Room. But he is absolutely, completely and totally wrong, although I do not know how he will ever be persuaded that he is wrong.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will my hon. Friend give way?

Mr. Robertson: I will give way to my hon. Friend in a moment, after I have disposed of the thriller writer.

Amendment No. 27 was tabled when the Labour party believed that it was the only way in which the Committee could deal with the social chapter. But along came two of the most senior Ministers in Her Majesty's Government, the Attorney-General and the Foreign Secretary, who told us that the outcome of amendment No. 27 did not matter because they were going to ratify the treaty come what may. We were told that the House of Commons could pass comment on amendment No. 27 and could therefore pass comment on the social protocol, but that it was of no consequence. The Government would notify Rome after Third Reading and Royal Assent that the treaty had been ratified and Maastricht was in place.

The BBC, ITN, *The Times*, *The Guardian* and *The Independent* all said that Labour's fox was shot and that Labour's chances of achieving the social chapter had gone. The press believed what it had been authoritatively told by the Attorney-General and the Foreign Secretary. At no point did we ever lose our faith that the Attorney-General was not telling the whole truth. So we tried to find a complementary way, an additional way, thinking at the time that amendment No. 27 was in the bank. It had, after all, been debated by the House. It stood in the name of the Leader of the Opposition. We had talked about it; we had said we would move it; it was in the bank. We looked then for another way to make sure that the people of Britain got the benefits of the social chapter.

Yesterday we had a long debate on the judgment of the Chairman of Ways and Means—I have no intention of going over it again. The deputy leader of the Labour party and the shadow Foreign Secretary have made clear why we disagree with the judgment, based as it was on the idea that amendment No. 27 and new clause 75 were alternatives, not absolutely different ways of achieving the same objective. That is how the dilemma has been created. If the hon. Member for Worcestershire, South wants to look for a plot or conspiracy, let him look along the corridor where the Chairman of Ways and Means sits, not at the Opposition Front-Bench team.

I shall tell the hon. Member for Worcestershire, South why new clause 74 is the ticking timebomb that I said it was and how it may blow up under him if he is not careful.

Mr. Michael Spicer: This is rather interesting. The Opposition are saying that they have been the victims, set on a false trail by the Attorney-General. The hon. Gentleman's case today has been logical, but he is also claiming that he went off on a false trail, trying to find other ways of tabling amendments because he had been duped by the Attorney-General—or at least led astray by him.

That is an extraordinary admission by the Opposition. Surely the hon. Gentleman did not need to take advice to know that amendment No. 27 would have the effect that he has described; otherwise, he would not have tabled it at all. It is extraordinary of the hon. Gentleman to claim that just because the Attorney-General said that amendment No. 27 was useless he had to rush off on a false trail. That is very weak opposition—or perhaps there is an ulterior motive behind all this.

4.45 pm

Mr. Robertson: There is no way in which I can ever persuade people who write mystery novels that the conspiracies they believe in are merely the product of their own tortured minds. There is no conspiracy. The Opposition are trying to get the social chapter for the people of Britain. If the hon. Gentleman wants to wreck Maastricht, he can do that with one amendment that takes out part of the treaty. That would render it impossible to ratify the treaty, so why did he and his hon. Friends table about 500 amendments if not to multiply the chances that one of them would be successful? Perhaps the conspiracy lies here: why are the Conservative rebels using their power so diffusely? Why are they scattering their shot across the spectrum instead of concentrating it forensically on the best chance that they might have of wrecking the treaty? We were just multiplying our chances and using two different ways of approaching the problem.

I do not know what the motives of the Conservative rebels are. They call themselves patriots. They can be described in many different ways. No amount of abuse that I could heap on them could resemble the abuse heaped on them by their fellow Conservatives. Neither do I care about their motives. Sometimes some of them seem to want to embrace the social protocol and chapter, although I know that the hon. Member for Southend, East has as much affection for the social chapter as he has for the "Kama Sutra", but supporting it occasionally seems to suit the rebels. *[Interruption.]* If there is another answer, I am sure that the hon. Gentleman will tell us himself. There is certainly some mystery about how he got his knighthood, but that has nothing to do with the "Kama Sutra". The motives of these Conservatives will have to be defended by them.

Mr. Alex Salmond (Banff and Buchan) *rose*——

Mr. Robertson: Here we go.

Mr. Salmond: We are speaking, of course, with hindsight, but does the hon. Gentleman now regret tabling new clauses 74 and 75, given what has happened? If Parliament is to be denied, as it unfortunately might be, a meaningful vote on the social chapter, does he think that he might regret not taking the opportunity yesterday evening of pursuing the social chapter by means of the referendum clause?

Mr. Robertson: I do not regret tabling new clauses 74 and 75 with my hon. Friend the Member for Ashfield (Mr. Hoon). Neither with hindsight nor with foresight do I regret what was done last night, but, with hindsight, I am sure that the hon. Gentleman bitterly regrets tabling on 2 December last year a new clause that made no reference whatever to the social chapter. Today he goes parading around Scottish television studios, going on and on about the social chapter, but it will be clear to the people of Scotland that the SNP has no interest in workers' rights or protections—but every interest in wriggling off the hook on which SNP Members have been dangling since the day thay voted with the Government on the Committee of the Regions.

Mr. Salmond: Where were you last night?

Mr. Robertson: I was voting against a new clause calling for a referendum, in line with what my party has been saying for more than a year. The hon. Gentleman tabled an amendment to that new clause last Thursday; he now claims that his strategy is the apotheosis of consistent attempts to ensure that the people of Scotland get the social chapter. They did not believe him last month about the deal done between him and the Government, and they will not believe him today either.

Mr. Marlow *rose*——

Mr. Robertson: I have given way generously to the hon. Gentleman, but the limits of my generosity have been reached.

New clause 74 is absolutely clear. There will be a final vote after this treaty has finished its parliamentary progress in the Commons and the Lords. There is, apparently, still some legal doubt about whether that will take place before or after Royal Assent—no doubt someone, somewhere will resolve the matter; it is not important—but before ratification of the treaty there will certainly be a vote on a resolution tabled by a Minister of the Crown considering the question of adopting the protocol on social policy.

Among the final provisions of the Maastricht treaty we read, under title VII, article R:

> "This Treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional requirements. The instruments of ratification shall be deposited with the government of the Italian Republic."

Like many people, I am uncertain why we have to deposit ratification with the Government of the Italian republic, which is experiencing certain problems at the moment. Indeed, it may shortly not exist or exist only in absentia. The treaty cannot even start its journey until Parliament has decided on the adoption of the protocol on social policy. I hope to be able to persuade the Committee of the merits of new clause 74. My hon. Friend the Member for Ashfield, who is one of its architects, will underline that argument. The conspiracy theory novelist has now left the Committee and will not hear the final chapter of the story. No doubt he has departed so that he can keep the conspiracy alive in his mind.

There will be a vote on the protocol on social policy before ratification. The cynics will say that, like the fault that they all perceived in new clause 75, which had to do with its preamble about the transfer of powers, the Government will simply ignore it. There may be some justice in that claim because in the dying days of his ministerial career the Minister of State, Foreign and Commonwealth Office, the right hon. Member for Watford, who has been wandering the corridors, an activity which has filled most of his ministerial career up to now, slightly overplayed his hand on Thursday. I think that he was described by Mr. Ian McWhirter in *Scotland on Sunday* as too clever by half. The right hon. Gentleman did not simply say that new clause 75 would be accepted and that it was a great concession to allow Parliament to have a vote, but he started to imply that if there were a vote it would be ignored.

The Minister of State, Foreign and Commonwealth Office (Mr. Tristan Garel-Jones): Will the hon. Gentleman give way?

Mr. Robertson: If the right hon. Gentleman will hold his patience for a moment until I have given him the case for the prosecution, I shall let him offer his defence.

In Friday's *Financial Times* Mr. Philip Stephens, in a story entitled:

[Mr. Robertson]

"Major squares up to social chapter challenge",

said that the timing of the vote on new clause 75,

"left ministers free to float the possibility—fiercely rejected by the opposition parties—that at this late stage in the ratification process the government might simply ignore a defeat and press on regardless."

Of course, that may just have been in Mr. Stephens' imagination, although he is a man of some distinction, character and reputation, as I am sure the Minister would agree. Even *The Guardian* story on the same subject whose reporters went to the same Lobby briefing said in an article by Mr. Patrick Wintour:

"Ministers were also intimating that even if a majority of the Commons voted for the social chapter in the subsequent debate under clause 75, the Government would not be bound by that vote, or that the very next day they would defuse the issue by tabling and winning a motion of no confidence."

The conclusion of one Lobby correspondent that Ministers were floating that possibility might well be an aberration, but two distinguished Lobby correspondents carrying the story tends to suggest, even without a conspiracy theory at the back of one's mind, that that is precisely what was going on in the corridors last week.

Mr. Garel-Jones: The hon. Gentleman is repeating an allegation made by his right hon. Friend the Member for Copeland (Dr. Cunningham) extending not only to me but to No. 10 Downing street and to my right hon. Friend. He cannot and will not substantiate it.

Mr. Robertson: Apparently Lobby briefings do not even exist. They are like the officials in the Box to whom we are not even allowed to refer. I withdraw any direct accusation and merely ask the Committee to reflect on the fact that two distinguished and normally reliable Lobby correspondents happened to come to the same conclusion.

Mr. Garel-Jones: I am telling the hon. Gentleman, as a matter of fact, that no such briefing was given by No. 10, by my right hon. Friend or by me.

Mr. Robertson: The Minister can take that up with the individuals concerned. If he is as outraged as he was last week and as he appears to be today, I presume that he has taken it up already with those people and their newspapers; otherwise hon. Members will be driven to certain conclusions. We have heard the Minister's views and his defence is now on the record.

Whatever Ministers or distinguished journalists have said about the deficiencies of new clause 75, it is now in the past, because new clause 74 is markedly different. New clause 75 had some ambiguities, which were pointed out by notable experts who wrote to us, but new clause 74 has no such highlighed ambiguities. It is absolutely clear cut and says that there will be no ratification until Parliament has made a decision.

I shall tell the hon. Member for Worcestershire, South and some of my hon. Friends who read certain newspapers why the clock is ticking in the bomb. The Minister agrees that a motion will be presented about the protocol on social policy. It will be open to the Opposition to table an amendment to that and, under the precedents of Parliament, the Opposition amendment will be accepted for debate. The Leader of the Opposition's amendment will make it clear that the Government will not have the permission of Parliament to ratify the treaty on European union unless they subscribe to the agreement attached to the protocol on social policy. That is the ticking clock, and it should be obvious to any Back Bencher or journalist.

The Minister of State or any other anonymous Minister who may have been briefing the press last week about walking away from decisions will not be able to say that they can walk away from that. The Minister said that he would walk away from the defeat on the Committee of the Regions when he wrote last week to the chairman of the Association of County Councils. His letter stated:

"Equally, the amendment passed on this subject on 8 March limits membership to elected local government representatives and I have told the Committee that we do not rule out that approach either."

The Minister is saying that the Committee has decided and that he will consider its decision as one of many options. However, the Government will not be able to wriggle away from a decision on an Opposition amendment to the motion that will arise from new clause 74.

Mr. Marlow: Will the hon. Gentleman give way?

Mr. Robertson: No. I said that I had reached the limit of my generosity with the hon. Gentleman and I am probably reaching the limit of the Committee's tolerance. I want to finish making my case and allow other hon. Members to participate.

That places the hon. Members for Worcestershire, South and for Billericay (Mrs. Gorman), who are in their places, in a spot. What will they do in that debate and who will they believe? They can believe me because I maintain that the Government, and certainly the Foreign Secretary, would not dream of walking away from the treaty, wrecking it for the 12 Community countries and taking all the opprobrium that would attach to this country from Europe and beyond, solely on the basis that their Parliament had decided to disagree with the social chapter opt out. They would rather sign up to the social protocol because, after all, it is not an issue of controversy for anybody else in the Community. The Tory rebels can believe me or they can make up their own minds or believe the Chancellor of the Exchequer, although I know that that is stretching their credulity to the limit.

Sir Teddy Taylor: Over their dead bodies.

Mr. Robertson: Dead bodies apart, let me tell the hon. Gentleman and his hon. Friends this. On 16 March, in the Budget debate, the Chancellor of the Exchequer, the second or third most senior member of the Government, said:

"Nothing would do more damage to job prospects, not just in Britain but across Europe, than the imposition of further tax or regulatory burdens on employers. That is why this Government will never sign the social chapter."—[*Official Report*, 16 March 1993; Vol. 221, c. 170.]

He is the only Minister, of any rank, who has used those words. We have checked and others have checked.

If hon. Members believe the Chancellor——

5 pm

Sir Teddy Taylor: Always.

Mr. Robertson: The hon. Gentleman is in a small minority there, but I am asking whether he believes the Chancellor in this case. I should like to ask the Foreign Secretary, who is with us today—I duly compliment him on that—whether he agrees with what the Chancellor has said.

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Douglas Hurd): Perhaps I will have the opportunity to catch your eye later, Mr. Morris.

Mr. Robertson: The opportunity was there. Those were the words used by the Chancellor. The Tory rebels can look at them to see whether they believe those words or believe me. They have the choice, and they will have to make a decision. They will be on the spot. The decision will be for Parliament, and Parliament will make that serious decision. The bomb is, therefore, still ticking.

I have not devoted enough of my speech to the issues of the social chapter; perhaps I should have done, as they are important to our country. However, many of them were covered in the previous debate and if my hon. Friend the Member for Gateshead, East (Ms Quin) catches your eye, Mr. Morris, later in the debate, I hope that she will be allowed to comment on some of the views that will be expressed.

The issues are important. This is a new debate. These are new issues. This is a new clause. This is an historic occasion, although it is not attended by many Members. As there is to be no vote at the end of the debate, people have left the Palace of Westminster quicker than if they had heard the fire alarm. But the crunch will come later, not just for the Committee, not just for the House, but for the country as a whole. The social chapter matters to Britain. The social chapter, with Britain acceding to it, matters to the future of Europe. We have provided the means by which Parliament can give the social chapter to the people of Britain, and I hope that they will take it.

Mr. Hurd: The hon. Member for Hamilton (Mr. Robertson) is obviously smarting under the bitter accusations heaped on him last night and in the small hours—that he should not be speaking for his party and that he was in collusion with the Government Front Bench—and he has tried to respond to those accusations. If it is any consolation to him, I can confirm what he probably wishes to hear: the Government feel that the hon. Gentleman has been deeply difficult and obstructive on procedure and substance throughout the course of the Committee. [HON. MEMBERS: "Oh!"] Well, look at the procedural votes on which the progress of the Committee has depended—the Liberal Democrats have been up and down and in and out of it, but the Labour party has been consistently unhelpful.

The hon. Gentleman's line, and the procedural delay on which the Labour party insisted, are causing increasing puzzlement and dismay among his friends in Europe, who are linked to him by his many past declarations, because it seems to them, and to us, that the social chapter is , for those on the Front Bench of the Labour party, the prime issue: the cart is more important than the whole, and it is more important to fasten the social chapter into the legislation implementing the treaty than it is to ratify the treaty. All the other elements in the Labour party's view of Europe, and in the hon. Gentleman's view of Europe, seem to become insignificant in his mind beside the absolute importance of loading fresh burdens on to British business through the social chapter and reducing job opportunities. That seems to be the Labour party's European priority.

The hon. Gentleman spent some time on amendment No. 27. All that I can do is to encapsulate and summarise what the Attorney-General, the Lord Advocate, the Minister of State and I have said in the past—that if the protocol were excluded from domestic law, it would still stand in the treaty. Britain could still ratify that treaty because the protocol imposes no burdens on the country which require domestic legislation. I am sure that the hon. Gentleman will agree that that is a summary of what I have said—acting, as he politely put it, as the mouthpiece of the Attorney-General in February. That remains the position.

We took the line then, as we might do on some future occasion if need be, that amendment No. 27 is undesirable and, while incorporation of the protocol into domestic law is desirable for the sake of completeness and clarity, it is not essential. I do not think that I or my colleagues on the Front Bench have anything more to say about amendment No. 27.

Mr. Marlow: I am grateful to my right hon. Friend. If the House were to vote for amendment No. 27, it would be voting to exclude the social protocol. The social protocol says that European institutions, and therefore costs, can be incurred for 11 countries. If the House were against that expenditure, how would they then be able to spend that money?

Mr. Hurd: I can answer that point, on which I have corresponded with my hon. Friend the Member for Southend, East (Sir T. Taylor). It would be possible, under existing legislation, to absorb those costs. I will read out the formula in the answer that I gave to my hon. Friend. If, as is probable, the administrative costs are included in the Community budget, the United Kingdom would charge its contribution direct on the Consolidated Fund under section 2(3) of the European Communities Act 1972. Payments to the budget are required by the own-resources decision and its implementing regulation and are therefore an obligation to make payment to the Community for the purposes of section 2(3). If, on the other hand, the Community budget is not used—we think that it would be, but we cannot be sure—any expenses would be met by voting moneys on the appropriation account alone, which is the practice for payments to other international organisations to which we belong. We believe—again, on legal advice—that there is legal scope for payment of the administrative expenses to which my hon. Friend referred, if there were any.

Mr. Marlow: I put it to my right hon. Friend again. The House has said "No, do not spend that money." How then, whether legally or in conscience, can the Government go ahead and sanction such expenditure when the House has said no?

Mr. Hurd: The House will not have said no. If amendment No. 27 or something to that effect were ever passed, the House will have said no to the incorporation of the protocol in domestic law. It would not have affected the treaty, and the protocol does not impose any obligations on the country which require a change in our domestic legislation. Therefore, although we have always made it clear that we find amendment No. 27 undesirable, its passage would not have prevented ratification of the treaty.

Mr. Denzil Davies (Llanelli): As I understand it, what the right hon. Gentleman has said is that the Community budget would take care of the administrative expenses if amendment No. 27 were carried. If only 11 of the 12 countries were under an obligation to make those payments for social protocol, how is it possible to use the

[Mr. Denzil Davies]

Community budget when only 11 countries are under an obligation to impose the payment on the United Kingdom? That would not be a Community budgetary obligation.

Mr. Hurd: It is not clear that there would be expenses. Secondly, it is not clear how one would sort out administrative expenses from the other expenses of the Community. We are talking about wages and salaries, a portion of electric light bills, that kind of thing. In practice, it would not be possible to separate them out. The treaty is clear as to how that would fall. It is a reasonable arrangement and, as I have already explained, it has legal cover.

I should like to spend a little time on the substance. The hon. Member for Hamilton did not do so, and up to now I have not done so, but it is a crucial point and will become relevant if the new clause is accepted and we move later, as the hon. Gentleman said, to a debate on its substance.

Mr. Michael Spicer: Before my right hon. Friend moves away from the legalities, can he give the Committee the benefit of his advice on what the Government think the legal effect would be if the Opposition's new clause is passed and a motion is tabled? Does my right hon. Friend believe that that would inhibit the passing of the treaty into law?

Mr. Hurd: I shall return to that point before I sit down.

We believe that the exclusion of the social chapter from the amendments to the treaty of Rome, made at Maastricht, was an important negotiating achievement. We believed then that it would be wrong to accept what our partners wanted. We believe now that it would be wrong to do so. The arguments, which were pretty clear to us in 1991, have become abundantly clear to the world since then.

There should be a social dimension, which looks back to the legislation that this country has passed to protect workers against exploitation, to ensure their health and safety at work and to give workers some rights. The mechanisms are in place both in this country and all over Europe. But the state can afford those social costs, which face all countries, only if it benefits from a successful economy. Money has to be generated by the business sector, because we cannot legislate for increasing living standards. Competitiveness, therefore, is the key. It is precisely the decline in competitiveness and the danger to competitiveness in Europe which makes the case against the social chapter.

We shall continue to argue for and support a sensible social dimension for the Community, but it has to give proper weight to the different national traditions and, now, to the principle of subsidiarity in article 3b of the treaty. I ask my right hon. and hon. Friends, and also the Liberal Democrats and others not besotted with this matter, to remember that it would be foolish, given what is happening in the world economy, to propose an enlargement of the opportunities for centralising legislation in this area. It should be a question not of how to ensure precisely the same levels of social protection in each member state but of how to ensure that Europe can compete effectively on the world stage.

Sir Teddy Taylor: Give some examples.

Mr. Hurd: I shall give many examples.

The problem is not the extent to which jobs are moving from France to Britain, or from Britain to France—the flow goes both ways, and between other partners as well—but how to prevent jobs leaving the Community altogether. If unemployment is the biggest source of poverty in Britain today, the same is true across Europe. If we are uncompetitive, we create unemployment. European competitiveness is declining. Since the mid-1980s, EC exports in world markets have fallen by 3 per cent. In the 1980s, the Community had trade surpluses with the United States and Japan. These have now become trade deficits.

Sir Teddy Taylor: Hear, hear.

Mr. Hurd: My hon. Friend applauds. I hope that he will continue to applaud all the way to the conclusion that no one on this side of the House can possibly support the social chapter.

On labour costs, hourly wages in manufacturing in leading Community countries are not much higher than those in the United States, but it is the high proportion of non-wage costs—of social security payments—that makes the difference. Those elements make up about half the total labour costs in Germany, France and Italy. In the United States, they make up about 25 per cent. and in countries such as Korea and Taiwan about 10 per cent. That is the main reason why overall labour costs in France, Germany and Italy are higher than in Japan and the United States.

Against that background, it is no wonder that industry is turning increasingly to manufacturing outside Europe. That should be the main concern of those responsible for either national or Community policies in this area. It has not been so, but it should be now.

5.15 pm

Sir Peter Tapsell (East Lindsey): On the level of unemployment inside the European Community, which is a matter of deep concern to us all, almost everybody both inside the Community and outside it takes the view that this very high unemployment has been caused largely by the opertion of the exchange rate mechanism, which is an essential instrument of the European Community and likely to continue to be so. Without going into the overall merits of the social chapter, the industrial costs that the Foreign Secretary quoted are extremely misleading. As I am sure he knows, in countries such as South Korea, Japan and Taiwan, corporations and industries provide an enormous number of social benefits for their workers—work security, housing, play schools and education both for children and for grandchildren if a breadwinner is killed. Those statistics do not appear in the national figures for those countries, so the figures that my right hon. Friend quotes are not comparable.

Mr. Hurd: Europe's decline in competitiveness—I do not believe that my hon. Friend will deny this—is an established fact. He referred to Japan. I am less concerned about Japan at this time than I am about the newly industrialised countries of Korea, Taiwan and Malaysia, for example, where the factors that he mentioned do not apply nearly so strongly. It is from those countries—the new tigers of Asia, as it were—that the main threat to European competitiveness comes.

Mr. Geoffrey Hoon (Ashfield): The right hon. Gentleman used the provision of social security to illustrate the difference between the European Community and the United States. As the protocol on social policy requires unanimity on social security, does he accept that that does not change in any respect whatsoever the existing treaty provisions which the Government support?

Mr. Hurd: The case made by the hon. Member for Hamilton when he answered, for example, the question put to him by his hon. Friend the Member for Newham, South (Mr. Spearing) was precisely that the social chapter would provide the opportunity for increasing social costs. That is the charm of it for the Labour party and the danger of it for people who see the unemployment dangers facing Europe.

Mr. Leighton: It is true, as the right hon. Gentleman says, that western Europe has massive unemployment and is facing zero growth, but that has nothing to do with the social chapter. As the hon. Member for East Lindsey (Sir P. Tapsell) pointed out, it is because of the exchange rate mechanism that there are extremely high interest rates. In France it is 12 per cent., with inflation at about 2 per cent., so the real interest rate is 10 per cent. Where can we earn anything like that? That is why western Europe is going into recession. In both the United States and Japan, interest rates are 2 or 3 per cent. That is the reason for the recession in western Europe. It has nothing to do with the social chapter.

Mr. Hurd: I have given facts and figures. My hon. Friend the Member for East Lindsey sought to qualify them as regards Asian countries, where social costs are carried by companies rather than by the state, but that does not undermine the basic argument. I do not ignore the exchange rate argument. We have argued it over and over again in this Committee. The exchange rate mechanism, as we know, was invented before the treaty of Maastricht. Because we have debated it over and over again, we know exactly the status of stages 1, 2 and 3 of economic and monetary union. I am not arguing about exchange rates. I am arguing about another danger—the danger to the competitiveness of Europe. That is common ground now among commentators, to a much greater extent than it was when the treaty of Maastricht was signed and when my right hon. Friend the Prime Minister achieved this opt-out. Statistics show that the rise of competitors in the far east has become more apparent in the intervening months, so the case against the social chapter is that much stronger.

Mr. Nigel Spearing (Newham, South) *rose*——

Mr. Hurd: May I get on a little? I shall give way to the hon. Gentleman later.

I fear that the Labour party is in a groove on such matters, and does not listen to what industry in this country says, but at least it is consistent on the matter. The Labour party has taken that view all the way through. As I have said, its main activity throughout the Committee stage which is now coming to an end has been precisely to seek to impose those extra burdens on our economy.

I find the attitude of the Liberal Democrats more puzzling, because their leader was clear at the outset. A few days before Maastricht, looking ahead as is his wont, he warned that the social chapter could

"lead to a form of Euro-sclerosis".

He said that it was

"a really worrying attempt by Europe to try to rebuild in Britain the things that we have dismantled over the last twelve or fifteen years".

He also warned—perhaps he went a little far on this point—that the social chapter would open the way for collective bargaining arrangements that were

"too inflexible, too costly, and too rigid".

Despite all that, however, the right hon. Gentleman said that he would have been prepared to sign up to it at Maastricht.

The sceptical approach that the Liberals took to the social chapter at that time has changed. I hope that their spokesman will explain why.

Mr. Dennis Skinner (Bolsover): Newbury.

Mr. Hurd: No, their attitude changed even before Newbury. I do not understand why the social chapter as a cause, and the amendments which flow from it, have become almost as much of a fetish for the Liberals as for the Labour party. I say "almost" because I do not think that it is quite so much of a fetish for the Liberals, who retain a wider view—I might almost say an exaggerated view—of the importance of moving towards a more united Europe. I ask them to reflect on the consequences of the social chapter and to ask themselves why, in view of their philosophy and of their leader's original analysis, they are now so enthusiastic about it.

Sir Teddy Taylor: Where are the examples?

Mr. Hurd: I have given examples of the reasons why I believe that, against the background of the economy of this country and of Europe, it would be great foolishness for us to throw away the arrangement that the Prime Minister negotiated, which is in the treaty that the House is considering and that the Government wish to ratify.

Sir Teddy Taylor: We have been asking in debate after debate, week after week, whether any Minister could give us any example of anything that the EC could do under the social chapter which it cannot do under the health and safety provisions of the Single European Act and article 101A of the treaty of Rome. As this is the last debate, and as the Foreign Secretary said that he would give us examples, may I plead with him to give us any example? Apparently the arrangements cannot apply to pay, and cannot apply to trade union membership. Can the Foreign Secretary, or anybody, give us any example of anything that can be done under the social chapter but not under the Single European Act? There is the 48-hour week directive and other things. Can he think of anything at all?

Mr. Hurd: The hon. Gentleman's case is that those evils—he admits that they are evils—can come upon us anyway through the Single European Act and the health and safety provisions, but he knows that we resist those attempts. He knows from particular examples that we are perfectly ready to challenge that legal basis in the courts. It is true, as my hon. Friend the Member for Chingford (Mr. Duncan-Smith) said earlier in the Committee's deliberations, that there are risks. There have been cases in which things have been pushed through on a legal base that we regard as narrow and inadequate. My hon. Friend has argued that the European Court would sustain those cases. However, my right hon. Friend the Minister of State dealt with that argument by saying that one could no longer make that presumption about the European Court.

[Mr. Hurd]

I accept that the risk exists, and that there have been some cases, but my hon. Friend the Member for Chingford is really saying that because there have been cases of burglars getting in over the back garden fence we should leave the front door open and put a welcome sign on the mat—that is, that we should greatly enlarge and expand the danger of which he complains. I cannot see how that flows from his argument. The social chapter would substantially enlarge the risks and possibilities by greatly widening the treaty base on which such proposals could be made. That is precisely why the Labour party is in favour of the social chapter.

Mr. Nicholas Budgen (Wolverhampton, South-West): May I remind my right hon. Friend of the interesting argument advanced by the Minister of State? He said that the European Court was a political court which had been affected by the new mood of the politicians in Europe, and also much affected by subsidiarity. He said that he would therefore expect the court now to be inclined to rule in a narrow—and, to us, more satisfactory—manner. That was an extremely dangerous thing to say because it suggested that the European Court was a political court. Although at present he approved of its political activities, he gave aid and comfort to those who say that the political mood may change in the future, and when other people complain that they wish to have the social chapter by the side wind, they will be able to use the political court to achieve that end.

Mr. Hurd: My right hon. Friend the Minister of State did not say that the European Court of Justice was a political court.

Mr. Budgen: No, he would not concede that.

Mr. Hurd: Then why does my hon. Friend suggest that he did?

Mr. Garel-Jones: He always does that.

Mr. Hurd: I was not present at the time, but I have read the exchanges, because they were rather important. My hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) seems to have become a master at putting words into other people's mouths, and he is at it again.

Mr. Christopher Gill (Ludlow): Will my right hon. Friend give way?

Mr. Hurd: No, let me deal with this point, because it is important.

Mr. Gill: I could be helpful on this point.

Mr. Hurd: I am sure that my hon. Friend intends to be helpful. I intend to be helpful too.

The European Court of Justice has jurisdiction over the treaty. It applies the treaty. Of course it has regard to what is going on around it—all courts do that—but my right hon. Friend the Minister of State refuted the argument that inevitably, at all times present and future, the European Court of Justice would be bound to be a centralising influence. He cited examples—two or three, I believe—of recent cases in which that proved not to be true. He was not calling the court a political court and he was predicting how it would operate in the future.

If, despite the wishes of my hon. Friend the Member for Wolverhampton, South-West, the treaty is ratified and subsidiarity becomes part of the law rather than being simply part of the political practice of the Community, that would be more than a nudge; subsidiarity would be one of the basic treaty articles of which the European Court would have to take account, case by case. That is what my right hon. Friend was saying, and that is part of the reply that I give to the questions that I have been asked.

Mr. Gill *rose*——

Mr. Bernard Jenkin (Colchester, North) *rose*——

Mr. Budgen: Will my right hon. Friend give way?

Mr. Hurd: No, but I will give way to my hon. Friend the Member for Colchester, North (Mr. Jenkin).

Mr. Jenkin: I am grateful to my right hon. Friend for giving way. I can remind the Committee exactly of what my right hon. Friend the Minister of State said:

"The European Court has, perhaps, traditionally been a centralising institution, expanding the powers and scope of the Community with what I might call purposive interpretations of the treaty. I contend, however, that there have recently been clear signs that the Court is sensitive to the change of mood in the Community".—[*Official Report*, 27 January 1993; Vol. 217, c. 1057.]

So the basis of the security of the authority of this House, by which the Foreign Secretary set such great store in yesterday's debate on the referendum, is dependent on the European Court's interpretation of the mood in the Community.

The Foreign Secretary suggested that the argument on the social chapter was like saying that if the burglar gets into the house once, he will always get in. My right hon. Friend can check the record if he likes, but following his analogy about the burglar's repeated attempts to get into the house, in our arrangements for setting up the opt-out from the social chapter we are letting the burglars into every other room in the house and expecting to maintain sovereignty in our front room. That is not a realistic prospect.

Mr. Hurd: What we are doing in the treaty—to pursue my analogy—is to raise the height of the garden fence through the article on subsidiarity that we have discussed.

What the Labour party wants to do—it cannot possibly appeal to any Conservatives—is say, "No, we actually want to leave the front door open and a welcome sign on the mat", so that all these provisions, however damaging and expensive, can be imposed by the Community.

5.30 pm

I will give an example. The agreement of the 11 on the social protocol allows for a wide range of legislation on social affairs, by qualified majority voting, which is far wider than in the present treaties. That is the whole point for Labour. In particular, it allows improvements in the working environment to protect workers' health and safety, working conditions, worker participation in decisions on working conditions, workplace facilities, atypical work, working patterns, employment rights, redundancy payments and unfair dismissal rights. There is a very long list. This is what I mean about leaving the door open and a welcome sign on the mat. It is a welcome sign for Community backing and validity to proposals along these lines, which go much wider than those in the existing treaties.

Mr. Marlow: May I draw my right hon. Friend's attention to a statistical fact? If you have a high garden fence, you are more likely to be robbed than if you have a low one.

Mr. Hurd: I do not know what the burglars are like in Northampton, but I will study my hon. Friend's proposition and change my metaphor, if necessary, to something to do with locks.

Mr. Budgen: Will my right hon. Friend give way?

The Second Deputy Chairman of Ways and Means (Dame Janet Fookes): Order. Before the hon. Gentleman makes his intervention, let me say that, by and large, interventions have been increasingly long during the short time that I have been in the Chair today—with the exception of the last one. I ask that they be short and snappy.

Mr. Budgen: On 27 January, my right hon. Friend the Minister of State said:

"the court is sensitive to the change of mood in the Community"—[*Official Report*, 27 January 1993; Vol. 217, c. 1057.]

A non-political court is bound by precedent and law, but not by the mood of the Community. What my right hon. Friend was saying is that this is a political court because it is, in his words,

"sensitive to the . . . mood in the Community."

Mr. Hurd: My hon. Friend is a lawyer. Does he know of a court, in this country or elsewhere, which is not sensitive to the mood of the community? My hon. Friend should not wriggle in this way. He said that my right hon. Friend described the Court of Justice as a political court: that means that the court is either composed of politicians, or acting on the basis of political consideration. He now seeks to justify that on quite a different basis by saying that the court is sensitive to what goes on.

The Second Deputy Chairman: Order. We cannot have semi-private conversations.

Mr. Hurd: I think I have made my point. My hon. Friend has moved his position substantially in the last 15 minutes, and he is now making the grave accusation against the European Court of Justice that it is actually sensitive to the world in which it lives, an accusation which is made—and should be made—against any court of law. I do not think that he has sustained his point at all.

Mr. Spearing: Will the right hon. Gentleman give way?

Mr. Hurd: I will give way to the hon. Gentleman, and then I shall bring my speech to an end on new clause 74.

Mr. Spearing: I am grateful to the Home Secretary for his characteristic courtesy and thoroughness. May I take him back to what he has called the "social chapter", although really it is the "protocol agreement" in the treaty? He said that there were three views on it. I suggest that there is a fourth—the exaggeration as to the damage on the one hand and the benefits on the other.

The "damage", as understood by my hon. Friend the Member for Hamilton (Mr. Robertson), is greatly exaggerated. Article 2.2 says:

"Such directives shall avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of small and medium-sized undertakings".

Does not that requirement mean that the vast number of employed persons will not be within the requirements of the social agreement, and therefore the exaggerations of both the right hon. Gentleman and my hon. Friend will not be so great as they suppose?

Mr. Hurd: I am not sure what case the hon. Gentleman is making. He is speaking from the Opposition Back Bench. He—perhaps less than his Front Bench—has devoted himself, night after night, to forcing this change upon the House and the country. Now he is saying that the damage is negligible. What is all this about? Why is the Labour party subordinating everything to this cause if it is really of no importance? The hon. Gentleman has a wise influence over these proceedings, and yet he is contradicting and completely destroying the case made by his own Front Bench.

Mr. Spearing: So is the right hon. Gentleman.

Mr. Hurd: The hon. Gentleman says that we are both exaggerating. I have made the case based on the competitive threats to this country and to Europe, based on the policy of the open door and the welcome mat that the social chapter would create for dangerous propositions for this country. In response to the persistence of my hon. Friend the Member for Southend, East, I have given examples of what might occur.

Mr. Stuart Randall (Kingston upon Hull, West): Will the right hon. Gentleman give way?

Mr. Hurd: I will give way to the hon. Gentleman.

Mr. Randall: I apologise, first of all, for missing the beginning of the Foreign Secretary's speech. In relation to the burden to which he has referred, I had a meeting the other day with a number of directors of a large multinational company. They told me that they thought that the burden to which the Foreign Secretary refers does not really apply, because most of the companies with a modern management outlook actually did a lot of these things. They felt—this is an example of the attitude of that particular business—that we were making an awful lot out of nothing, and that it was nothing more than a political totem pole.

Mr. Hurd: That is not the view here or the view of the Confederation of British Industry, or that of people to whom I listened in Japan, Korea and Indonesia when I was there a couple of weeks ago. There is great anxiety there among European business men about the social costs that Europe is heaping upon itself. There is a considerable realisation among would-be investors and manufacturers in those countries as to where the costs lie and do not lie.

I hope that I have said enough on the substance to show that we are not afraid of this argument. We are not hoisting a white flag of surrender. We have no difficulty in accepting the challenge with which the proposers of new clause 74 present us. It is reasonable that the House should want the opportunity to vote on the principle of the social protocol. New clause 74, which we are debating today, offers such an opportunity. That is why we came to the conclusion that we should accept the new clause, as I advise my right hon. and hon. Friends to do.

We are talking—I think the hon. Member for Hamilton was accurate on this point, although I shall have to study exactly what he said in *Hansard*—about a vote after the passage of the Bill but before ratification. That will enable

[Mr. Hurd]

the House to vote on the merits of the social protocol itself. We believe in the opt-out, for the reasons that I have explained. Obviously, we have not drafted the motion that new clause 74 would require a Minister to introduce if the new clause were accepted. I do not know what the terms of the motion would be, but the Opposition and the Committee would expect the motion to reflect what I have been saying today and what my colleagues have been saying for a long time. The motion will reflect our view and we believe that that view will prevail.

I will not answer hypothetical questions about what we would do if the motion does not prevail, any more than a party leader on the edge of an election would answer the inevitable questions, "Are you going to resign, give up the leadership or throw yourself under a bus if you don't win?" No, we shall take this one step at a time, as we are doing. If new clause 74 is accepted, we shall abide by it. We shall move a motion connected with the question and we shall put our views robustly to the House between Royal Assent and ratification.

Mr. Michael Spicer: On a point of order, Dame Janet. My right hon. Friend the Foreign Secretary was kind enough to say at the beginning of his speech that he would answer my question about the legal effect or impact of the amendment which the Opposition have said that they will table. Inadvertently, I am sure, my right hon. Friend did not answer my question. May he have an opportunity to answer it?

Mr. Hurd: I think that I did so——

The Second Deputy Chairman: Order. I should make it clear that that was not a point of order for the Chair. Each member of the Committee is responsible for what he says or does not say. No doubt it may be possible for further information to be given at some stage. However, that is not a matter for a ruling from the Chair.

Mr. Salmond: On a point of order, Dame Janet. The Foreign Secretary is in danger of misleading the Committee. We all heard him say that he was not answering hypothetical questions about the passage of clauses. I do not know whether you were in the Chair at the time, Dame Janet, but we all heard the Foreign Secretary deal with and elaborate upon the same hypothetical point in relation to amendment No. 27. I am sure that the Foreign Secretary does not want to mislead the Committee by saying that he does not follow hypothetical arguments when he did so only a short time ago in respect of another amendment.

The Second Deputy Chairman: The same considerations apply as I gave in response to the previous point of order. That is not a point of order for the Chair.

Mr. Michael Spicer: On a point of order, Dame Janet.

The Second Deputy Chairman: Not the same point of order, I hope.

Mr. Spicer: No. My point of order is whether the Chair will give my right hon. Friend the Foreign Secretary the opportunity to respond. It was not so much the content of my right hon. Friend's speech or what he was going to say as a question of whether the Chair would allow him the opportunity to answer my question. That is a matter for the Chair.

The Second Deputy Chairman: I am quite sure that if the Foreign Secretary wants to intervene at some stage during another speech, he will be able to do so. I am sure that the hon. Gentleman is well aware of that convention.

Mr. Robertson: On a point of order, Dame Janet. I crave your indulgence because I have an extremely important point to make. The Foreign Secretary has concluded his preliminary remarks. Although he is not prevented from participating again in the Committee, he concluded without answering one of the key questions to which the Committee wanted an answer and which it seems that the Foreign Secretary is now willing to answer.

In addition, earlier in this Committee the Prime Minister sent a letter to my right hon. and learned Friend the Leader of the Opposition in which he made it clear that the Attorney-General would attend our debates to help the Committee on matters, for example, in respect of the issue about which the Minister of State, Foreign and Commonwealth Office, the right hon. Member for Watford (Mr. Garel-Jones), unfortunately misled the Committee.

The Attorney-General is here and the Prime Minister has said that the Attorney-General can advise the Committee. My question, which is an issue of order, is this: how can the Committee receive the information from the Attorney-General—or from the Foreign Secretary—in response to the crucial question whether the Government are going to accept the outcome of the vote that is consequent on new clause 74?

The Second Deputy Chairman: Order. The hon. Gentleman is pushing his luck. He knows very well that that is not a point of order for the Chair. He has made his point and I suggest that he now resumes his seat and allows the hon. Member for Wallsend (Mr. Byers) to have the Floor.

Mr. Stephen Byers (Wallsend): May I give notice to the Foreign Secretary and the Attorney-General that there will probably be an appropriate point during my contribution when an intervention could be made to address some of the points made by my hon. Friend the Member for Hamilton (Mr. Robertson) from the Opposition Front Bench.

I do not want to delay the Committee too long in its final hours of deliberations, but I believe that certain things have been said about new clauses 74 and 75 which have been misleading and inaccurate, and they need to be clarified. I hope to clarify some of those outstanding issues in a few minutes.

The Committee must recognise that the Government's acceptance of new clause 74 does not come about as an act of generosity. It comes about as a result of the political reality the Government face. Had they not accepted new clause 74, they would have suffered another defeat in Committee.

5.45 pm

The acceptance of new clause 74 is a humiliating climbdown for the Government. We know that the Prime Minister wants to put the Maastricht Bill behind him and to look forward to a new future at the heart of Europe. However, new clause 74 ensures that, as the Maastricht

Bill leaves Committee, it has a very important item of unfinished business which the House and the Government will have to address at some point.

As the Prime Minister looks towards the horizon, he will see a dark cloud. That is the vote that the House will have on the protocol on social policy as part of the Maastricht treaty. The Prime Minister and the Government will not be able to escape that vote. As each day passes, that vote will get nearer. The acceptance of new clause 74 means that the Government have paid a high price in their endeavour to avoid a defeat on that clause.

As the Committee completes its deliberations, we know that there will be a Report stage, during which we hope to press amendment No. 27. I want to consider the relationship between amendment No. 27 and new clause 74, because I believe that that relationship is very positive and complementary. I hope that the House will have an opportunity to discuss amendment No. 27 at a later stage.

I am conscious that, when hon. Members and commentators have examined new clause 74, they have said that it does not mean very much, because the Bill will have become an Act and will be on the statute book. Therefore, what is the purpose of new clause 74? It is significant, because it means that the Act will not come into force until the House has had an opportunity to debate and vote on the desirability of the United Kingdom's incorporation into the protocol on social policy.

The Act will be a dead duck until we have that vote. The Act on the statute book will be full of fine words and good intentions, but it will have no practical purpose or effect. In many ways, that is a very fitting testimony to the Government's mismanagement of the whole Maastricht process. It will say everything, but do nothing. That is why new clause 74 is so important. It restricts the Government's ability to move forward to the final act of enforcement of ratification of the Maastricht treaty.

A number of Conservative Members and some of my hon. Friends wanted to know why new clauses 74 and 75 were tabled in the first place. They believe that the new clauses are not necessary, and that they in some way weaken our arguments about amendment No. 27. I believe that the reality is quite different, and I want to take this opportunity to lead hon. Members through the reasons behind the tabling of new clauses 74 and 75. Hon. Members know that, if amendment No. 27 is carried by the House, it will remove the United Kingdom's opt-out from the protocol on social policy.

Amendment No. 27 removes the protocol on social policy but puts nothing in its place. In the words of the Attorney-General, it is a double negative and therefore has limited legal effect. We disagree with aspects of that interpretation. We accept that, because of the procedures and rules of debate in Committee, we were able to take things out of the treaty and were unable to put things in. That was the ruling given by the Chairman. If amendment No. 27 is carried on Report—if we have the opportunity to vote on it—there will be nothing left in the Bill which addresses the issue of the protocol on social policy.

A number of hon. Members tabled amendments requiring the insertion of an opt-in—if one likes—to the protocol on social policy. New clauses 9, 68 and 69 sought to do that, but the Chairman did not select them. He did not give any reasons for that, but I understand that the main reason was that he agreed with the precedent that it is not for a national Parliament to insert additional provisions into an international treaty agreed by a number of countries. For that reason, the Chairman felt unable to select and debate any of those proposals.

We were unable to insert an opt-in provision in the Bill, so we had to find another device. New clauses 74 and 75 provide such a device. They are effectively procedural resolutions. Within the rules of procedure, all that we are able to discuss today is the question whether the Committee should have the opportunity to vote on the desirability of the social policy protocol. We will have a vote which will provide the Committee with an opportunity to express its view one way or the other on that desirability. We will then move to a third stage, at which, hopefully, the Government will reflect the views expressed by the Committee in the vote.

Instead of simply a two-stage process, we effectively have a three-stage process. We will have amendment No. 27, which deletes the opt-out; we will have a vote on new clause 74 and a motion tabled by a Minister—we hope that the motion will show that we do not want ratification to proceed without the social chapter; and then the Government will have to decide what they intend to do. In the third stage, the Government will decide how to react to the vote.

Mr. Hurd: I do not agree with the hon. Gentleman's comments about amendment No. 27, for the reasons that I have given. However, I agree with the rest of what he said. He has given me the opportunity—he kindly said that I could take it—to answer a question raised by my hon. Friend the Member for Worcestershire, South (Mr. Spicer) and the hon. Member for Hamilton (Mr. Robertson), who is no longer here. They both put the question in a legal form, but it is not a legal question, as the analysis of the hon. Member for Wallsend (Mr. Byers) is showing.

The question related to what we would do in certain circumstances after the debate on the substance, which new clause 74 provides for. I said that we would table a motion reflecting our views on the social chapter, as would be required on this hypothesis by new clause 74. We would debate that motion robustly and we would hope—as Governments do—that it will prevail.

The question is a political one. I am not prepared to answer hypothetically a question about what we would do after that. The hon. Gentleman has listed the sequence of events and has rightly said that, after the debate provided for in new clause 74, the Government should reflect on what they will do. That is correct, and that is what we will do.

Mr. Byers: I am grateful to the Foreign Secretary for his comments. He will be aware that the failure to clarify the position—he has been given the opportunity to do so—will create great difficulties. The worry that many of us have about the position in which we will be put is the potential conflict between the will of the majority of the Committee and the total determination of the Government to ratify the treaty at almost any cost.

There is a danger of a constitutional crisis arising if the Government fail to reflect the view of the majority of the Committee. I hope that the Foreign Secretary will use the opportunity, some time during the final few hours in Committee, to say that the Government will abide by the majority view of hon. Members on this issue. His failure to do so up to now is regrettable. Hopefully, he will reflect on

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the position and set out in a more positive way the attitude that the Government are likely to take if a vote adverse to the Government's position is carried when the House has the opportunity to vote on the motion. A motion will be provided if new clause 74 becomes part of the Bill.

There is no hiding the fact that, for Labour Members, the Maastricht treaty and the social chapter should go together. The importance of that has been stressed time and again. There are political reasons why we want to see that. It will benefit workers by giving them advantages and protection—that point has been well argued by my hon. Friend the Member for Hamilton. There are legal reasons why we need to adopt the social protocol. If we fail to do so, there will be real difficulties. As a nation, we will be open to challenge on constitutional grounds. Our failure to adopt the social protocol will result in discrimination against workers and will infringe the European Community's competition policy.

The Government will be put in a farcical position if we do not adopt the social protocol. At the Council of Ministers, they will have to leave the proceedings when the protocol on social policy is debated: they will not be able to take part or vote. They will go back in when the Council moves off the protocol on social policy, and have to leave again when it is debated again. It will be a case of in and out—it will be a European version of the hokey-cokey. It will be a Brussels benefit for lawyers. Brussels will be able to challenge legally the fact that we are not part of the protocol on social policy. For those legal reasons, it is important that we subscribe to the protocol. There are overwhelming political reasons as well.

Earlier, I said that many hon. Members—and certainly members of the public—found the proceedings complex and difficult to follow during 23 days in Committee. One reason for those difficulties is the complex legal position that is involved in the ratification of international treaties. Governments and Parliaments have distinct roles in the ratification process. The different roles and responsibilities have often been difficult for hon. Members to follow. Article R of the treaty clearly states that it is for each high contracting party to ratify after going through its own constitutional requirements.

That then raises the question: what exactly are the constitutional requirements for the United Kingdom in these matters? The formal and legal position is that all international treaties are ratified by a Minister of the Crown: it is technically done by the Crown acting on behalf of the Government. Constitutionally over the years, the system has arisen by which the whole process is subject to parliamentary scrutiny. Indeed, when the treaty amends our domestic law, that must be provided for in legislation. Different responsibilities are contained in the legal relationship on the question of the ratification of international treaties.

The best and clearest explanation of the differing roles is expressed by Oppenheim in the leading work on international law. On page 1,227 of the ninth edition, it states:

"the expression 'Parliament has ratified' a certain treaty, though occasionally met with, is objectionable when used of a British treaty. Parliament, if invited to do so, may authorise the Government to ratify a treaty, but it is the Crown, upon the advice of ministers responsible, which ratifies a treaty. Legislation may be necessary to give effect to the treaty, but that is not ratification."

The crucial point is that Parliament, if invited to do so, may authorise the Government to ratify. But it is the Crown which ratifies a treaty. That is why the Secretary of State must clarify this evening exactly what the Government's response would be to an adverse vote—as they would see it—on a motion tabled by a Minister.

The Crown will act on the advice of Ministers. The Committee should be told exactly what advice the Crown will receive from Ministers if they are defeated when the substance of new clause 74 comes before the House.

6 pm

Mr. Marlow: The position is clear. Hon. Members have already referred to the comments of my right hon. Friend the Chancellor of the Exchequer. The Government are a seamless web. They will have no truck with the social chapter. It is clear that, if the social chapter was imposed by means of a motion and an Opposition amendment at a future date, the Government would not be able to ratify the treaty. That is why it is a mystery to Conservative Members why the Opposition are pressing the amendment. We are happy for the new clause to go through, but the Opposition must realise that there is a real risk that, if it does, it will prevent the ratification of the treaty, and it will be their fault.

Mr. Byers: I obviously have not explained sufficiently fully and clearly the legal position on ratification of international treaties. It will be for the Government to ratify. That is the position. The Government could ratify the treaty and ignore the will of Parliament, if they chose to do so.

Indeed, it is interesting to note that the Bill before the Committee does not seek the view of Parliament on ratification. The Government could have worded the Bill to seek the view of Parliament. They have not done so. They have not allowed Parliament to express its view on ratification or any conditions which the House may want to impose on ratification. The Government have failed to do that.

However, as my hon. Friend the Member for Hamilton said from the Labour Front Bench, the Labour party will provide the House with such an opportunity, because an amendment to the motion moved by a Minister will allow the House to express a view. As I understand it, it will be worded in such a way as to disallow ratification unless the social chapter is included in the provisions before the House. That is the position as we see it.

We are aware that the Government have sought legal advice on many occasions. Many of us are genuinely worried that they may seek to defy the will of the majority of the House by arguing narrowly and legalistically that ratification is solely a matter for the Government and not subject to the will of Parliament or its approval. That is why we seek clarification. We seek the views of Ministers this evening on whether the Government will abide by the wishes of the majority of the House of Commons.

The Foreign Secretary failed to answer that question earlier this evening. There is a real worry that, if the Government are prepared to ratify the treaty at any cost, they will create a constitutional crisis. The Government will advise the Crown on whether ratification should take place. What advice will they give the Crown if they have just lost a vote on a Labour amendment which says that

ratification should not go ahead without the social chapter? The Government are not prepared to answer one way or the other this evening.

The Crown would be put in an impossible position, with the Government of the day perhaps advising one way and a majority of the House of Commons expressing a view the other way. That must be clarified. The Government are condemned by their silence on the matter. That is why, as my hon. Friend the Member for Hamilton said, the new clause is a time bomb ticking away. On a motion tabled by a Minister, the Government will allow the House a debate, but the Leader of the Opposition will table an amendment on which hon. Members will be able to vote seeking to place a condition on ratification.

We believe that the Government will be constitutionally bound by a vote in favour of such an amendment. They may argue that, legally, they can still proceed to ratification. That is the constitutional conflict and dilemma. We face a potential constitutional crisis if the Government ignore the will of the House on the matter.

It has been said that the way in which new clause 74 is worded deals an ace to the Government, because they will be allowed to word the motion that the House will consider. That ace has been trumped this evening, because we have been told how the Labour amendment in the name of the Leader of the Opposition will be worded. The House will have an opportunity at long last of voting on the social chapter. The Government have sought to run away from a vote on that key issue. There will be no hiding place for the Government on that issue, because the Labour party will table an amendment which will allow Members of Parliament to express a view. The Opposition are prepared to ensure that, in the interests of the British people, the House of Commons will hold the Government accountable.

Mr. Budgen: I hope that I may be able to persuade the Committee that the exchange between my right hon. Friend the Foreign Secretary and myself touched on a matter of grave importance. Many Conservative Members have made an argument based on the writings of Mr. Martin Howe and others who have examined the treaty with great care. They have said that, sadly, we are likely to have the social chapter by other means whatever happens.

We have then asked the Government to look at the way in which previous treaties have been dealt with by the European Court of Justice. We can anticipate that, when the mood of the court changes back to its previous federalist stance, we shall be caught. Therefore, I am unrepentant in saying that my right hon. Friend the Minister of State admitted on 27 January this year that the European Court of Justice was a political court.

Mr. Garel-Jones: My hon. Friend is an extremely distinguished lawyer—I should say my hon. and learned Friend. [HON. MEMBERS: "No."] He is not "learned", but he is an extremely distinguished lawyer. I hesitate to intervene on a lawyer of his distinction. He is what is known as a jobbing lawyer, so he is accustomed to the use of a certain amount of hyperbole.

I did not say at any point that the European Court of Justice was a political court. I observed—my right hon. Friend the Foreign Secretary and my right hon. and learned Friend the Attorney-General happened to be on the Front Bench at the time—that the European Court, like our own courts, is part of the society in which we live. It takes into account the society in which it operates. My hon. Friend seeks to build an edifice that fits in with his fantasies.

Mr. Budgen: Sometimes jobbing lawyers have to cross-examine the accused by reference to the statement that he has made to the police. Jobbing lawyers are quite good at using the pompous phrases of the court. I would respectfully suggest that what the accused said on that occasion amounted to an admission of guilt in that he said it was a political court. In his extensive statement to the police he said:

"The European Court has, perhaps, traditionally been a centralising institution, expanding the powers and scope of the Community with what I might call purposive interpretations of the treaty. I contend, however, that there have recently been clear signs that the court is sensitive to the change of mood in the Community—even in advance of the ratification of the Maastricht treaty, which itself sends out a clear signal through article 3b; that article concerns subsidiarity, which we shall discuss later.

The court is showing itself to be increasingly sensitive to states' rights, and is giving increasing weight to the national arrangements."—[*Official Report*, 27 January 1993; Vol. 217, c. 1057.]

Mr. Garel-Jones *rose*——

Mr. Budgen: I will give way in a moment. I should be sad if I thought that I had in any way stung my right hon. Friend. He seems to have abandoned his laid-back Spanish attitude and is jumping up and down as though he had been stung. That saddens me. I hope that he will allow me to expand for a moment what I am sure he would describe as my fallacious argument.

Where a court, for the sake of argument, is in a state of being relatively unconstrained by legislation, with a wide discretion, for instance, in fining somebody or deciding what sentence of imprisonment should be imposed, it is ——to use my right hon. Friend's words—— "sensitive to the change of mood".

Mr. Quentin Davies (Stamford and Spalding) *rose*——

Mr. Budgen: I will give way in a moment. If, for the sake of argument, there has been a large number of burglaries in an area and the mood of the populace in that area is very much opposed to burglaries, it is likely that a court, in its relatively unfettered discretion, will impose on a person who has been found guilty of burglary a higher sentence, but that is not the function of the European Court. The European Court is partly an administrative court and partly a supreme court. It is important to understand that it has a quite different role from that of the House of Lords in its judicial capacity in our constitution.

Mr. Garel-Jones *rose*——

Mr. Budgen: I am sorry that my right hon. Friend is behaving as badly as I often do. If he could contain himself for a moment, I should like to expand the point.

If, for the sake of argument, the House of Lords is trying to construe a complicated piece of tax legislation under a Finance Act, it considers the law and the precedents, but emphatically it does not take into account, in my right hon. Friend's words, "the change of mood". It does not say, "We have construed subsection *(b)*; we notice that there is a public sector borrowing requirement of £50 billion and that there is a major change of mood that people ought to pay more tax; therefore, we shall say that the appellant ought to pay tax under subsection *(b)*."

[Mr. Budgen]

If the House of Lords did that, it would, in my right hon. Friend's words, be taking account of "the change of mood". That is not the role of a non-political court.

6.15 pm

However, if the court is like a supreme court, it moves from being a body which merely interprets the law narrowly into something approaching a law-making body. Once it becomes a law-making body, it can be properly stigmatised as a political court. What my right hon. Friend is admitting is that the European Court has a law-making role. He is rather approving of its law-making role. In his opinion, its mood is moving towards recognition of the rights of the nation states. If it is a law-making body which is responsive to mood change, it might just as well move back into a law-making mode of a federalist nature.

Now I will give way to anybody.

Mr. Quentin Davies: My hon. Friend referred to courts unconstrained by legislation. That was the central part of his argument. My hon. Friend is all too familiar with the text of the Maastricht treaty. He will have noticed that one essential feature of the treaty is the principle of subsidiarity. That will constrain, for the first time, decisions of the European Court. The court will not be unconstrained by legislation; it will take account of the treaty. Once Maastricht is ratified, it will have to take account of the principle of subsidiarity. No change in mood, let alone any political direction, is required. The mere fact of subsidiarity will provide greater protection against Community institutions interfering in our national affairs.

Mr. Budgen: My hon. Friend ought to read the debates on subsidiarity. He is wrong about that. The importance of the subsidiarity element in the treaty is that it will be taken into account politically by the Commission. It does not have the effect of being legally binding.

Mr. Quentin Davies: It is in the treaty.

Mr. Budgen: No. It was put forward initially, mistakenly, as being legally binding upon the court. That is not so. It is a principle which will be taken account of by the Commission.

Mr. Garel-Jones: I assure my hon. Friend that he has not stung me, but I have a natural feeling of trepidation in discussing legal matters with a lawyer of his great distinction. To use the term that no doubt my hon. Friend uses when in court, it would be my respectful submission to the Committee that since my hon. Friend, having quoted me as describing the European Court of Justice as a political court, has now been good enough to read out my words, it is clear that I did not describe the European Court of Justice as a political court. I think that I went on to give three examples of judgments by the European Court in the last 12 months which, to me and, I think, to others, seemed to be more sensitive to the rights of nation states than perhaps has been the case in the past.

Mr. Budgen *rose*——

The Second Deputy Chairman: Order. Before the hon. Gentleman continues, may I inquire how the arguments which he is deploying relate to the new clauses under consideration?

Mr. Budgen: Because on all considerations of the treaty, the central power, which will decide the interpretation of anything that we decide to ratify over the treaty, is the court.

It is unusual for us in our constitution to be so concerned about a court. When one has a sovereign Parliament one is relatively uninterested in the occasional ramifications of the courts which may have an effect on what one is deciding. Once one has a written constitution and something above it which is partly an administrative court and partly a supreme court, the role of that court becomes extremely important.

I do not want to be thought to be stung by my right hon. Friend's attempt at sarcasm; nor will I try to compete with him in sarcasm, but he has raised a serious point. By his admission that the court took into account the changing mood of the Community, he was thereby admitting that it was a political court.

Mr. Garel-Jones: I am grateful to my hon. Friend for giving me the opportunity to intervene again. It is my contention that British courts also respond to changes in public opinion, not just on levels of fines, as my hon. Friend has implied, but through the establishment of substantial precedent. A good recent example of which the Committee will be well aware is marital rape. Previously, the decisions of the British courts had consistently held that a husband could not, as a matter of law, rape his wife. The House of Lords took into account the changes in public perceptions, or the mood, in our country and reversed that view—a decision which many hon. Members and the public regarded as wise. That did not make the House of Lords a political court, but a sensitive one. The European Court of Justice is also a sensitive court, as we would wish it to be.

Mr. Budgen: Sadly, Lord Denning is now retired, but everyone will know that he raised the whole question of what is the role of the courts by many of his judgments. Even he, at what might be described as his most heroic, never suggested that he had a law-making role. He described some of the judgments he gave as being vigorously interpretative, but he would hardly describe himself as having made the law. Under our constitution, Parliament is the place for law to be made.

The decision of our courts on marital rape was an unusually heroic one. It would have been a great deal better, however, if that decision had been made here in Parliament.

Mr. Garel-Jones: That is not a good point.

Mr. Budgen: It is a good point.

The Second Deputy Chairman: It may be a good point, but it is a diversion from the two new clauses that we should be discussing.

Mr. Budgen: I did not want to irritate my right hon. Friend and I certainly do not want to irritate you, Dame Janet, but, none the less, the role of the European Court in interpreting the treaty is absolutely central to our considerations.

My right hon. Friend said that that court was susceptible to a change of mood. Whether he thereby admitted that it was a political court is a matter of interpretation, but, by saying that, he admitted that it was a very, very dangerous court with innovative powers,

which were likely, when the change of mood went the other way, to act to the disadvantage of the British nation state. Those comments gave aid and comfort to Mr. Howe and others who say that, in the end, the Community will get us on a single currency and the social chapter.

Mr. Hoon: The debate on the social protocol demonstrates the difficulties into which the Government got themselves by opting out of the social chapter. Every other Government in the Community regards it as a necessary vital balancing item in the creation of a European single market. The Governments of the left, right and centre recognise the importance of establishing basic standards of social protection in a single market where capital is free to move from one country to another.

Every other European country recognises the importance of establishing minimum standards instead of trying to drive them down. Every other European country wants to develop the skills and expertise of its work force, not to compete with far eastern offshore economies. That is why Labour Members believe that it is so important for the House of Commons to debate the subject again today.

I support new clause 74, for the drafting of which I was originally responsible. I have borne in mind the scorn that has been heaped upon it during the debate on Britain's opt out for the social chapter. The new clause has been described as a sell-out and a Trojan horse. It even provoked a distinguished political columnist of *The Observer*, who is in his place above the Chamber, to attack it two weeks running. In effect, new clause 74 led to the discretion exercised by the Chairman of Ways and Means in his selection of amendments.

Why has this rather modest proposal attracted so much opposition?

Mr. Marlow: The hon. Gentleman said that the social protocol would do something for the skills and expertise of the work force. Where is that mentioned in the social protocol?

Mr. Hoon: It has always been my view that the higher the standards of social protection, the better developed and better trained the work force will be. They will be able to develop and enjoy more expertise.

New clause 74 has attracted so much opposition because it displaced amendment No. 27 in which so much hope was placed by those who want to see the Maastricht treaty defeated. Those opponents should consider whether they are right to place so much hope in that amendment. It certainly appeared to be significant when the Minister of State bounced up and down and told us that if it were passed it would wreck the treaty. He repeated that assertion on many occasions. It is interesting to note how much more reticent Ministers have been today when expressing their view about the implications of accepting various amendments. Perhaps they have learnt from the right hon. Gentleman's unfortunate experience.

It was precisely because of that unfortunate experience that the Foreign Secretary and the Attorney-General were wheeled out to give the Government's definitive view about the effect of amendment No. 27. They both said that, whatever the result of a vote, the Government would ignore the amendment. The Foreign Secretary repeated that view today. Even if amendment No. 27 were passed, the Government would still go on to ratify the treaty. Whatever the supporters of amendment No. 27 may say in its favour, they must face up to that fact.

Whatever the merits or otherwise of the Attorney-General's legal advice—I have grave reservations about whether it was correct—we must deal with the fact that the Government would ignore amendment No. 27 if it were passed. What does that mean? For the opponents of the Maastricht treaty, certainly those on the Conservative Benches, it means that they would go off to the High Court and challenge the Government's position on legal and constitutional grounds. I would have no objection to such a course of action because I believe that it would be beneficial in clarifying some difficult areas of the law on the constitution. I appreciate why they consider that they have strong grounds for such a course of action. I suspect that they have had strong legal advice saying that the British Government should not ratify an international treaty where their domestic legislation to give effect to the terms of that treaty is at variance with the treaty itself. That is a basic proposition which, until the Attorney-General gave us the benefit of his advice, we were taking for granted.

6.30 pm

That would be the case if amendment No. 27 were passed. It would leave the matter of the social protocol in the hands of the courts and judges. That may appeal to the hon. Member for Stafford (Mr. Cash), a distinguished lawyer, but why should such an approach appeal to Labour Members? Why should they want to substitute what is essentially a political decision for a judicial one? Why should that appeal, for example, to my hon. Friend the Member for Bolsover (Mr. Skinner)? Would he trust the judges with the social chapter?

That is why it has been important for the Labour party —indeed, for the whole Opposition—to find other ways to tackle the question of the opt-out. That is why new clause 74 was drafted, and I invite all who still have reservations about that clause to look carefully at its drafting and consider its effects.

Mr. Marlow: The logic of the hon. Gentleman's remarks is that he would vote against amendment No. 27. Is that correct?

Mr. Hoon: On the contrary. I said that I would welcome the possibility of the legal and constitutional questions being resolved because, as I said, I have doubts about what the Attorney-General said. So I hope a way can be found to retable amendment No. 27 or something similar to it. I do not see that amendment as being inconsistent with new clauses 74 or 75. After all, new clause 74 says that the measure may come into force only once the Government have tabled a resolution on the protocol on social policy. So the Government would not be in a position to ratify the treaty without having had the debate.

The Government, and particularly the Attorney-General, should consider the fact that there is no specific commencement date in the Bill. In the absence of such a date, a measure generally comes into force on the date of Royal Assent. So it follows that any further debate on the social protocol is likely to occur before Royal Assent. Little turns on that, because that further debate must take place before ratification, since until the measure is in force, the Government will not have the necessary legislative underpinning in the United Kingdom to give effect to the international obligations in the treaty to which they have signed up.

[Mr. Hoon]

The fact that the Government expressed their willingness to accept new clause 74 led some commentators to suggest that the Government would simply table a motion on the protocol forcing their rebels to toe the line or to table a motion that, whatever the outcome, the Government would ignore. Indeed, the distinguished columnist Alan Watkins wrote last Sunday:

"The Government can so phrase the motion that even though a vote supporting the social chapter is achieved, there is no obligation to act on it."

That may be true of the Government's motion, but it overlooks the opportunity that Opposition Members would have to table an amendment.

My hon. Friend the Member for Hamilton (Mr. Robertson) has been much derided for his description of new clause 75 as a ticking time bomb. There is a way in which the fuse on that may be ignited, and my hon. Friend spoke of a strategy that I had suggested to him. On the Government tabling the resolution required in new clause 74, the Opposition could table an amendment saying, in effect, "The Government shall not ratify the Maastricht treaty unless and until they have agreed at a further intergovernmental conference that the United Kingdom should be allowed to adopt the agreement on social policy contained in the protocol on social policy." The statement that the Government shall not ratify would be sufficient to prevent the Government from going ahead.

Mr. Harry Barnes (Derbyshire, North-East): Is my hon. Friend aware that that sounds very like an amendment that I tabled initially but was not accepted by the Chair?

Mr. Hoon: I do not want to get into a debate about the selection of amendments—we have been through that already—but there is a distinction. I suspect that the amendment to which my hon. Friend refers sought to amend the treaty. The amendment that would be tabled to the resolution which the Government introduced in consequence of new clause 74 would not amend the treaty but would place a road block in the way of ratification. It would be a political road block—perhaps not legally and technically a constitutional road block—should the Government ignore the clear wish and will of Parliament. It would prevent them from ratifying on political grounds.

Mr. Barnes: My amendment could not, and did not, seek to amend the treaty, only the Bill.

Mr. Hoon: I am not familiar with that amendment. I was speculating on the reason why it was not accepted. In any event, he and I are at one in wishing to adopt the same course.

My hon. Friend the Member for Wallsend (Mr. Byers) quoted from Oppenheim's "International Law" and said that, if invited by the Government to do so, Parliament could authorise the Government to ratify a treaty. It must follow that, whatever the legal and constitutional technicalities of the matter, if Parliament specifically excludes ratification or, as in this case, makes ratification conditional on certain events, the Government should be bound to follow that.

If an amendment along the lines that I advocated were passed, I assume that the Government would have no alternative other than to be bound by its terms. They would have to face the dilemma that they have sought to avoid throughout the debate—whether to accept the social chapter or reject the Maastricht treaty. I suggest that they must now spend time considering that issue in preparation for the debate that we shall have in consequence of new clause 74.

I hope that Opposition Members, including the Liberal Democrats and the various nationalist parties, will work towards achieveing agreement on that approach and will see the benefits to the European Community of having a social protocol that extends to all citizens of the EC. If it is suggested that that is likely to be a difficult or time-consuming exercise, there is little doubt that there will have to be a further intergovernmental conference, in any event, to tidy up the details of the treaty consequential on ratification. Britain's adoption of the social chapter could be one item on the agenda of that conference.

Mr. Byers: I am interested in the possible wording of the amendment to be moved by the Leader of the Opposition to the resolution tabled by the Minister of State. Does my hon. Friend agree that the wording of the amendment to which he referred would effectively be a condition on ratification and that the condition he suggested—of the adoption of the social protocol—would not be acceptable to the Government because they would not allow it to happen? Accordingly, such wording might be attractive to Conservative Members such as the hon. Members for Northampton, North (Mr. Marlow) and for Worcestershire, South (Mr. Spicer).

Mr. Hoon: Certainly, we know that the Chancellor of the Exchequer made it clear that the Government would not accept the social chapter in any circumstances. It was perhaps significant that earlier today the Foreign Secretary, given a similar opportunity to give the Government's view, was more reticent than the Minister of State, the right hon. Member for Watford (Mr. Garel-Jones), has previously been. Perhaps the Government are now aware of the dilemma that they face.

The intergovernmental conference to tidy up the results of ratification in the various member states could deal with the issue as a simple and straightforward matter. We know that the other member states would have no difficulty in accepting Britain's agreement to the social chapter. In those circumstances, I hope that it will present no great difficulty for the Government to agree to such a course.

Mr. Marlow: In case there is any misunderstanding in the hon. Gentleman's mind, I should explain that my right hon. Friend the Chancellor of the Exchequer will have occasionally made comments about the currency in the ERM which can be overwhelmed by the market. Such events are anticipated—my right hon. Friend has to stand by the currency and the financial aspects of the country. But if my right hon. Friend the Chancellor says that the Government cannot embrace the social contract in any shape or form, we must remember that the Government constitute a seamless web. Whatever my right hon. Friend the Foreign Secretary said or did not say today, when my right hon. Friend the Chancellor of the Exchequer makes his comments, he commits the Government, and they cannot change their mind.

Mr. Hoon: There have been occasions when Ministers have made statements that have not necessarily appeared to bind all their colleagues. However, the hon. Gentleman has put his view with his usual strength of feeling.

I return to the issue with which we began our debates many months ago. All citizens in the European Community, other than United Kingdom citizens, will enjoy the benefits of the social protocol. Throughout the days and nights of debates on the Maastricht treaty, Labour Members have merely been seeking to establish the possibility of there being a vote on whether the United Kingdom should accede to the social protocol. With new clause 74, that possibility comes one stage closer. We shall have the opportunity of debate, the Government will table a motion, the Opposition will table an amendment and, thereafter, it will be for the Government to decide whether they will put at risk the whole of the Maastricht treaty or accept the social protocol.

6.45 pm

Mr. Geoffrey Clifton-Brown (Cirencester and Tewkesbury): Thank you, Dame Janet, for allowing me to catch your eye in the final debate—on new clause 74—in the Committee stage of the Bill.

When the social charter was first mooted in 1989, I wrote a letter to my local newspaper, which is as relevant today as it was then. On 31 October 1989, I said:

"It was quite right to focus on the type of Europe that will emerge after 1992, because it will crucially affect the British people through the next decade and beyond. The EC should only be involved in those areas of national policy where the 12 states acting in concert can achieve more than by acting as individuals. The Social Charter, which was discussed in detail, is one of the many grey areas which fall in between these two categories. Britain with her worldwide service industry has most to gain from the free and unrestricted corporate structure. The last thing we need is Jacques Delors, or anyone else in the Commission, telling this country how individual companies should be run."

In December 1989, the 11 members signed the social chapter, but the then Prime Minister, Margaret Thatcher, rejected it, because she could see that everything that had been achieved in the social sphere through the 1980s would be reversed. The panoply of union laws would return to the days of bad and restrictive industrial relations that we inherited in 1979. She could foresee that that would be the consequence if we were sucked into a European social dimension. She avoided that trap in 1989, and my right hon. Friend the Prime Minister did so again in Maastricht in 1991 when he negotiated the opt-out protocol.

When the opt-out was mooted, Jacques Delors said that it

"would set a dangerous precedent, setting up one country as a paradise for Japanese investment".

If that is true, I plead wholeheartedly guilty. During the past 10 years, this country has managed to obtain approximately one third of all inward investment into the Community—50,000 jobs depend on that inward investment. I plead guilty to wanting to allow this country to set its own social agenda. After all, what have we achieved by privatising so many former nationalised industries in this country if not to allow those privatised industries to set their own conditions for their employees?

Mr. Hoon: I am sorry that I did not interrupt the hon. Gentleman earlier, but I must return to his point about Japanese investment. Nissan has invested in the United Kingdom, but it has also invested in Spain. Does the hon. Gentleman think that it is right that Nissan's workers in Spain should enjoy higher levels of social protection than Nissan's workers in the United Kingdom? If so, why?

Mr. Jenkin: That is a matter for the Spanish Government.

Mr. Clifton-Brown: As my hon. Friend said, that is partly a matter for the Spanish Government as the Government of the sovereign state where the company has chosen to locate, and it is also a matter for the company. If Nissan had wanted to locate in a country with different workers' rights, it would have done so. That is precisely why Nissan, Honda and many other companies have chosen to locate their headquarters and factories here rather than Spain.

As the hon. Member for Ashfield (Mr. Hoon) knows, because he knows the subject well, the Japanese have upheld good workers' rights in this country, and they were absolutely right to do so. That is one reason why they have been so successful. The hon. Gentleman and I have had discussions across the Chamber before, and what we want in this country is a high-productivity economy and a high-wage economy. We want individuals and individual companies to be free to set their own workers' rights.

Lady Thatcher was absolutely right to reject the social dimension in 1989, just as my right hon. Friend the Prime Minister was right to do so in 1991.

We have been told consistently by various hon. Members that opting out of the social chapter does not matter, because, under clauses 117 to 121 of the treaty of Rome, as amended by the Single European Act, it can be implemented in any case. A group of us visited the Commission a couple of months ago, and were told precisely the same thing. However, one crucial factor will have changed—we shall have signed the Maastricht treaty. We have held lengthy debates in the House, and there have been three referendums in other member states, so the Community, the Commission, the Council of Europe and the European Court of Justice will have to take cognisance of that process.

My hon. Friend the Member for Chingford (Mr. Duncan-Smith) has argued cogently that the preamble to the treaty of Rome and the Single European Act allows the European Court of Justice to pass judgments implementing the move towards ever closer European union. But page 117 of the Maastricht treaty makes it quite clear that the United Kingdom shall not take part in the deliberations and the adoption of the proposals made on the basis of the social protocol. It states that the agreement and attendant financial consequences other than administrative costs shall not apply to the United Kingdom.

I find it inconceivable that, if this matter goes to the ECJ for judgment, as it may well do, the court will be able to ignore that. It is all very well to say that, hitherto, the ECJ has embarked almost universally on centralising judgments. No hon. Member—certainly not I; I am not a lawyer—can prejudge what decision the ECJ will come to, but it will have to take cognisance of what is said in the treaty.

I do not believe that the Commission, or any other body, this treaty having been signed and ratified, will be able to implement those provisions of the social charter and articles 117 to 122 of the treaty of Rome, because what is written in the treaty will have to be taken into account. It is interesting to note that, of the 43 new initiatives under the social programme since it was introduced, 17 are legally binding and 25 have already been implemented by this country.

[Mr. Clifton-Brown]

So we now have two social chapters in Europe, one ratified by the 12 and the other ratified by the 11. When it says in the treaty that social chapter provisions will have to be implemented by majority or unanimity voting, or qualified majority voting, that applies to the 11 states, not to the 12. I have no doubt that lawyers will argue about this matter for some time to come, but I cannot see that there are any circumstances in which the ECJ can fail to take into account this enormously detailed ratification process.

If tonight we reject new clause 74, the treaty will be ratified by the Crown. If by chance we were to implement the new clause, we would have a debate on the social chapter. If we have a debate on the social chapter and that is rejected, the Government will advise the Crown to use its prerogative to ratify the treaty. But, whatever the legal argument, the House will have given a cast-iron statement of intent that it does not wish to be bound by the provisions of the social chapter in the Maastricht treaty. I for one will be looking to Ministers in this Government and to successive Ministers to uphold that cast-iron statement of intent to the best of their ability, so that we in this country do not get sucked into the social dimension of the social chapter.

Sir Russell Johnston: As has just been said by the hon. Member for Cirencester and Tewkesbury (Mr. Clifton-Brown), the acceptance of new clause 74 would induce yet another debate on the social chapter later on, so I will be brief.

I will begin by giving two quotations, because one thing that is still a great mystery to me, despite the speech by the Foreign Secretary, is the reason for the Conservative Government's attitude to the social chapter of Maastricht. I still find it very difficult to understand why they are taking up the position that they have taken up. The speeches that I have heard have, in the main, been general and unspecific in arguing this case.

My first quotation will perhaps come as a surprise to the hon. Member for Ashfield (Mr. Hoon), since it is from his speech on 20 January. I thought it summed up the matter very well. I could easily have plagiarised it and reproduced it as my own, but I thought that that would be wrong. He said:

"I am sure that, if hon. Members tried to draw up a list of worthy causes, they probably could not do any better than the social charter. It would be difficult to imagine a set of people more deserving of protection and assistance. Yet, way back in December 1989, the Government found it impossible to accept that list, which forms the basis of the social chapter.

My argument therefore is that the list in the fundamental charter is already extensively covered by existing obligations under the treaty of Rome and the Single European Act and has been accepted by all the other European Community Governments—Governments of the left, coalition Governments of the centre and Governments of the right—not once, but on a number of occasions.

Why do the Conservative Government in the United Kingdom find it so difficult to go along with the views of their parliamentary allies in the European Parliament and their political allies on the continent? The German Christian Democrats have been among the most enthusiastic supporters of the social chapter, as has every other major political party on the centre right of the political spectrum in the Community."—[*Official Report*, 20 January 1993; Vol. 217, c. 458-59.]

That, I think, puts a very good question, to which I have yet to have a cohesive answer.

My second quotation is much shorter. It comes from a letter written to me by the Chairman of the Free Democratic party of Germany. The FDP are the political partners, as it were, of the Liberal Democrats in Europe. The Chairman is Graf Otto von Lambsdorff, who is also, incidentally, the President of Liberal International worldwide—a position that he will yield to my right hon. Friend the Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) next year. I mention this not simply to give my right hon. Friend the pleasure of reading it in *Hansard*, but also to demonstrate the closeness of our political contact.

Otto Lambsdorff is no political softie by any manner of means; he was a very tough and combative Economics Minister of the Federal Republic of Germany, and he is very committed to the free market. He said:

"British Government policy towards European unification seems to be ambiguous, reluctant and stubborn. Only the Liberal Democrats have a clear and comprehensive concept of European policy—and a clear and unqualified commitment to the Maastricht Treaty.

Liberal policy includes the social dimension of Europe. The FDP fully supports the strategy of the Liberal Democrats in wanting both the Social Chapter and the Treaty as a whole."

That, as the hon. Member for Ashfield observed a moment ago, is the general view throughout the European Community. It is not confined to Lambsdorff; one could easily get far more if one looked.

I have looked very carefully at the speech made by the right hon. Member for Watford (Mr. Garel-Jones) on 27 January in winding up our first big debate. Because of having given way extremely generously, as he did, the coherence of the speech was rather impaired, but that does not excuse the absolute absence of any argument about why the Government feel that we must be excluded from the social chapter, and why inclusion would be so damaging.

We are, of course, as the hon. Member for Ashfield observed, already committed to the social chapter of the treaty of Rome, as amended by the Single European Act. What is the difference between the social chapter of Maastricht and the social chapter of the Single European Act? There are some differences, and perhaps they are not entirely insignificant.

Article 117 of the social chapter of the treaty of Rome is fairly general. It is the one that we signed, and it says:

"Member States agree upon the need to promote improved working conditions and an improved standard of living for workers, so as to make possible their harmonisation while the improvement is being maintained."

That is fairly clear. Article 1 of the Maastricht social agreement as signed by the other 11 states extends this somewhat. For example, it speaks of

"dialogue between management and labour"

and

"development of human resources with a view to lasting high employment",

and says that members should implement measures to take account of the diverse forms of national practices, and so on. So it is strengthened slightly.

The second main area of difference is that qualified majority voting is extended under article 2. Qualified majority voting is not introduced in the Maastricht treaty. It was introduced by the Single European Act, blessed by Lady Thatcher. Qualified majority voting is now extended from covering health and safety directives to cover

working conditions, information and consultation of workers and equality between men and women in the labour market and at work.

References to equal opportunities for men and women appear in the original treaty of 1957. One must remember that a great deal of this is aspirational. It will not come into immediate effect, but it is what hon. Members have been pledging their allegiance to as a desirable objective. It will not have instant impact. Are those the things that we find intolerable and that would make our industrial costs so high?

7 pm

I could go on at length, but as far as I can see there is nothing significant in the chapter to which the Government might object. I understand that the Government might have reservatiions about the fact that the social agreement would enhance the role of organised management and labour in implementing European Community legislation. The Liberal Democrats have reservations in that area too, but such generalities would not lead us to throw out the whole lot. After all, the provision is at the direct request of management and labour, and I remind hon. Members that the agreement excludes pay, the right of association and the right to strike. The agreement

"Shall not prevent any Member state from maintaining or introducing more stringent protective measures compatible with the Treaty".

In other words, despite erroneous observations to the contrary, there is absolutely no question of dropping our standards. That was also misunderstood in the Danish referendum.

So what is it that is so unacceptable? I still do not understand. There is no doubt, as the hon. Member for Cirencester and Tewkesbury virtually conceded, that the opt-out has created quite a bit of confusion. Officials in Brussels foresee great difficulties in administration. Two social chapters will be operating simultaneously. The hon. Gentleman recognises that that will mean fun times for jobbing lawyers. The Foreign Secretary, if I may say so, was not terribly specific. He said that social costs were too high in Europe, that that was reducing overall European competitivity and he argued that that will create unemployment—and that this must be avoided. We should have no part in it.

I find it unacceptable and undesirable that the Government have considerably weakened the situation of the low paid. The number of people in that category is increasing all the time. Consider a case described in a press release issued by the Inverness citizens advice bureau. The lady who manages the bureau cited an example of a family with two children, aged 12 and 14. The husband had been unemployed for six months. He had had an offer of employment as a security guard. Hon. Members would be wise to discover what sort of wages security guards in their own constituencies are paid, because sometimes they are appalling. Since we are in an employers' market, not only are the wages low, but often the conditions in which people have to work are unacceptable. That is what social chapters are for. They are to try to maintain minimum standards and not allow them to drop and drop.

The husband was offered a job as a security guard with a take-home pay of £88. In addition, he receives family credit and child benefit totalling £83. From this total income, he has to pay mortgage costs of £65, food, and band C council tax. If he does not take the job, the family will continue on income support, which gives them £122·95, plus mortgage interest payment of £52. The basic point is that, on income support plus other allowances, the family would receive £20 a week more than if the father took the job. The lady in Inverness tells me that the CAB has been seeing at least 40 clients a week who want to know whether they might be worse off working than they are remaining on income support.

The Government have told us a great deal about work dodgers on social security benefits. There is, however, no doubt that basic social security benefits are not high—people who say that they are are quite wrong. What worries me is the Government's general approach to the Community's attempt to introduce minimum protections. It is, after all, the responsibility of the state to afford such protection to the citizen.

The Foreign Secretary took time off to quote a speech or statement by the leader of the Liberal Democrats in which the latter criticised what he saw as the risk of Community-wide wage bargaining. That criticism still holds good. We were all rather quick to suggest that such bargaining might develop, however. I do not think it will, and it would not be good if it did—at least for a long time to come.

My right hon. Friend's criticism certainly did not imply a rejection of the whole social chapter. Liberal Democrats also do not happen to regard minimum wage legislation as the most cost-effective means of achieving protection against exploitative wages. We argue for minimum earnings, which might involve state top-ups, and which are less likely to have an adverse effect on employment. Such disagreement concerns how to achieve an objective, not the objective itself. It does not mean a rejection of the attempt to agree on a common structure.

This evening, I shall leave aside the potent argument developed by several hon. Members, most notably in a previous debate by the hon. Member for Chingford (Mr. Duncan-Smith). That argument holds that competition rules, as enforced by the Court of Justice, will achieve the objectives of the social chapter if the opt-out produces the competitive edge that the Government claim it might. The upshot will be that we will arrive at the same objective in any event.

The Government came back from the Maastricht negotiations with two fallacies. First, they said that it was wonderful that the nasty word "federal" was not to be included in the treaty—not that that makes a tuppenny bit of difference to anything. Secondly, they said that they had opted out of the social chapter, thereby avoiding creeping socialism and corporatism imported from the continent. It was almost as if the Government thought that the social chapter had been devised to create mass unemployment and apply as many interfering rules and regulations as possible.

The purpose, on the contrary, is to ensure basic minimum standards of social policy all over the Community. I regard that as a good objective.

Mr. Quentin Davies: It is always a great pleasure to follow the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston). I almost fell into the trap into which so many of my colleagues have fallen in these debates—of referring to him as a right hon. Member. He is always listened to with great attention. I often agree with

[Mr. Quentin Davies]

his judgments on foreign affairs, but he will not be surprised to learn that I sharply disagree with his support for the social chapter.

I listened with considerable attention to the details the hon. Gentleman gave us of a family in his constituency who were earning more on income support than they would have been if the father had had a job. That should be a cause of great concern to hon. Members on both sides of the Committee.

My right hon. Friend the Foreign Secretary delivered a devastating critique of the arguments for the social chapter. I shall not repeat them. At a time when we should be increasingly concerned about our competitiveness vis-à-vis the rest of the world and particularly in relation to the emergent nations of Asia, Latin America and elsewhere, the European Community would be stark staring mad to do anything that would increase costs and reduce prospects for employment in western Europe.

It is absurd for well-known figures on the continent such as M. Calvet, the president of Peugeot, and Madam Cresson, the last French Prime Minister but one, regularly to say that, as the EC faces increasing competition from the far east and the Pacific rim, we should take protectionist measures to defend our industries. Almost in the same breath, such people endorse the absurdity of the social chapter which can only increase the gap between our labour costs and those of the countries that are competing with us.

Mr. Hoon: The politician that the hon. Gentleman cites is a socialist. Would he say that Chancellor Kohl was "stark staring mad" to accept the social chapter?

Mr. Davies: The irrationality at the heart of the thinking that has led to the social chapter deserves my strong epithet.

The Foreign Secretary did not deal with an even more essential aspect of the matter—that the concept of a social chapter fundamentally conflicts with trying to create an integrated single market. Creating such a market from 12 different national markets would mean bringing together areas with different levels of average productivity. The difference in productivity between the countries of northern Europe such as the Federal Republic of Germany, the Netherlands and the Scandinavian countries and poor countries such as Greece is enormous. If there are no artificial barriers and there is a single currency, for which the Maastricht treaty provides, so that fragmented currencies do not provide a barrier to trade within the integrated single market, and the same labour costs are imposed throughout the Community, areas, regions and firms with lower productivity will be prevented from competing.

As the Foreign Secretary said, in many cases the social costs can be 50 per cent. of total labour costs. That can only be described as crazy. An integrated single market will contain regions with different productivity levels, and regions and firms with low productivity will not be able to survive because they will not be allowed to use lower labour costs to compensate for lower productivity. That is a fundamental contradiction and unless it is rapidly resolved the Community will pay an enormous price. Considerable unemployment will be created in parts of the Community that will no longer be able to compensate for lower productivity.

I hope that in an integrated single market there would be considerable productivity gains everywhere and increasing convergence in productivity. But for that to happen there must be an inducement for investment in the lower productivity areas where factory costs and the cost of labour and land are lower. That new investment will generate higher productivity and, in time, an integrated economy will emerge. That is exactly the mechanism which has worked so successfully over the past 100 years in the United States of America. In the 1950s and 1960s, industry moved from high-productivity, high-wage areas of the Ohio basin, Chicago and the north-east to California and the west coast. In the past 20 years, the deep south, traditionally a low-productivity, low-wage area, has benefited.

7.15 pm

If employers in Mississippi, Alabama or Louisiana had been told, "You must pay the same social costs and adopt exactly the same working practices as industries in Pennsylvania, Ohio and Illinois", investment would never have gone to the deep south. It would have remained the depressed area which it was for a long time and which it has markedly ceased to be. There is a fundamental economic contradiction at the heart of the suggestion that a social chapter can be combined with the ambition to achieve an integrated single market. That has not been mentioned in the debate, but I hope that we shall focus on it if we take a further look at the social chapter proposal after the Bill receives Royal Assent.

What is the origin of the thinking that produces that extraordinary self-contradictory proposal? It is the same as the thinking behind the double illusion that has led the Labour party and socialist parties in other European countries such as France to devise proposals such as the statutory minimum wage which is self-destructive and has now self-destructed. The first illusion is that we can legislate or regulate our way to prosperity. If only we could give everybody better working conditions, higher wages, and a higher standard of living by trooping through the Division Lobby I am sure that every hon. Member would do so enthusiastically. We could say, "Let benefits and wages be doubled, trebled or quadrupled." What a wonderful world that would be.

The second illusion sets aside the fundamental principle of economics that when prices are increased, demand is reduced. It follows that if the price of labour is increased, the demand for it will fall. If social or other costs are loaded to the cost of labour, fewer people will be hired and people who would otherwise be employed will be out of a job. Following such a course is economic nonsense and has the makings of human disappointment and tragedy. Those fundamental issues are at the heart of the debate and I am confident that when hon. Members, including the hon. Member for Inverness, Nairn and Lochaber, who usually believes in economic rationality, have considered them, they will, in their wisdom, reject the social chapter.

Sir Russell Johnston: I have been listening carefully to the hon. Gentleman. Nothing in the social chapter suggests, for example, that, in some mysterious way, we must compel the Netherlands and Portugal to have equal

wages. It is not a question of producing overnight some standard, imposed solution. The hon. Gentleman is putting up Aunt Sallies and then knocking them down.

Mr. Davies: I am grateful for that intervention because it enables me to set right a common misunderstanding. Throughout my speech, I have been careful to talk about social costs. I did not talk about the attempt to harmonise wages. As we have already heard from my right hon. Friend the Foreign Secretary, in many cases social costs have got to the point where they represent at least 50 per cent. of the costs of labour—a significant element. I hope that the hon. Gentleman, who is a reasonable man—that is not true of everyone who sits on the Opposition Benches—will agree that the essential total cost of labour determines the demand for labour and, therefore, the level of employment, and that we must all be seriously concerned about that.

Mr. George Robertson: The Foreign Secretary's analysis was remarkable. The criticism was not an attack on the high standards of Europe in terms of non-wage employment costs, but a comparison between the Community and the outside world, a fair comparison to make. However the hon. Gentleman and the Foreign Secretary should reflect on the fact that of the countries in the Community that apparently, in the eyes of the Conservative party, suffer from a disadvantage vis-à-vis the far east, the people who are benefiting—the economies that are the strongest in the European Community—are those of countries such as Germany, which believe in high standards. They may have high social costs, but they are prospering and benefiting because they are investing in people and not simply lowering standards and harming the future.

Mr. Davies: With your indulgence, Mr. Lofthouse, I shall extend by a couple of minutes the time in which I intend to make my speech. I should like to deal with the two important points raised in those interventions. The hon. Member for Inverness, Nairn and Lochaber, who speaks for the Liberal Democrats, said that I should remember that the treaty does not lay down any specific requirements to increase certain costs. However, it produces a framework that makes much more likely that increase in costs.

The hon. Member for Hamilton (Mr. Robertson) demonstrated another common misunderstanding, based on an error into which it is easy to fall—confusing the chicken with the egg. The argument that he was pursuing goes roughly as follows: Germany has a high level of social costs and is a prosperous country; therefore, a high level of social costs cannot prevent a country from becoming prosperous. Germany had a prosperous economy and the highest productivity levels in Europe 20 or 30 years ago, when its socialist Governments began, in the 1960s, to build up the expensive social network from which Germany has suffered—or, if one prefers, has enjoyed—ever since.

When productivity gains are achieved, and a society or a state becomes prosperous, it is open to that society to appropriate those productivity gains in a multiplicity of different ways. They can be appropriated by increasing consumption, by increasing investment or by increasing what one might call social consumption—in other words, social costs and benefits. It has been possible for Germany to do all three, but that does not mean to say that if one starts simply by imposing on other countries the level of social costs of the Germans they will be able to compete at all. I fear that the effect of trying to extend German-type levels of social costs to lower productivity areas that are struggling to catch up and reach German levels of productivity and prosperity would be fatal to their chances of doing so.

When the hon. Member for Hamilton becomes a millionaire, he will be able to take his wife to Cartier to buy her some extremely expensive jewellery, or to buy a Rolls-Royce or a Ferrari, and still be prosperous. However, should he now, on his parliamentary salary, make the same purchases, he might end up in a bankruptcy court and never achieve a decent level of life in his old age. That is an appropriate analogy and the lesson that he should draw.

Mr. John Butcher (Coventry, South-West): My hon. Friend is putting forward an excellent case, but he may be understating it. In recent years we have seen diaspora of jobs out of Germany. The biggest recipient of jobs from Germany within Europe, in terms of its measured outward investment in the Community, is the United Kingdom. German industrialists are thinking seriously about the pretty pass that the on-costs of social legislation in recent years have brought them to. They have had 40 brilliant years, but they are about to undo all that, and we shall be the beneficiaries.

Mr. Davies: I am grateful to my hon. Friend, who effectively reinforces my point. Even the most prosperous countries can over-extend themselves in the burden of social costs that they are prepared to undertake. As he rightly says, German industry and employment are suffering from that phenomenon. How much more disastrous it would be for the Community as a whole if the evil of the social chapter were extended throughout the Community and into this country.

Mr. George Stevenson (Stoke-on-Trent, South): My hon. Friend the Member for Hamilton (Mr. Robertson) has been reported as describing new clause 75 as a time bomb and new clause 74 as an iceberg. I hope that the time bomb will not blow up the iceberg. I am fearful of the Government's motive in accepting new clause 74.

Mr. Hoon: They are cowards.

Mr. Stevenson: It has been described as cowardice and a retreat. My hon. Friend the Member for Ashfield (Mr. Hoon) said that it put the Government in a dilemma. I hope that it does, but if there is one thing that I am prepared to accept about even this Government, it is that they are not entirely daft—nearly, but not entirely—and I cannot for the life of me accept that they are prepared to roll over and play dead on the whole issue of the social protocol.

The Government have consistently opposed the social protocol. They will not have it at any price. They must have been greatly relieved when the opportunity to vote on amendment No. 27 was not afforded to the Committee. To judge by their posture towards new clause 74, they would have us believe that it poses few, if any, problems for them. It may be that the Government have judged that new clause 74 allows them another opportunity to dash into a bolthole so as to avoid defeat. I do not know. Unlike my hon. Friend the Member for Ashfield (Mr. Hoon), I am not prepared to speculate about the Government's

[Mr. Stevenson]

thinking. I have been disappointed many times in the past by their change of mind, because of the collapse of their discredited policies. I am not, therefore, prepared to trust them from this day to tomorrow morning. Others may speculate if they wish, but I am not prepared to do so.

Why is there this apparent contradiction in the Government's thinking? They are certain, I believe, that if amendment No. 27 had been put to a vote, it would have resulted in their defeat. Nevertheless, the Government are prepared to risk defeat by accepting new clause 74.

Mr. George Robertson: They have no choice.

Mr. Stevenson: I hope that my hon. Friend is correct.

Mr. Hoon: My hon. Friend is keen on amendment No. 27, but the Government have said that they will take not the slightest notice of it and that they will proceed to ratify, whatever happens to it. What good does that do Opposition Members, who are keen to see the social chapter enacted?

7.30 pm

Mr. Stevenson: I shall attempt to respond to that question in detail as I develop my speech. Again, though, I am not encouraged by the Government's determination to use whatever legal mechanisms are available to them to avoid defeat on amendment No. 27 or by their acceptance of new clause 74, which they believe will enable them to avoid what they have wanted to avoid all along—defeat at the hands of the House of Commons on the social protocol.

Mr. George Robertson: I should hate my hon. Friend to go too far down that road. If he looks at the matter dispassionately, he will see the Government's dilemma. If new clause 74 were put to a vote, the Government would be defeated, without any shadow of a doubt. Tory rebels could have voted for it in the sure and certain knowledge that it was meaningless at this point, because the crunch comes on the motion that is consequential upon new clause 74. The Government knew that they would be defeated. Having learnt the lesson of amendment No. 28 on the Committee of the Regions, the Government decided—as happened with new clauses 1 and 2 and amendment No. 420—to avoid defeat by not putting amendments to the vote.

The Government hope and believe that on the motion consequential upon new clause 74 they will not be defeated, because Conservative Members will not dare to vote with the Opposition for something so intimately tied to the social chapter. As I made clear in my speech, the Opposition amendment will make it clear that the treaty cannot and will not be ratified unless the protocol on social policy is adopted. If the Tory rebels vote with us, either the social chapter will be adopted or the treaty will not be ratified—they will make a choice and we will make a choice. That is what is in front of us as a possibility. The Government would face sure and certain defeat if new clause 75 were put to a vote. That is why they accept it, and for no other reason.

Mr. Stevenson: I hope that my hon. Friend is correct. As I develop my speech, if I am allowed to do so, I hope to make that point. Even if my hon. Friend does not accept what I say, I hope that he understands my cynicism about the Government's intentions.

Amendment No. 27 was not put to a vote. New clause 75 then arrived on the scene. After that, new clause 74 arrived on the scene. Many of us believe that new clause 74 is not an alternative to amendment No. 27. I must stress that fact. We must press for a vote on amendment No. 27 on Report. I realise that that decision is for Madam Speaker. There is a danger that if the Government accept new clause 74, as they have said that they will, the pressure for a vote on amendment No. 27 on Report will be weakened. If the Government hope that their acceptance of new clause 74 will remove the need for a vote on amendment No. 27, I am confident that Madam Speaker will note that possibility and will also note how important it is that there should be a vote on amendment No. 27 on Report.

The Government believe that if they table a motion after new clause 74 has been agreed to, they will—if they are lucky—be back in the driving seat, which will allow them to dictate the outcome. There can be every expectation that the motion will be carefully worded. It will probably be innocuous. The Government no doubt believe that the battle will then have been won. It will not have been won, though, for I do not believe that Members of Parliament will simply roll over and play dead and accept that sleight of hand.

It was only when the Government faced defeat on amendment No. 27 that we were told that it was irrelevant and was not a problem for the Government. If new clause 74 is agreed to and the Opposition amendment is adopted, the Government's position will become untenable, not for legal reasons but because of our position within the European Community. They will be unable to hide behind the Danish referendum, as they have done in the past, for the Danes want the protocol on social policy.

I am sure that hon. Members will be delighted to know that I am not a lawyer—I am not sure whether that is a benefit or a disadvantage—but after new clause 74 has been agreed the House will have an opportunity to demand that the protocol be accepted by the House of Commons and also to demand that it becomes part of the Maastricht treaty.

Mr. Michael Fabricant (Mid-Staffordshire): I am very much aware of the unemployment rates in Stoke-on-Trent, South. I do not know whether the hon. Gentleman went, as I and many hon. Members from both sides of the House of Commons did, to Nomura International bank two or three months ago. I remember one Opposition Member asking the Sony and Nissan representatives what was the single most important factor that kept them in the United Kingdom, as opposed to going anywhere else in Europe. Both of them said that it was because they could avoid the social chapter here.

Mr. Stevenson: Ah.

Mr. Fabricant: The hon. Gentleman then says, "Ah." I am referring to what the managing directors of the Sony and Nissan divisions here specifically said. I remember it clearly.

Mr. George Robertson: That is not so.

Mr. Fabricant: I do not recall the hon. Gentleman being at Nomura.

I do not understand the hon. Member for Stoke-on-Trent, South (Mr. Stevenson). He is speaking about various clauses and trying to impute motives to the Government, but at the end of the day——

The First Deputy Chairman of Ways and Means (Mr. Geoffrey Lofthouse): Order.

Mr. Fabricant: My question is——

The First Deputy Chairman: Order. That was supposed to be an intervention, not a speech.

Mr. Stevenson: I am grateful for your efforts, Mr. Lofthouse. I was quite happy to try to respond to the right hon. Member for Mid-Staffordshire——

Mr. Fabricant: Hon. Member. Right hon. next week.

Mr. Stevenson: I apologise. I meant the hon. Member for Mid-Staffordshire (Mr. Fabricant). I was quite happy to try to respond to him, but I am afraid that I was unable to determine exactly what his question was. I said that I was not a lawyer.

I believe that the Government's position will be untenable as a result of the acceptance of new clause 74 and, I hope, by the House's acceptance of the amendment that the Opposition intend to move. That will not be because the House will have accepted the amendment and the new clause, because during the debate the Government have shown their disregard for the opinions of the House: the Government's position will be untenable because other member states will not allow them to hide behind their opposition to the social protocol when the House has said something entirely different. I believe that other member states will insist that the Government accept the terms of the social protocol. As other hon. Members have suggested, that could quickly be done at an intergovernmental conference.

I am one of the Opposition Members who was worried about the tabling of new clauses 74 and 75 because I believed, and I still do, that the Government have been given the opportunity to slip off the hook. Why else are they accepting new clause 74 so readily? Perhaps too many Members of the House are prepared to accept the Maastricht treaty at any price.

My worries go to the heart of the treaty, because I believe that it and the Bill are seriously flawed. I say that quite openly, but I must make it clear that my concerns are not those expressed by Conservative Members who argue that we should not have the treaty or the Bill because of some outdated notion of sovereignty, and because they believe that their raw market philosophy is the way forward. A different concept and a different vision have been accepted by all the other 11 member states, and we should press for that. We should look for policies which enhance employment and growth in the EC, and we should insist on policies which promote social justice. We should not look to support a treaty and a Bill based on discredited monetarist theory. A positive social policy is essential.

My hon. Friend the Member for Hamilton says that new clause 74 means that the crunch is coming. I profoundly hope that he is right, and I believe that he is. I have been discouraged by listening to the speeches by Conservative Members today, because they have made it clear that the Government's attitude has not changed one iota.

I hope that the acceptance of new clause 75 and the debate on it, which will include the other amendment that the Opposition mean to table, will give the House the opportunity to insist that the social protocol be incorporated. I use the word "hope" rather than the word "expect", but right hon. and hon. Members who want the social protocol to be incorporated will have another opportunity to vote accordingly.

Mr. Jenkin: I am grateful for having been able to catch your eye, Mr. Lofthouse. I follow the hon. Member for Stoke-on-Trent, South (Mr. Stevenson), and I believe that we must respect his sincere and well-argued view. He believes in higher social protection, but he, in turn, must accept that that incurs additional costs. If Britain can put itself at a commercial advantage by avoiding those costs, we can make our workers in this country better off in the long term. That argument is at the core of the debate.

7.45 pm

I am grateful to my right hon. and hon. Friends on the Front Bench who have seen the Committee stage through night after night, and I want to pass on a message of thanks to them. They have put up with a great deal and remained courteous and responsive to all interventions at all times. I am especially grateful for the polite way in which they have continued to deal with me.

I am sorry that neither the Foreign Secretary nor the Minister of State is in his place, because what I intend to say relates to the exchanges that took place at the beginning of the debate. As the Committee will recall, we were talking then about what we are seeking to avoid; what measures we were not to have as a result of the opt-out arrangements, and what additional measures we would have to put up with. I want to talk about one of those arrangements, the European works council directive.

The hon. Member—I hope that one day he will be the right hon. Member, and perhaps even one day the noble Lord—for Inverness, Nairn and Lochaber (Sir R. Johnston) said how far away must be the day when there will be Europewide wage negotiations. He does not appear to be aware of the European works council directive. Under the current arrangements, even though there is a fairly strong social element in the existing EC under the treaty of Rome, we have managed to keep kicking that directive into the long grass.

Under the directive, a company with 1,000 or more employees in the European Community, with a base with 100 or more employees in two or more member states, has to set up a works council. The body is to be set up by agreement between management and employees, but where no agreement comes into force minimum legislative requirements will come into play. Those relate to a European works council's competence and its composition, and provide for annual information, meetings and consultation rights, with the cost being borne by the company. I am indebted to the Library for briefing me on the matter.

Briefly, the requirements are that there would have to be annual meetings of the management, to be informed of such matters as the group's financial situation, production and sales, employment situation and investment prospects. The council would have to be consulted about any management proposal likely to have "serious consequences" for employees' interests. Those would include

relocations, mergers, reorganisations and changes in working methods—that is, all the things for which we in this country have a different culture.

Mr. Stevenson *rose*——

Mr. Jenkin: I give way briefly to the hon. Gentleman.

Mr. Stevenson: I assume that the hon. Gentleman will know that the proposed European works council directive, which he is worried about, is one of the priorities of the Danish presidency. The hon. Gentleman has made his views on the proposed directive clear to us. He rightly says that it is about information and consultation. If he is not in favour of that, presumably he is in favour of practices such as those employed at Dagenham, when Ford moved production to Belgium and told its employees about it by sticking a notice on the factory gates. Is he in favour of that method, or is he in favour of consultation?

Mr. Jenkin: The hon. Gentleman would not know the advantage that I have in that regard. I used to work for the Ford Motor Company, which has its good points and bad points in the way in which it runs its industrial relations in this country. In the United Kingdom's experience, we do not have an enclosed legislative framework in industrial relations. It is culturally acceptable in other countries. They should be allowed to do their own thing; we should be allowed to do ours. That is what the opt-out from the social chapter is all about.

In the European Community there are some 900 enterprises with more than 1,000 employees that would be affected by the European works council directive, and subsidiaries with more than 100 employees. Approximately one third of those organisations have their headquarters based in this country, and half of the top 100 of these organisations are based in this country or are British companies. We have a lot at stake in that directive; it greatly affects us.

The Confederation of British Industry, which is in favour of the Maastricht treaty, has detailed all the objections to the European works council directive. It is opposed to the European works council directive because it

"fails to achieve its stated purpose of improving the provision of information to and consultation of employees in Community scale undertakings, since it would impose uniform structures on an area in which flexibility of approach is essential . . .

fails to recognise the need for diversity in this area and the wide range of practice currently prevailing in the Community . . .

would introduce, a costly and slow moving process."

Some estimates have suggested it would cost some companies up to £1 million annually to implement the proposals. It could and would impact adversely on the employee relations in some companies where there is not that legislative tradition. Maybe consultation continues on a widespread basis already, but it is not legislated for, and that is what is different.

"It creates a forum for cross-border collective bargaining which could have arbitrary effects."

It would have upward effects on wages in the European Community, which would be bad for jobs. It

"concentrates influence in the hands of employee representatives".

That is a priority of the Labour party, but it is not ours. We want to concentrate power in the hands of individual employees.

So what is likely to happen as we ratify the Maastricht treaty? It has been our veto which has stopped these directives. Once the treaty is ratified, the European works council directive will go ahead in the other 11 member states. Fine, you may say; that is no problem of ours because they are imposing costs upon themselves. But what about those British companies that have subsidiaries in other member states? They are going to have to establish European works councils, and then there will be blurred edges—and the European Court of Justice loves blurred edges.

What about the status of the employment bases in the United Kingdom that should not be covered by this directive but is perhaps part of the arrangements of the directive that apply to other member states? It is a complicated and difficult situation to resolve. For example, if a company has one base in the United Kingdom and one in France, would the French implementation of the European works council directive mean that we would have to have a European works council? How would that apply? It would be in the hands of the court. How is the court likely to interpret such a position?

It is interesting to look at the thoughts of the Commission on Britain's opt-out from the social chapter. I quote from a speech by Mr. Padraig Flynn who spoke at the Copenhagen conference on the role of the social partners on 15 March. He said:

"The Charter sets out the basic elements of a future community social policy but we cannot ignore the fact that it has a flaw: it is only signed by eleven Member States and this fact foreshadowed the outcome of the Maastricht negotiations with the United Kingdom's opt out of the social chapter.

All of us sincerely hope that this is only a temporary phenomenon and that, in due course, the present or some future British government will feel able to reconsider that position."

So it is clear what he is looking forward to—that there should be 12 social partners.

Hoover, Nestlé, DAF-Leyland and Digital are the cases where President Mitterrand complained about social dumping. He stated:

"These cases raise so many issues that they alone could serve as suitable case studies for a dispassionate analysis of the problems of developing a coherent common market in which economic and social questions become virtually indistinguishable."

How, then, are we going to distinguish social policy from commercial policy—where we have majority voting and all the single market stuff which is put through by majority voting—when the person initiating the policy of the Commission is determined to make it indistinguishable from social policy? It will not be up to us.

Mr. Flynn then said:

"I think that the social partners have to pursue new rules and new approaches which can better contribute to the creation of wealth and the greater competitiveness of firms, the safeguarding of existing levels of employment and the creation of new jobs, and, thereby, to a significant and lasting reduction of unemployment. I intend to issue a Green Paper later in the year to open a debate . . ."

So the great social machine of Brussels is just about to roll out of the station again. Unfortunately, as the former Foreign Secretary Lord Howe used to say, we have put ourselves at the back of the van. We are nowhere near the driving cab because we have lost the veto on social policy by opting out. That has very serious consequences.

Mr. Flynn concluded:

"Social policy is a vital part of the process of union. I want to see it at the centre of the debate on economic and monetary union . . ."

That is getting muddled up with another issue.

". . . on convergence and on growth. It is not an optional extra or the icing on the cake. But it does put people first and that is what the Community itself must increasingly do if it is to attract the popular support needed for the next steps of integration."

Here we have a full-blooded federalist speech which is going to drive a coach and horses through the social chapter opt-out.

I wish to conclude by returning to that crucial debate which took place on 27 January about the way in which the social chapter will operate. When my right hon. Friend the Minister of State was dealing with the speech made previously by my hon. Friend the Member for Chingford (Mr. Duncan-Smith), he mentioned three cases. My hon. Friend mentioned these three cases in a subsequent speech about the court—and he dealt with them very well—but the story continues to move on. Nothing stands still in the European Community.

One of those cases was a very significant one. It was an Equal Opportunities Commission NICs case, decided in July 1992, of the Secretary of State for Social Security versus the Equal Opportunities Commission. The Equal Opportunities Commission was suing through the European Court that there should be equality of national insurance contributions for the purposes of state pensions.

I am told that all the advice was that we would lose. I understand that my right hon. Friend the Secretary of State for Social Services took the matter to Cabinet in order to get permission to go ahead with the case because the legal advice was that we would lose. But his excellent lawyers probably told him that this is a political court, and referred to the consequences of enforcing this particular law according to the precedents. We are talking about the equal treatment directive—79/7/EEC—which affected the Barber case. The forecast was that we would lose, but the Government inexplicably won.

The Government won because a derogation which had been constantly chipped away and removed from previous rulings was suddenly reinstated with a new importance. The reason for that was that if we had lost the case at the end of July, it would have needed an immediate and retrospective change to our social security legislation, the recall of Parliament to implement it immediately and a political crisis that could have severely jeopardised the ratification process in this country. The court, therefore, mindful of the political atmosphere—or the mood of the Community, as my right hon. Friend the Minister of State would say—took care not to cause such a political crisis.

Mr. Budgen: Before one pours too much scorn on that political court, I am sure that my hon. Friend would agree that it is important to recognise that if we have a written constitution with a very large number of constituent organisations belonging to it, we cannot easily make law. Therefore, we have to have some form of political body at the head as a supreme court with a law-making power. We complain about the political nature of the court, but it is inherently necessary for it to be a political body.

8 pm

Mr. Jenkin: I note my hon. Friend's comment.

In responding to the ruling made in July 1992, my hon. Friend the Member for Chingford explained that the case was a temporary aberration. He said:

"I feel that the case that I was discussing before the intervention was an example of the court marking time. It does not like derogations and never has. At best, it sees them as temporary and transitional means. However, that case followed closely on the Barber case, and just as the court was not willing to make that additional leap in the 1978 Defrenne ruling so soon after the significant advance made in the 1976 case". [*Official Report*, 24 March 1993; Vol. 221, c. 940.]

My hon. Friend explained why the court is likely to pause after a major ruling.

My right hon. Friend the Minister of State sets great store by the July ruling. He says that it clearly indicates a change of mood in the court. However, not one week after the debate in which the Government reiterated all those assurances, a ruling was given on 30 March 1993 in another case between the Secretary of State for Social Security and the Equal Opportunities Commission which came before the European Court. I am referring to the case of Mrs. Thomas and others in respect of equal treatment relating to invalidity benefits and the link with pensionable age.

The ruling refers to the derogation in the equal treatment directive, article 7(1)(a) of directive 79/7, which states

"according to which the directive is to be without prejudice to the right of the Member States to exclude from its scope the determination of pensionable age for the purposes of granting old-age and retirement pensions and the possible consequences thereof for other benefits."

The arguments deployed in that invalidity benefits case about men and women qualifying for invalidity benefit at different ages relates directly to the 1992 EOC—NICs, case. *[Interruption.]* I am grateful that my right hon. Friend the Minister of State has come into the Chamber to listen to this crucial point.

I re-emphasise the point that we lost the ruling on 30 March. The ruling provided in July was explained thus:

"it can be deduced from the nature of the exceptions contained in Article 7(1) of the directive that the Community legislature intended to allow Member States to maintain temporarily the advantages accorded to women with respect to retirement in order to enable them progressively to adapt their pensions systems in that respect without disrupting the complex financial equilibrium of those systems, the importance of which could not be ignored."

That actually says that the Secretary of State's victory in July 1992 was allowed because of a reason that the court invented to create a temporary derogation and not a permanent one. That is clearly stated in the ruling.

In determination of the case, the ruling continues:

"determining a different retirement age according to sex is only applicable if such discrimination is objectively necessary in order to avoid disrupting the complex financial equilibrium of the social security system or to ensure consistency between retirement pension schemes and other benefit schemes."

Therefore, the court has progressively introduced an entirely new basis for interpreting that particular derogation and it means to chip it away. My hon. Friend the Member for Chingford explained that process of incremental interpretation so ably in his speech about the European Court.

Mr. Fabricant: Given that we are going to adopt the Maastricht treaty, is my hon. Friend arguing that we should adopt the social chapter and protocol because we

[Mr. Fabricant]

will have more influence in those matter or is he saying—as I believe he is—that we should not adopt it because the Organisation for Economic Co-operation and Development has said that the social chapter is the single biggest element responsible for producing unemployment in France? We have already heard that it creates unemployment, so what is my hon. Friend arguing?

Mr. Jenkin: I am simply making the point that the assurances that the Government have tried to give throughout this Committee stage cannot be guaranteed or taken at face value.

Mr. Garel-Jones: I hope that my hon. Friend will agree that I do not argue, and have never argued, that the British Government or any Government will win every case that comes before the European Court of Justice. In addition, I hope that my hon. Friend will agree that the case to which he is referring at the moment relates to the treaty of Rome as amended by the Single European Act. Presumably my hon. Friend is not making that a case for voting against the Maastricht treaty which, in a number of respects—there is no need to repeat the debates that we have already had on the issue—strengthens the position of member states.

Mr. Jenkin: I note my right hon. Friend's reticence to draw conclusions from rulings of the European Court when that does not suit him. My right hon. Friend drew conclusions from three recent rulings before the treaty was ratified. He used that as evidence that the mood in the Community was changing and that that was what was going to change the rulings of the European Court. That is what he said.

Mr. Garel-Jones: The difference between my hon. Friend and me is that I recognise, as I believe does the majority of the House, that we are signatories to the treaty of Rome as amended by the Single European Act. Unlike my hon. Friend, I do not regard that as a disaster for Britain and I do not regard the Community and its institutions as the enemy of the United Kingdom. I regard the European Court of Justice—and this point has been made extensively—as a court of justice manned by distinguished judges. I do not expect, and have never argued, that Britain will win every case. I simply made the point, for which I believe there is evidence, that recent judgments tend to show a growing acceptance and importance by the court to states' rights. I did not go any further than that and I never have done.

Mr. Jenkin: I have never said that our signing the Single European Act or acceding to the treaty of Rome was a disaster. I hope that my right hon. Friend will accept that and not attribute to me words that I have not uttered.

My right hon. Friend has been quite acerbic with other hon. Members on the same point this evening. I hope that he will also accept that I am not disputing the fact that we will lose some cases and win others. The point about the way in which the European Court works is the process of incremental revision. Earlier in our Committee proceedings, my right hon. Friend the Minister of State seemed to indicate that the tide was changing. I have just shown that the court is still behaving in its centralising way and is likely to continue to do that.

Mr. Garel-Jones: If I have placed words in the mouth of my hon. Friend that he has not uttered, that was not my intention. Naturally, I apologise to him. The case that he is making is based on the treaty of Rome as amended by the Single European Act. If he is making the case, he is steering a wayward course in this matter. Sometimes, it is difficult to know his position. If his position is that we should not ratify the Maastricht treaty—I do not think that that is his position—he is not making a case for it at present.

Mr. Jenkin: In Committee, my right hon. Friend referred to three cases which he adduced as evidence of a changing mood in the European Court. By quoting from those rulings, I am merely demonstrating that the court is reserving its position for future centralising judgments. Indeed, we have never said that the doctrine of the occupied field has been reversed and that we are moving away from the principle of the attribution of powers, which is the basis of the legal underpinning of the European Community.

Mr. Budgen: Does my hon. Friend agree that his point is not that he regrets the Single European Act or the treaty of Rome? All he is saying is that we are giving more powers to the European Community and, therefore, we should understand that the central and most important body in the Community is the European Court. Two things can be said about the European Court: first, it is a political body and, secondly, it has a track record for centralising and federalist decisions. The court is likely to be reverted when it becomes politically possible so to revert.

Mr. Jenkin: I absolutely agree with my hon. Friend.

Mr. Iain Duncan-Smith (Chingford): Does not the nub of the argument essentially relate to the clear problem of the way in which our opt-out of the social chapter will be viewed by those who are not necessarily influenced by the views of Her Majesty's Government? My hon. Friend is saying that the other 11 nations will use the European Court to implement and adjudicate their specific chapters and that, naturally, we will be sucked in by a bypass mechanism through the court.

Mr. Jenkin: My hon. Friend reiterates a point that was made in earlier debates: he is absolutely right. The purpose of my speech—I can sum it up in a few words—is that the derogation on which my right hon. Friend the Minister set great store in an earlier debate has been clearly shown to be a temporary derogation. In the ruling, we see the preserving of financial equilibrium as a completely new element to the ruling of the court, introduced only by itself. That is the danger with the way in which the social policy will continue to develop in the European Community.

My hon. Friend the Foreign Secretary set great store in last night's debate on the authority of the Committee and how it should not be interfered with. We are putting ourselves progressively in a position in which the authority of the House of Commons is simply being passed to alternative institutions.

8.15 pm

Mr. Barnes: I support new clauses 74 and 75 entirely, without having any illusions about what they would achieve. The social protocol does not necessarily mean that we have introduced a socially progressive set of measures or high standards in Europe. It is simply what

someone has described as a framework or a set of possibilities in which various regulations and directives can be introduced later. Regulations and directives on a number of topics, such as the working environment, working conditions and information to and consultation with workers can be introduced—generally describing social in terms of labour and work—within the institutions of the European Community in different ways. They can come forward slowly or progressively. On occasions, they can be regressive and—to use another term—anti-social.

The way in which the provisions in the protocol will be used is important. I would like us to have the social protocol but I would like to see a different framework in which it could operate so that its provisions would begin to be interpreted in an improving and advancing way. We do not have a set of arrangements in the treaty that would allow us to do that.

We have what has been described by hon. Members, especially the rebels in the Labour party, as a treaty of institutions and their powers. Those institutions include the Commission, the Council of Ministers, the European bank and other institutions which are not subject to any democratic checks and controls and do not have established democratic systems in which to operate.

Many decisions are ratified by the Council of Ministers. I have tried to get the Minister to agree to publish information and records about the votes which take place in the Council of Ministers. At present, I must put down a set of questions, which are pursuant to planted questions, to get a report on which is going on in the Council of Ministers and the votes that are taken.

Yesterday, the Prime Minister provided information in an answer about the number of votes that had taken place recently. I wanted to know when the most recent vote had occurred in the Council of Ministers. At the previous 11 meetings, all the matters had been cut and dried and no votes had taken place. The most recent vote was taken by the Agriculture Ministers on the issue of bananas. Germany and two other countries voted against the proposal, and it was carried by that arrangement.

Far from us seeing what takes place in the Council of Ministers, we cannot see what has taken place in terms of voting and the decisions adopted. In the end, most matters are decided by deals done among people without qualified majority voting entering the picture or operating. Such arrangements are entirely unacceptable. We need to move towards proper democratic arrangements in the European Community. To do so would give considerable life to the social protocol.

It would mean that many items could be dealt with through the Community's institutions, and the best progressive standards could be argued and developed. The arguments about those standards would then become a matter of public concern. They would be in the public domain and in front of the democratic institutions. Democracy seems to be a much more important element in the production of social provisions than some technique, some device, some protocol and some handing over of measures to officialdom in the hope that things will be done on behalf of people.

We have a Europe that is looking for a set of Bismarks so that the Bismarks will come forward and do things to a reasonably high standard. I would rather have democratic institutions that did not give high standards because there is a chance of doing things in the future than rely on someone to grant me authority from the superior position that they hold. Developments are made only by having democratic institutions and democratic movements and argument.

In the United Kingdom, we advanced the social provision, which is described in a wider sense than being about only work and labour, through the development of our democratic institutions. For example, we moved towards elementary education through a Conservative Government in the late 19th century because more people were getting the vote and people were saying that we had to educate our masters and our work force, who were becoming significant. The House of Commons decided to introduce old-age pensions under the Liberal Government in 1910 when Lloyd George was Chancellor of the Exchequer. Labour introduced the provisions of the welfare state, which have been considerably dismantled in recent years.

Such use of democratic institutions to extend social provision is required within the Community. People talk nonsense about a federal Europe or a unitary, centralised Europe. There is a conflict between the notions that are expressed. We should seek to advance towards a fully fledged, democratic, federal Europe in which the division of its powers is described. Instead, we have a bureaucratic, developing, unitary system which takes more and more authority away from us without any democratic checks and controls.

Governments enter into deals. They might sometimes have to listen to their Parliaments. They are often able not to do so, and they hoodwink those Parliaments to a considerable extent. Parliaments should be involved in social provision. They do so only in so far as democracy is extended and developed. The provisions to which I referred came about thanks to the work of people such as the Chartists and the suffragettes. They achieved a universal franchise. In the preamble to their charter, the Chartists said that it was about improving social conditions. They wanted working-class men to have the franchise so that conditions could be improved. Unless we think about Europe in that way, we shall make considerable mistakes. So I support new clauses 74 and 75, but I have no illusions about what they will achieve.

The Government have adopted a peculiar position on the social protocol. On many occasions the Minister of State and the Foreign Secretary have told us about the fantastic advantages of subsidiarity. They have said that it is a democratic substitute which pulls power back to national parliaments. I disagree with them. However, according to the logic of their argument, they should be able to accept the social protocol because it is subject to subsidiarity. They should say that some aspects of Europe's social policies can be dealt with at European level, but many items such as directives and regulations will be subject to subsidiarity.

According to the Government's arguments, the social protocol should be acceptable. I do not accept their arguments, because I believe that subsidiarity is an absolute load of rubbish. It means anything that anyone wants it to mean. It allows centralised decision-making to take place. Therefore, the treaty does not have proper democratic arrangements built into it. We do not want subsidiarity, which merely allows further centralisation. We want federalism of a democratic nature.

Federalism which links with centralism is like the federalism of the former Soviet Union and Yugoslavia. That was never federalism—it was centralism, because

[Mr. Barnes]

power was subsumed by bureaucratic centralised forces. That is the danger of the treaty. I support new clauses 74 and 75 without any illusions, and I oppose the Bill.

Mr. Hugh Dykes (Harrow, East): At the beginning of the debate, there were marginal differences between the two sides. It gave a bizarre impression. I felt that one could imagine Opposition spokesmen saying, "The gulf between us and the Government on this subject is huge. We believe that the social protocol has a circumference of $30\frac{1}{8}$ cm and the Government believe that it has a circumference of $30\frac{1}{32}$ cm. That is a huge and unbridgeable gulf. We believe that the Government are wrong."

Mr. Duncan-Smith: How many centimetres does my hon. Friend say it is?

Mr. Dykes: I should not like to suggest how many. It might be shrinking or expanding.

The debate has been bizarre. The divisions between hon. Members have widened with the more recent speeches. I certainly do not agree with the points made by my hon. Friend the Member for Colchester, North (Mr. Jenkin) in his lengthy speech—I think that he spoke for 25 minutes or more.

I sense that hon. Members, including those who have not taken part in the debate, would like it to conclude fairly speedily. For that and for other respectable reasons, my remarks will be brief. I do not challenge the Chair's judgment on the length of the debate, Mr. Lofthouse. It is a matter for the Chair. But I imagine that it might be the overwhelming feeling of hon. Members that the debate should conclude.

I am perhaps more enthusiastic about the development of the European Community than some of my colleagues. I use the word "some" deliberately. I certainly do not include among them my right hon. Friend the Minister of State, who has done excellent work. I know that he is justifiably keen on the developments in Europe, because they enhance the national interest and the intrinsic national sovereignty of the United Kingdom working with our partners.

Inevitably, in the debate on new clauses 74 and 75 during the last days of the Committee on the Floor of the House, we are taken up with our preoccupations in this ancient and important House of Commons. But we seem to have the impression that we are in a vacuum, and that the other member states of the European Community are of no consequence.

We should remember that 10 member states have ratified the treaty. The exceptions include the eccentric actions which have taken place in the federal supreme court in Karlsruhe. I believe that they will shortly be determined. The judges may be presiding over them at this moment. With that exception—I cannot think of any other—10 member states have ratified the Maastricht treaty in respect of all their constitutional requirements. They are waiting with mounting impatience for the eccentric hesitations of the United Kingdom and the even more eccentric hesitations of the Danes to catch up with that reality and that process.

Britain's process of ratification will now be further extended as a result of new clause 74, and to a lesser extent new clause 75. I regret that. I assume, optimistically, that the votes on the resolutions that will be presented to the House under new clauses 74 and 75 will take place fairly quickly. Perhaps the Minister of State will clarify that today or on a later occasion. Some hon. Members have suggested that they will take place before Royal Assent and others have suggested that it will be after Royal Assent. That is a matter for abstruse argument—perhaps it does not matter—but I hope that the motions will be introduced soon.

I assume that the Bill will take a minimum of six or seven weeks in the House of Lords, and that those who intend to rebel against the treaty and the legislation will be ground into the dust by the natural majority in the House of Lords in favour of the treaty. I look forward to that process. Some distinguished and eminent Members of the upper House will be involved. I am sure that they will be crushingly defeated during that six or seven-week process. That will bring us—without anticipating the progress of the Bill in this place and incurring your displeasure, Mr. Lofthouse—to the third week of July. That will be enough.

I believe that, on 18 May, there will be a positive yes result in Denmark. I was telephoned by a journalist who is a famous and distinguished member of the Lobby—deliberately, therefore, I will not mention his name—from Copenhagen and by another journalist who is also there. They told me that there are positive signs that there will be a powerful yes vote. They had tried to put articles in their respective newspapers, but the editors were not keen on taking them. That is the black press of the United Kingdom newspaper industry. It is not keen on giving good news about the European Community.

In his amusing account of "Dancing with Dogma", Lord Gilmour, a distinguished former colleague in the House, gave essential good advice. He said that Baroness Thatcher wanted everyone to cease to be citizens of the United Kingdom and become consumers. I remember visiting in Brussels Madam Papandreou, who causes a great deal of excitement, anxiety and bitterness among some of my Tory colleagues because of her reputation as a social reformer. She said that Mrs. Thatcher wanted to make the whole Community into one big supermarket. I suppose that that was the essential approach of the previous Conservative Government, at least in respect of its leadership.

That is no longer the case. We now have a balanced Conservative Administration running pragmatic policies from the centre. Although we shall not be present for it, I am sure that my right hon. Friend the Prime Minister's speech on Europe at the meeting of the Conservative group for Europe at one of the leading west end hotels tonight will be enthusiastic.

8.30 pm

I cannot understand all the excitement about these matters. I cannot see any differences on social policy between the provisions in the Maastricht treaty and the provisions in the Single European Act. I suppose that the provisions in the treaty are softer in tone and refer more to commencement reflecting unanimity rather than majority voting; otherwise, they seem exactly the same. It is almost as if the Maastricht treaty had been written by the same officials on the basis of the Single European Act. I would not trespass on the patience of the House by reading them all out, but they are similar.

I am fascinated by the reference to article 118B in the Single European Act which says:

"The Commission shall endeavour to develop the dialogue between management and labour at European level which could, if the two sides consider it desirable, lead to relations based on agreement."

By the way, the French text and the German text refer to legal agreement. There may have been nifty footwork, or whatever the equivalent is with the pen, by British officials when they ensured that "legal" was left out. I am only guessing that; I am not sure that it is so. Some people might say that the reverse was true, because the others wanted to include the word "legal". I doubt that. However, it shows that the United Kingdom has already signed up to the concept of the social protocol.

Ms Joyce Quin (Gateshead, East): Given that the hon. Gentleman says that there is not much difference between earlier commitments on social policy and the commitments in the social chapter of the Maastricht treaty, is he saying that he does not agree with his Government's opt-out in the treaty, and that he will therefore vote with us in trying to ensure that Britain becomes part of the social chapter?

Mr. Dykes: Because the relevant motions in due course will be merely expressions of opinion and nothing more, we will have to judge them when the time comes. I suppose I would be one Conservative Member who would be less intensively opposed to our inclusion in the social chapter. Because I recognise that this country has had recessionary problems which are more severe than those of some other member states—including France, despite what has been said by other hon. Members—I want to give the Government the benefit of the doubt when they say that it would be wrong for us to be included in the social protocol at this stage.

As the Conservative party returns to a tradition of pragmatism and moderation, and gets away from the narrow and mean-minded attitude of keeping the workers in their place, a future Conservative Government will probably have more self-confidence in respect of acceding to the then developing social protocol. I do not believe that there will be anything to worry about, but the United Kingdom economy should perhaps be stronger before we accept that position. No one can say with certainty how matters will develop.

It is farcical to say that there is anything terrifying in these matters intrinsically, because no specific proposals have yet been made by the 11. They will use the machinery of the Community and the Commission to produce proposals. When they roll off the production line, I think that they will be few in number, because the other member states are beset as well by recessionary anxieties, and they will be mild in character. It will be left to member states to decide the framework. Indeed, that is laid down in the relevant parts of the Single European Act and the Maastricht treaty. Therefore, I have no great terror about them, but I understand the Government's hesitation.

People have said, with justification, that the Government acted as they did because they felt obliged to keep their own supporters in place. Bearing in mind what has happened during the prolonged Committee stage, that calculation may not have turned out to be accurate. Be that as it may, it was a legitimate political calculation for any Government to make, even if the so-called supporters who were being wooed were rather ungrateful, cavalier and churlish about it, and did not respond to the effort at appeasement. We will see later how matters work out. In the meantime, I am happy to support the Government enthusiastically in their suggestions about new clauses 74 and 75.

Mr. David Lidington (Aylesbury): I confess that I am slightly disappointed that the Government have chosen to accept new clauses 74 and 75. It would have been helpful to have a vote and to put the debate on the social chapter behind us. Unlike my hon. Friend the Member for Harrow, East (Mr. Dykes), I have no compunction about opposing the notion of the social chapter. I understand the honest advocacy of it by Opposition Members. It seeks to move Europe, including this country, in the direction of economic and social policy which is in line with their honestly expressed political philosophy. I cannot blame them for that aspiration.

This is a debate in which there are cannons to the right as well as to the left. I want to spend some time addressing the arguments of some of my hon. Friends, expressed most cogently and strongly by my hon. Friend the Member for Colchester, North (Mr. Jenkin) in his speech and by my hon. Friend the Member for Chingford (Mr. Duncan-Smith) in interventions in this debate and in previous Committee sittings.

Their objection seems to fall into two parts. They argue basically that the social chapter is obnoxious and that it runs counter to Conservative principle and policy, but that nevertheless the Government's opt-out is meaningless. I think that they have two reasons for saying that. I shall try to present the argument at its strongest and not to misrepresent it. The first strand of their argument is that the opt-out does not matter because any regulation which was important could be forced through the institutions of the Community and imposed on this country by qualified majority vote under article 118A of the existing treaty concerning health and safety or article 100A concerning the single market. Certainly Commissioners, notably the unlamented Mrs. Papandreou, have sought to stretch the meaning of the Single European Act in recent years beyond what had been anticipated by politicians or lawyers in this country when it was negotiated.

Against that assessment by my hon. Friends, one has to consider the view of fellow members of the Community on the British opt-out from the social chapter. One has to ask oneself why the 11 other member states thought it necessary to have the social protocol attached to the treaty, and why they believed that it was not enough to rest on the provisions already included in the Single European Act. Presumably they felt that their ambitions for a grander European economic and social strategy could not be realised under the existing treaty.

Mr. Delors' talk of the United Kingdom becoming a paradise for inward investment has often been quoted. There are other examples. There were reports that the German Social Democratic party and the German Trade Union Federation were considering action to question the legality of the British opt-out because they were afraid of its effect on German competitiveness. The Portuguese Secretary of State for European Integration, Mr. Vitor Martins, said last year that the social protocol put the 11 other members of the European Community at a disadvantage compared with the United Kingdom. In recent months we have heard dark mutterings from French politicians about the relocation of jobs from France to the United Kingdom by Hoover and other firms. Whatever

[Mr. David Lidington]

the reasons for those decisions, French politicians have questioned our opt-out and argued that it presents economic dangers to France.

There will be those in the Community, notably in the Commission, who will seek to stretch the rules. We have seen that in the past and no doubt we shall see it in the future. My hon. Friends the Members for Colchester, North and for Chingford, however, underestimate the legal grounds that are available, in the last resort, to the British Government and the practicalities of current political trends within the Community.

Mr. Bill Walker (Tayside, North): I should not like my hon. Friend to be under any misapprehension. During the passage of the Single European Act some of us did draw attention to the fact that what he described as stretching might occur. We did not see it as stretching—we saw it as an inevitable process,and we believe that the same will happen under the Bill.

Mr. Lidington: I know that my hon. Friend and other senior Members of the House have been consistent in their opposition to EC legislation for many years.

The legal case which would be available to the British Government, should they choose to take it, could rest on the words of article 118A, which limits qualified majority voting to directives brought forward on the grounds of health and safety. They could also refer to the restricted wording of article 100A, which refers to the internal market—a definition made tighter by the wording of the Maastricht treaty. Article 3 describes the internal market as one

"characterized by the abolition, as between Member States, of obstacles to the free movement of goods, persons, services and capital".

The concept of the internal market is therefore separated within the treaty from the objectives of the union towards strengthening economic and social cohesion, as listed in article 3(j) and the objective of contributing to a high level of health protection, listed under article 3(o).

We must also take into account, as my hon. Friend the Member for Harrow, East acknowledged, the political and practical arguments now at play. We should consider the considerable successes of my right hon. Friends in moderating some of the proposals from the Commission so that they are at worst unobjectionable, and at best often desirable from our point of view. Faced with the pressures of recession and the threat of severe competition from the developing economies of the Pacific rim, other European countries have begun to question whether new regulations are needed. At the last ECOFIN meeting we were treated to the spectacle of the Spanish and German Ministers saying that there was no longer any need for extra regulations and, indeed, that the reverse was true.

The second argument advanced by my hon. Friends the Members for Colchester, North and for Chingford related to incremental revision by the European Court of Justice. They argued that because the court can look to article 2 of the treaty, which sets out the aim of strengthening economic and social cohesion, the court will use that, case by case, to undermine the exemptions given to us by the social protocol.

Article 4 of the treaty says:

"Each institution"—

including, of course, the court—

"shall act within the limits of the powers conferred upon it by this Treaty."

We must also consider what the protocols mean. I have not read all the detailed papers, so I shall not enter into the argument between my hon. Friend the Member for Colchester, North and my right hon. Friend the Minister about recent individual cases heard by the European Court of Justice, but I believe that there is a substantial difference between the court ruling on the meaning of directives approved by the member states, through the institutions of the Community, and the court seeking to overturn, in whatever manner, a protocol which has equal status with the main text of the treaty.

Mr. Duncan-Smith: I am glad that my hon. Friend has quoted my hon. Friend the Member for Harrow, East, who has already categorised him and me as mean-spirited people for finding great fault with the concept of the social chapter.

The nub of my argument, which I believe that my hon. Friend has slightly missed, is that the problem lies in the protocol, which states:

"without prejudice to the provisions of this Treaty, particularly those relating to social policy which constitute an integral part of the 'acquis communautaire'".

The court does not set out to reverse anything by itself that would be done as a result of what is brought before it by a variety of challenges. It is a fact that that protocol cannot be invoked by us to reject the fact that we shall be bound into certain social provisions—I say certain, not all—because the court will not take the protocol or the chapter into consideration because it is obscured by the protocol. That is the danger. The protocol is the threat; it is kept around the treaty when it should be banished.

8.45 pm

Mr. Lidington: The battle over the interpretation of "acquis communautaire" embodied in article 118 and in others will continue and both the political and the legal arguments will come into play. The crucial point about the protocol is that it is explicit and lays down with the authority of a treaty that the United Kingdom is excluded from measures brought forward by the other 11 member states within the context of that protocol.

Mr. Jenkin: Will my hon. Friend give way?

Mr. Lidington: I apologise to my hon. Friend, but I must draw my remarks to a conclusion.

I shall be with my hon. Friends the Members for Chingford and for Colchester, North in arguing, as we approach 1996, that we should seek further treaty revisions, further protocols, which define, limit and make more precise the remit of Community institutions as opposed to those of individual national Governments and Parliaments. As to the debate on which we are embarked now, the decision of all Conservatives to reject the social chapter accords with political principle and with our national interest.

Ms Joyce Quin (Gateshead, East): We have had an interesting debate on the procedure and the substance of the social chapter.

My hon. Friend the Member for Hamilton (Mr. Robertson) explained clearly the Opposition's view on the procedure that we are adopting and I support what he said. I also support what he said about the continuing

importance to us of amendment No. 27. I share his hope and that of other hon. Friends that that amendment will be dealt with on Report.

We also attach considerable importance to new clause 74 because it is an effective way in which to ensure, before the Act comes into force, that the Committee can express its view on the social protocol and the social opt out that the Government negotiated at Maastricht. It would be outrageous if the Committee did not have an appropriate opportunity to vote on the desirability or otherwise of the United Kingdom's incorporating the social chapter in its version of the Maastricht treaty. There is no doubt that the exclusion of Britain from the social chapter is by far the most important way in which the deal on offer to the British people differs from that on offer to all the other people of the European Community. It is, therefore, one of the most important aspects of our considerations of the Maastricht treaty.

The Foreign Secretary did not say a great deal about procedure and I got the impression that he was not terribly keen to speak at length on the procedural issues involved, despite the fact that some of his hon. Friends tried to embroil him in precisely such a discussion. In answer to one of my hon. Friends, he said that the Government would simply have to reflect on the position depending on what happened when the Bill had completed all its stages and we were faced with a motion on the social chapter.

I hope that the Government will reflect on this matter. I do not know whether the Minister is planning to give us any more information on procedural matters, but Members on both sides of the Committee would welcome further information from the Government about their thoughts.

I am glad that the Government have accepted new clause 74, although I agree with my hon. Friends that the Government probably had no alternative, because they would have been defeated. There is no doubt, however, that the Foreign Secretary skated over the implications of a defeat on whatever motion is eventually put before us on the social chapter and our adhesion to it. I should welcome from the Government a clear commitment not to oppose the will of the House if hon. Members vote against the Government's view on the social chapter.

An aspect that will be of interest, although it has not been clarified in today's debate, is the likely attitude of the nationalist parties towards whatever motion is tabled on the social chapter. We in the official Opposition have often referred to what we regard as the shabby deal that was done between the nationalist parties and the Government over the question of the Committee of the Regions. That shabby agreement seems to have resulted in the nationalists supporting the Government on all sorts of procedural votes since. I do not know whether the nationalists also plan to support the Government in whatever motion is tabled on the social chapter. I hope that they will not, because it would result in a bad deal for the people of the constituencies they represent and for Britain as a whole.

Like many hon. Members who have spoken in the debate, I am not a lawyer. I am not even a jobbing lawyer, a phrase which calls to mind an exchange between the Minister of State and the hon. Member for Wolverhampton, South-West (Mr. Budgen). So I was glad that, although the Foreign Secretary disappointed us by not saying enough about procedure, he at least referred at some length to the substance of the social chapter. Again, I got the impression that the right hon. Gentleman was more interested in convincing his hon. Friends of the merits of what he was saying than anything else. He was certainly anxious to get the support of the Euro-sceptics on the Benches behind him for whatever motion is finally put before us.

I do not think the Foreign Secretary convinced many of his hon. Friends. He might have convinced the hon. Members for Cirencester and Tewkesbury (Mr. Clifton-Brown) and for Stamford and Spalding (Mr. Davies), who both supported the right hon. Gentleman's position. But the Foreign Secretary was a long way from satisfying other of his hon. Friends, including the hon. Members for Southend, East (Sir T. Taylor), who spoke in interventions, for Colchester, North (Mr. Jenkin) and for Aylesbury (Mr. Lidington), who did not appear to take quite the same Euro-sceptic line as some of his hon. Friends.

As we listened to contributions to the debate by Conservative Members, we heard two different views emerge. On the one hand, the Government view of the social chapter was that it was dreadful, that it had to be resisted and that the only way to resist it was via the opt-out of the Maastricht treaty. On the other hand, we heard the strong view that the opt-out was a waste of time because the social measures could be enforced via existing treaties and treaty obligations.

Mr. Jenkin: I must correct the hon. Lady. I do not think any of my hon. Friends have said that the opt-out is a waste of time. We are simply seeking to demonstrate that the Government claim that the Maastricht treaty will avoid intrusive legislation, the mandate on which they conducted the Maastricht negotiations—*[Interruption.]* I stand corrected if I recall the position incorrectly. Our worry is that the lessons of the Single European Act have not been learned and that the Maastricht treaty could make matters worse.

Ms Quin: I am far from convinced. I listened with interest to the hon. Gentleman's speech tonight, having listened to him on a previous occasion, when we were debating amendment No. 27. He then said little in favour of the social opt-out and much about how inevitable the social measures would be, whether or not we had an opt-out. That message came across clearly from several of his hon. Friends, so I cannot regard his most recent comments as persuasive.

Euro-sceptics on the Government Benches say that the opt-out will not have much effect. Meanwhile, supporters of the Government line say that the opt-out is necessary, and they congratulate the Government on having achieved it. But the hon. Member for Harrow, East (Mr. Dykes) was the exception. While he has supported the Government strongly in their European policies, he conceded that there is already a commitment to the social dimension under existing treaties, perhaps making the opt-out less effective than the Government claim. *[Interruption.]* I gather from the demeanour of the hon. Member for Colchester, North that his hon. Friend was agreeing with some of his comments. Even so, the hon. Member for Harrow, East dealt with the matter from an entirely different perspective, and he is troubled by the fact that the Government's social opt-out is putting Britain at a distance from its European social partners in an important area of policy. That is also worrying the former

[Ms Quin]

Prime Minister, the right hon. Member for Old Bexley and Sidcup (Sir E. Heath), who has spoken in favour of the social chapter and has cast doubts on the Government achieving the opt-out.

The Foreign Secretary tried to make a strong case against the social chapter. That case was not convincing, not just to many of his hon. Friends but to all who spoke from the Opposition Benches. The right hon. Gentleman again claimed that the social chapter would be a huge burden on business, yet he produced little evidence to support that claim.

His hon. Friend the Member for Mid-Staffordshire (Mr. Fabricant) tried to make a helpful intervention by referring to Nissan, even though he must have overlooked the views of that company's managing director, given recently to the Select Committee on Employment, when he said clearly that the social chapter was in no way a problem for Nissan and that the company, operating in Sunderland, already complied with the various requirements of the social chapter and the social charter and saw no difficulty in Britain being a fully paid-up member of the social chapter. That view must be made loud and clear.

Government supporters referred at length to the question of inward investment and agreed with comments reported to have been made by Jacques Delors about the United Kingdom being a paradise for inward investors if it did not have the various attributes of the social charter and the social chapter. On that issue, I do not agree with Jacques Delors, and recent evidence shows that inward investors would not be deterred by the United Kingdom's being part of the social chapter. I refer hon. Members to an interesting recent publication from the Organisation for Economic Co-operation and Development, "Financial Market Trends".

Mr. Duncan-Smith: The hon. Lady said that inward investors would not be deterred if we were to participate in the social chapter. That is not the key question, which is whether they would be encouraged by this country being exempted from the social chapter.

Ms Quin: My own contacts with Nissan have provided me with no evidence to suppose that that is so. The publication that has recently been produced by the OECD studies trends of direct inward investment in different European Community countries in the past two or three years. It contains the following sentence, which seems a surprising one, given the claim of Conservative Members during today's debate and on earlier occasions:

"On the recipients side, France was the notable exception to the general slowdown registered among OECD Member countries. Inflows to France grew faster than outflows, and for the first time foreign direct investment in France is larger than French investment abroad".

In 1992, our Government were constantly criticising the French Government for their attachment to European social issues and their commitment to the European social chapter. The facts as outlined by the OECD seem to prove the exact opposite of what Conservative Members have been trying to prove in the debate. That point must be made loud and clear.

The Foreign Secretary was wrong when he talked about the costs of employee protection. He seemed to fail to see any advantages in employee protection. He claimed that it destroys jobs, but that does not fit in with what happened in Britain in the 1980s, when unemployment rose dramatically precisely when the Government were weakening various aspects of employee protection. The fact that we have lower levels of employee protection does not seem to stop us having the fastest rising unemployment in Europe at present.

9 pm

Mr. Jenkin: If the hon. Lady looks at the employment rates she will draw a different conclusion.

Ms Quin: No, I do not think that I shall. I have looked at the figures and it is clear that over the past couple of years unemployment in the United Kingdom has risen faster than it has in any other European country. Another hon. Member referred to the welcome drop in unemployment today, but that does not alter the figures for the past two years, however much Conservative Members might wish that it did.

Dr. Liam Fox (Woodspring): As the hon. Lady specifically mentioned France, will she say why Hoover decided to relocate in Scotland, not France? I believe that it is the first of many companies that will do so if we stay out of the social chapter and France remains party to it.

Ms Quin: I do not know whether the hon. Gentleman was present for the Foreign Secretary's speech, but the Foreign Secretary rightly said that the movement of jobs was a two-way process. He acknowledged that it was not a simple trend that could be explained by a simple reason. Certainly, although there was not nearly as much publicity about it, there was a transfer of jobs by Nestlé from this country to Dijon shortly after the transfer of Hoover jobs from Dijon to Cambuslang. We must take account of all the factors, not isolate and oversimplify a complex matter.

Many of us feel that one of the main aspects that help a company to decide where to invest is the availability of skilled labour. We must also bear that factor in mind when considering inward investment flows. I am keen for inward investment to continue and I hope that we shall have the right conditions for inward investment in future. If one listens to Nissan and looks at the records of other Japanese countries that have invested in this country, one sees that they all have better social protection than is envisaged in the social charter. That reason blows an enormous hole in the arguments advanced by the Government.

Some hon. Members have today rightly referred to the untenable position of British multinational companies which will operate in the single European market and will be affected by the other 11 countries' social policies. That will make it difficult for this country to stand aside. I cannot believe that it will be feasible for British firms that employ people in a great many other European countries to operate an entirely different system in the United Kingdom from that which they operate in the other 11 countries.

I am glad that the Foreign Secretary said that a social dimension was important in Europe. However, I am sorry that he went on to say that it was important only in a general way, and that it was not important to back it up with specific commitments and regulations. I felt that perhaps the Foreign Secretary has been dealing with foreign affairs for too long, as he seemed to be out of touch with some of the working conditions in Britain today.

I was glad that that point was made not only by my hon. Friends, but by the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) when he spoke about conditions in the security industry. That is something that I can back up from my own experience in my constituency, where not long ago, for example, a job for a security guard was advertised at £1·85 an hour for a 70-hour week—working a great many hours in a difficult and dangerous job.

That kind of statistic shows that there is, unfortunately, exploitation in Britain today. I believe that that exploitation is particularly strong in areas where unemployment is so high that people will go to almost any lengths, quite understandably, to get jobs. But the fact that unemployment is high is no excuse for appallingly low levels of social protection. That is something which we must also bear in mind.

The problem of poverty in Britain, which is very serious and increased during the 1980s, should make us, above all countries, take the social dimension in Europe very seriously. It is tragic that we are marching in the wrong direction. It is not right that we end up subsidising employers who pay poverty wages. In the example quoted by the hon. Member for Inverness, Nairn and Lochaber, it was clear that the only way that people in the security industry can survive is by claiming family credit and income support in various ways. It is not right that good employers should be undercut by bad employers who benefit from these unfair subsidies.

It is a great shame that there was no recognition in the Foreign Secretary's speech or, indeed, in the speeches of other Conservative Members of the fact that high levels of social protection can help companies. I was reminded of that when I read this week a helpful booklet, which I think is produced by the Business in the Community organisation, entitled "Corporate Culture and Caring". In a few interesting case studies it shows that it is sensible for firms to have good maternity benefits and good child care provisions of various kinds to get trained workers back to work, because that costs employers far less than getting rid of people and then being forced to take them on again later. This, too, is an aspect that should be taken very much into account.

It is not good enough for the Foreign Secretary to talk only about unemployment or for the hon. Member for Stamford and Spalding to say that unemployment is the only problem that we face in Britain today. We have to see the twin evils of unemployment on the one hand and very poor wages and working conditions on the other, and if we do not tackle both of them the country will not be in a very happy or healthy position in the future.

I urge Conservative Members to read the recent report from the National Association of Citizens Advice Bureaux, which depicts very graphically some of the poor working conditions in Britain today.

One of the aspects that the Foreign Secretary mentioned was unfair dismissal. He said that he was worried that under the social chapter such issues might be looked at on the European level. I should be delighted if the European Community looked at this area of policy, because it is clear that in no other European country do part-time workers have to work for five years for the same employer before they get any rights whatsoever with regard to unfair dismissal. That seems to me to be a distortion in the European market that is completely unacceptable.

The Government, as we know, have played a deeply negative role in employment and social affairs matters in the European Community. They have blocked many of the social directives which Labour Members believe are important and would have been welcome additions to the body of European legislation. I refer to such measures as the directive to give employment protection to part-time and temporary workers—a growing part of the British labour force. There is also the directive to give a parental leave entitlement during a child's first three years of life. Many other directives have been similarly treated.

I suppose that, as time has gone on, the Government have become increasingly embarrassed by their isolation in Council meetings of Employment and Labour Ministers, because they have continually had to veto sensible proposals advanced by the other 11 countries. Perhaps because of that, the Government saw the Maastricht social opt-out as a way of ending their embarrassment and isolation. Henceforward, they would not be consulted about or involved in that sort of decision making.

The Government are incorrect, however, to think that they can spare themselves that sort of embarrassment. As my hon. Friends have pointed out, whatever happens, we cannot hope to enjoy some sort of neat isolation on social issues from the rest of the Community. That is just not possible. As the hon. Member for Inverness, Nairn and Lochaber said, it will cause a great deal of confusion and administrative difficulty which the Government have not taken into account.

As several Conservative Members have noted, there is also the possibility of the competition rules being invoked at the European Court, and other countries are likely to use certain aspects of European legislation against Britain if they believe that we are deriving an unfair advantage through the social opt-out.

Some Conservative Members have expressed the hope that the principle of subsidiarity will extricate the Government from the difficulties surrounding social policy. I tend to agree with my hon. Friend the Member for Derbyshire, North-East (Mr. Barnes), who described the flexible nature of the definition of subsidiarity—it seems to mean whatever people like it to mean. The Government define it as applying whenever they do not like some European measure. Then, they say, we should decide the matter at home. We do not find that very convincing.

I would not counsel the Government to entertain any hopes that subsidiarity can be invoked to spare them difficulties with social legislation. The conclusions of the Edinburgh Council meeting clearly stated that the social chapter had to be proceeded with and that there was no question of its being dismantled under the heading of subsidiarity. The Government are therefore in danger of being dragged along, all unwilling, on social matters, if they insist on pursuing the social opt-out avenue. It would be far better to be a fully participating member of the European Community and to take part in social affairs decisions than to be dragged through the European Court subsequently, which would serve only to weaken our position in the Community.

There is no doubt that our semi-detached status in Europe detracts inward investors. Ernst and Young have done an interesting study, surveying many of the United Kingdom's leading companies. It shows that the opt-outs agreed by the Government at Maastricht worry businesses and inward investors, who wonder about the scale of the

[Ms Quin]

Government's commitment to the EC and whether Britain will be a good base from which to operate if it does not offer proper access to the rest of the large internal market. The Government should take such worries seriously.

If the Government accept our view and opt back into the social chapter, that will ensure an orderly and effective way of dealing with social issues. It will avoid the Government's being embarrassed and dragged unwillingly into decisions. Many hon. Members on both sides have tellingly described how that might come about.

My hon. Friend the Member for Derbyshire, North-East made a worthwhile point about how the Council of Ministers dealing with social issues work. The problem is secrecy; it is difficult to find out which way Governments voted on some issues. It is irritating for Members of this Parliament or of the European Parliament to be told in answer to questions that we are not allowed to know how Governments have voted, although the next day the answers to our questions are published in the newspapers.

9.15 pm

My right hon. and learned Friend the Leader of the Opposition and some leaders of our sister parties in the Community and outside it recently held a meeting at which my right hon. and learned Friend met the new Danish Social Democratic Prime Minister whose election we welcomed. Also present were party leaders from Norway, Sweden and Finland and the leader's representative from the Federal Republic of Germany. I welcome the agreement reached between my right hon. and learned Friend and his colleagues. That agreement was a way forward for the Community and a welcome change from the negative attitude that Ministers have adopted throughout our Committee proceedings. The attitude of my right hon. and learned Friend is indicative of the way that Europe should go on social and employment issues.

The communiqué of that meeting showed the importance not only of tackling employment but of a social dimension to safeguard Europe's achievements in social protection. That communiqué was issued on 5 April and stated that all the parties agreed that Europe must be more than just a market for business. It must be a community for people. That is why the social dimension is critical.

My right hon. and learned Friend and his opposite numbers agreed on the importance of unblocking some of the social initiatives that for years have been persistently blocked by the Government in the Council of Ministers. One of those initiatives was mentioned by the hon. Member for Colchester, North, who spoke about the European works council directive. He suggested that the matter would be pursued via the social protocol by the other 11 countries acting on their own. The Government will have to give some kind of view on this issue at the next official meeting of the European Council of Labour and Employment Ministers.

Perhaps the Minister of State will tell us about the attitude that the Government will adopt to those directives at the June meeting of the Council. The right hon. Gentleman seems to be sinking lower in his seat and avoids meeting my eye. I shall repeat my question, because three important directives are to be considered at that meeting. One will be a directive on works councils. Another will be on working time, which is of great interest to many British people who are forced to work long hours. Another confirms the directive on the protection of young people at work. Again, the Government have so far taken a negative view on that.

I should like to hear from the Minister what attitude the Government are to take at the June Council of Labour and Employment Ministers on those three matters. What is not an option at the meeting is simply to postpone the matter. The Danish Prime Minister has said clearly that the Danish presidency wants to get agreement at that meeting on those three important directives as well as on other matters on which the Government might have an idiosyncratic view.

It does not look as though the Minister will enlighten us this evening on the Government's view, so let me make it clear that we shall watch him closely on those matters because we believe that the three directives are very much in the interests of British people at work. It would be outrageous if the Government went along to the Council in June and simply blocked them. The Government might try to block them in the hope that the other 11 member states would simply go on by themselves once the Maastricht treaty is ratified and agree the directives by majority vote. Again, it would be foolish to go down that route as, eventually, other European Governments will complain that the United Kingdom's action distorts competition within the Community and effectively makes the operation of the single European market—all along the Government have said that they are keen on that—difficult to work in practice. We hope that the Government will take a positive view on those issues.

Perhaps the Government would also like to tell us what view they will take at the European summit at Copenhagen on these matters.

The Chairman of Ways and Means (Mr. Michael Morris): Order. The hon. Lady is stretching new clause 74 rather extensively.

Ms Quin: I have given the Minister a great deal of food for thought and I am sure that we all look forward to hearing the detailed response that he will make to the points that I have raised.

My hon. Friend the Member for Wallsend (Mr. Byers) said, a few hours ago, that for us the Maastricht treaty and the social charter go together and I entirely concur with that view. My hon. Friends have also said that it would be reprehensible for the Government, if they are defeated and the House agrees to the motion accepting the social chapter, to thwart the will of the House. That message needs to be made clearly. Whatever legal niceties the Government might want to take refuge in, their position would be politically and morally untenable if they decided to ignore the will of the House as expressed in such a motion.

The arrogance of a Government who were prepared to go to such lengths in such a matter would be punished not only by political opinion in the House but by the country as a whole.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

The Chairman: Order. Before I put the final motion, I should like to place on record my thanks for the support that I have had from the two Deputy Chairmen, the hon. Members for Pontefract and Castleford (Mr. Lofthouse)

and for Plymouth, Drake (Dame J. Fookes). The Committee has sat for 163 hours, 131 hon. Members have made speeches, and a further 30 have contributed by way of points of order, making a total of 161.

Mr. Garel-Jones: On a point of order, Mr. Morris. At this historic moment, I should like to say a few words on behalf of all members of the Committee. You have just given us some statistics. No doubt the parliamentary "Wisden" experts will, in the coming weeks, let us know whether we have broken any records.

There are two things which I am sure that the whole Committee would like me to say. First, when we come into this House, none of us knows what fate holds in store for us. You, Mr. Morris, have achieved the position of Chairman of Ways and Means. I dare say that from time to time a number of your constituents ask themselves exactly what contribution it is that you make to the House of Commons since you are unable—as are all other hon. Members, because of their position either as Front Bench spokesmen or as Back Benchers—to make the kind of contribution that your constituents often expect you to make. I am sure that the whole Committee supports me when I say that your constituents should be under no illusions whatever, for you are making, and have made, a very distinguished contribution to the House of Commons by the way in which you have conducted yourself and by the way in which you have looked after all of us throughout this Committee stage. I am sure that all hon. Members will also wish to join me in thanking Mr. Lofthouse and Dame Janet for the way they looked after us when they occupied the Chair.

Secondly, you have alluded, Mr. Morris, to the number of right hon. and hon. Members on both sides of the Committee who have contributed to the debates. The hon. Member for Hamilton (Mr. Robertson) is, according to some right hon. and hon. Members, in collusion with me. I see him nodding gravely. Alas, the collusion that I should like to see between the Treasury Bench and the Opposition Front Bench has not taken place quite so fully as I should have liked. Nevertheless, I know that the Committee will wish me to say that the hon. Member for Hamilton has been a regular and distinguished attender of these proceedings.

As for the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston), his position on this Bill and on the European Community is different from that of the Treasury Bench and the Opposition Front Bench and, certainly, from that of the other friendly alliances that have existed across the Committee. The hon. Gentleman's party and he himself have held a consistent and honourable view on Britain's position in the European Community, though it is not one that I share.

And so we conclude our consideration of the Bill. Time will tell whether we have broken any records. I have been asking myself what this Bill will be called when, as I believe it shortly will, it becomes an Act. I am told by my officials that its official name will be the European Communities (Amendment) Act 1993. I very much hope that its date will be 1993. I am also told by my officials that, although that will be the official name of the Act and how it should be cited legally, hon. Members are perfectly entitled to call it anything they like. After the number of hours that we have put in, I dare say that hon. Members will have a number of ways of describing the Act and I would not wish to speculate on them.

As the Minister of State in charge of the Bill, may I say —I know that my right hon. Friend the Foreign Secretary joins me in this—to all members of the Committee how much I, too, have appreciated the friendly and courteous way in which we have handled the proceedings. If I could introduce a harmonisation measure through the Commission, I should like, without presumption, to introduce one which enabled other Parliaments of the Community to scrutinise European Community legislation in a way which incorporated the interest that hon. Members in all parts of the Committee have taken in the proceedings on this Bill. If there could be more of that spirit throughout the Community, it would be a much better place. Thank you very much, Mr. Morris, on behalf of us all.

Mr. George Robertson: Further to that point of order, Mr. Morris. I crave your indulgence in adding a few words to those of the Minister of State in charge of the Bill. I believe that all Opposition parties agree very much with what he said. We are grateful for the understanding and patience that you and your deputies have shown during the 163 hours of debate. If 161 Members have spoken for 163 hours, the average time must be rather peculiar, given that some Members have taken slightly more than the average. Nevertheless, that is a formidable record for those who have had to sit through all that time, those who have had to chair the Committee, stay awake, stay at attention and keep it in order. We are duly grateful for that.

9.30 pm

I also endorse what the Minister of State said, although perhaps I should be very wary of endorsing too much of what he says lest people begin to talk, although I suppose that speaking in the Committee stage of the European Communities (Amendment) Bill is as close to speaking off the record as one can get in Parliament. The Minister is right to say that there has been a friendly atmosphere on what is still a controversial Bill, with a number of hurdles still to come. Throughout the Committee stage there has been an element of frankness, of friendliness and of courtesy, to which we should pay tribute.

It is only right to explain at this stage why my hon. Friend the Member for Gateshead, East (Ms Quin) was coming in for some nervous criticism towards the end of her speech. That was entirely my fault, because I had asked her if she would keep speaking until I told her to stop, so that I could complete a task which had to be finished before the end of our proceedings. I then handed her a note of the time for which she has already spoken—28 minutes. My hon. Friend believed that I was asking her to speak for a further 28 minutes and, displaying great skill, while continuing to speak she pencilled the words "No way" at the bottom of my note. So loyal is my hon. Friend, however, that she kept on speaking until the message eventually got through. I take all the blame for that, and no criticism should be attached to my hon. Friend.

Having sat through the Committee stage of the Single European Act as well as the Committee stage of this Bill, I am reminded of one of my favourite quotations from Oscar Wilde:

> "I have never much admired the courage of the lion tamer; after all, inside his cage he is at least safe from other men".

I congratulate you, Mr. Morris, and offer you and your deputies our thanks. I am sure that when you are outside

the cage, come next Monday, you will look on the Committee proceedings on the Bill with nostalgia but, I dare say, with little regret.

Bill reported, with amendments; as amended, to be considered tomorrow.

Import Substitution

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Arbuthnot.]*

9.33 pm

Mr. Nicholas Winterton (Macclesfield): I am most grateful to Madam Speaker for allowing me this important debate in which to raise my deep concern about the erosion of our manufacturing base and the United Kingdom's severe imbalance in trade in manufactured goods. I believe that those two problems can be tackled effectively by my proposals for import substitution. I am delighted to see my right hon. Friend the Minister for Industry in his place, and I consider it a great honour that he has decided to answer this Adjournment debate.

As the House knows, with a number of my parliamentary colleagues I have recently launched the Manufacturing and Construction Industries Alliance, which has received messages of support from the Leader of the Opposition, from the leader of the Liberal Democrat party and, of course, from my right hon. Friend the Prime Minister. My right hon. Friend sent the following message to the alliance on the occasion of its launch:

"I am sure the Alliance will argue the case for manufacturing industry with vigour in the years ahead. I look forward to its dialogue with Government in this important cause."

It is clear that the Prime Minister is aware of the importance of our manufacturing and construction industries to our economic recovery. I believe that he shares my view that manufacturing industry is the only real source of non-inflationary economic growth, and that we neglect it at our peril. I believe, Mr. Morris—I am sorry, Mr. Deputy Speaker: I am so used to seeing you in your guise as Chairman of Ways and Means, presiding with distinction over the Committee stage of the European Communities Bill, that I inadvertently called you by the wrong name. Anyway, I believe that the Prime Minister may see what he can do to reverse the decline in that sector of our economy in the years to come.

I must stress that, in this debate—which I consider to be part of that dialogue—I do not use the term "import substitution" in any protectionist sense. I am far from isolationist; I want more trade, not less. May I refer again to the debate that preceded this one? My horizon is well beyond the boundaries of the European Community—even the expanded boundaries of that Community. I believe that we need to look to North America and, increasingly, to the Pacific rim, where the fastest economic growth in the world is taking place. Many countries in that area are well disposed towards the United Kingdom and keen to buy its products, and my right hon. Friend's Department is already giving much more emphasis to those countries.

None the less, the position is dire. During the 1980s, the manufacturing sector lost 2 million jobs, which is probably costing the country—the taxpayer and the Exchequer—£18 billion. That is a major part of the deficit of which we currently hear so much. Between 1990 and 1992, manufacturing output dropped by a further 6·5 per cent.; between 1971 and 1991, the manufacturing share of gross domestic product shrank by more than 10 per cent., while —as the House knows only too well—our trade balance has fallen dramatically into severe deficit.

The need for action to stop the decline was rightly identified recently by the Engineering Employers

Federation in its industrial strategy document, which called for a twin-track approach to economic growth, first through immediate action to rectify the balance of payments deficit and secondly by continuing long-term development of technology, skills and industry.

In the short term, there is an immediate need for increased competitive capacity for exports, and for import substitution. New capacity can be installed either by established United Kingdom companies, or by inward investors in activities in which buildings and equipment can readily be obtained, and staff can be recruited and trained quickly. Such opportunities will continue to be internationally mobile as companies seek the greatest productivity for the lowest cost. I am sure that my right hon. Friend the Minister agrees with that.

In the short term, therefore, the exchange rate must be at a level that is competitive for internationally mobile activity. Government must increase support for our exports. Permanently improved capital allowances would be a major stimulant to investment. That view is widely shared in industry, particularly by the Engineering Employers Federation.

That aim can be achieved by increasing the after—tax rate of return and by improving the availability of funds for investment. At the same time, transport and communications infrastructure investment will be required. That is why, in its pre-Budget representations, the alliance called specifically for the introduction of 100 per cent. capital allowances, a commitment to lower interest rates and a competitive sterling, greater support for exporters and greater public investment in partnership with the private sector in infrastructure development.

The House—and I personally—welcome the additional help that the Department of Trade and Industry has given to our exporters through larger sums being available to the Export Credits Guarantee Department and by more competitive premiums. However, as my right hon. Friend is aware, those premiums are not as yet as competitive as Hermes and Kopas, which are two of our major competitors.

In the longer term, competition only on cost would leave British manufacturers increasingly competing against developing countries rather than advanced economies. Our products would be competitive only by selling at an ever lower price and at lower prices. We would therefore become unable to support our advanced-country living standards. No doubt my right hon. Friend is aware of that.

In order to create the climate for import substitution, we must therefore continue to invest heavily in research, product development, education, training and equipment procurement. It might help the House if I were to put the principles that I have articulated into the context of just one industrial sector with which, as some hon. Members will be aware, I am familiar: the clothing and textile industry.

The clothing and textile industry has an annual turnover of £15 billion. It has exports of £4·8 billion annually, and it still employs, despite the dramatic reduction in employment, 400,000 people. However, as we all know, it faces intense import competition. In 1992, imports reached £8·6 billion—up 7 per cent. The trade deficit in textiles and clothing was almost one third of the total national deficit. We are talking about very large sums.

It is glaringly obvious to me that we need to reduce the percentage of our markets that are supplied by imported goods, not—I repeat strongly—by erecting protectionist barriers to trade, but by a three-pronged approach. That approach is, first, to ensure that foreign producers do not receive hidden subsidies and that products are not dumped in this country at unrealistic prices. As we all know, free trade must be fair trade.

Secondly, it should be to identify the areas in which imported goods could effectively and realistically be produced in this country and to ensure that relevant manufacturers and sectors of our economy are made aware of those opportunities.

Thirdly, public and private sector purchasers should be aware of the range of products available from domestic producers and be reminded of the real, but hidden, costs that are involved in purchasing overseas, not only in respect of our balance of trade, but in relation to the jobs that are lost and the loss to the Exchequer in tax from individuals and in corporate taxation from the companies or firms in question. That is a very important matter.

The level of sterling makes import substitution and increased exports more feasible. As my right hon. Friend is aware, industry is making strenuous efforts to rise to the challenges and opportunities that are currently presenting themselves. Further improvements are being made in production. For example, the Apparel, Knitting and Textile Alliance estimates that the volume of output per head in the industries that it represents grew by more than 6 per cent. in 1992. That is a commendable achievement at a time of deep recession. Response times to the requirements of consumers, especially those to major customers, are being reduced. That is good for those who want to buy goods in the United Kingdom. Goods are more readily available and the response times to the requirements of customers are more quickly realised by those who can produce the goods so required.

Standards of quality, design and innovation are continually being improved. The manufacturing industry is working more closely with schools and colleges to improve the skills of the work force. In the clothing sector, the trade associations are ensuring the continuation of the manufacturer-retailer panels—which were previously, as my right hon. Friend is aware, under the wing of the National Economic Development Office—with a remit for promoting consideration of import substitution. Trade associations have established databases of United Kingdom manufacturers in the textile and clothing sector and the engineering sector. They are able to put together customers directly in touch with suitable purchases.

The background to the current position is an erosion of our manufacturing base and a worrying balance of trade deficit yet at the same time a window of opportunity. Recently, the response of the Department of Trade and Industry has been as drab, dreary and unimaginative as only a Government Department can, sadly, too often be. I do not criticise my right hon. Friend at the Dispatch Box, because I know that he shares in many ways my concern about the state of our industries. Those industries are, of course, his responsibility.

My right hon. Friend has read the confidential advice to Ministers on the parlous state of our industry, and I know that he is aware of the window of opportunity that now exists, but I fear that his Department has often missed the point. When I tabled a written question inviting the

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Minister to respond to the need for import substitution, this was the precise response given by the Minister for Industry:

"Government activities which seek to discriminate in favour of United Kingdom producers against exporters from other Community member states are precluded by the treaty of Rome."—[*Official Report*, 17 March 1993; Vol. 221, c. *314*.]

Can hon. Members imagine a more unhelpful and negative response? I was dumbstruck by that reply because my question had not called for protectionist measures in any way but the establishment of a new task force on import substitution. If industry in the United Kingdom is represented by people in the Department who respond to a constructive and positive question in that way, God help the future of our industry. They will need God to protect, help and advise them, because, on that sort of record, the Department certainly will not. I put this rhetorical question: would the Government of any other country, whether or not it was a member of the European Community, have responded to the question in that way? I am sure that the answer would be a deafening no.

In the absence as yet of any constructive suggestions from the Department of Trade and Industry, let me set out again those areas in which the United Kingdom and its economy and industries have the right not simply to expect but to demand action from the Conservative Government. The Government must maintain competitive interest rates and exchange rates. We are doing our best to do that, and I commend the Government on their action. They must fight for a level playing field in international trade both within the Community and globally.

On that matter, they leave a great deal to be desired. Actions to deal with unfair competition should be much more speedy than they are. Too often, if we complain about the uneven playing field and dumping, by the time the procedure has been cranked and geared into action, the damage is done—the industries have been knocked out of business and jobs have been lost. As my right hon. Friend the Minister knows, it is difficult to resurrect industry, although that is the objective of import substitution.

As I have already said, it would be a major incentive and stimulant to industry to introduce 100 per cent. capital allowances, even if there were some restrictions on eligibility or the allowances were geared specifically to areas of industrial activity which showed immense potential for import substitution.

The Government should continue to invest in our transport and communications infrastructure. I pay tribute to the Government for their somewhat hesitant steps towards the introduction of private capital into infrastructure expenditure. I should like to see that take place on a much wider basis. The better our infrastructure, the better the opportunities for import substitution and the more efficient and effective our industry will be.

The Government should strive to remove unnecessary burdens on business. Again, I am prepared to pay tribute to my right hon. Friend the Minister and his Department, and in particular to my hon. Friend and constituency neighbour the Member for Tatton (Mr. Hamilton), who has responsibility for corporate affairs. The Government must ensure that young people leaving our schools, colleges and universities have the skills which are essential if Britain is to remain competitive in world markets. The Government must ensure that existing workers have opportunities to reskill and retrain as new production techniques and new designs are developed. That is absolutely critical. It costs money, and the Government must realise that.

Recently, industry has operated mainly on very low profit margins indeed. It does not have the scope within its resources to provide opportunities for training and reskilling of its workers. The Government must establish in partnership with industry a new task force on import substitution. Perhaps my right hon. Friend the Minister will say that that is my main recommendation. Such a task force could identify areas which offer potential for such substitution.

The task force should ensure that public sector purchasers treat British goods on equal terms with imported goods in terms of quality standards and environmental acceptability of production techniques. That is important. It could ensure that adequate statistics continue to be collected, collated and published, so that a detailed picture of import patterns can be produced to identify areas which offer potential for import substitutions.

The task force could ensure that areas which offer such potential are drawn immediately to the attention of suitable manufacturers. It could ensure that all potential customers, whether large or small, were reminded of the true cost of buying imported goods. The true cost includes the loss of individual taxation and corporate taxation. I did not mention earlier that, if people are not employed, they have to receive some form of state benefit, whether income support or other benefits. The cost of unemployment is extremely heavy and negative. We need to be much more imaginative than we are.

The Government need to make recommendations. The task force should perhaps suggest to the Government ways of ensuring that Government policy as a whole remains sympathetic and responsive to the needs of industry. I take as an example one current and topical issue in Cheshire. The company in question is close to my constituency and that of my hon. Friend the Member for Congleton (Mrs. Winterton). It is located in the constituency of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody).

I refer to Rolls-Royce motors. Is the Treasury aware of the potential damage which it is doing to that company by its taxation of the corporate use of cars? Rolls-Royce is one of the few remaining genuinely British car manufacturers. Yet the proposals in the Budget, to which the House will be directing its attention in the Second Reading of the Finance Bill on Monday week, could further damage that company and force it to put hundreds more workers out of employment. They might destroy the sound home base of the company which is so important if it is to continue to export its products.

When we travel throughout the world and ask people what they know about British manufacturing industry, one of the few companies which will be first on their lips is Rolls-Royce. Therefore, it is important that there is co-ordination among all Government Departments to ensure that their policies are sympathetic to the manufacturing sector of the economy.

I have set out more than a dozen specific areas where action needs to be taken by Government. None of the measures would be contrary to the provisions of the treaty of Rome. When he is responding to my proposals, I hope

that the Minister will give a more positive, constructive and fulsome response than that given recently to a positive and constructive parliamentary question.

I remind the Minister that the manufacturing sector is critical to our future economic prosperity. It produces the only non-inflationary economic growth. It is the foundation of the economies of some of our major, successful competitors, such as Germany, Japan, France, Italy and Spain, despite the problems that they are experiencing because of recession.

I hope that my right hon. Friend will accept that I have promoted the interests of manufacturing industry for all the time, almost 22 years, that I have been a Member of Parliament. I am proud to represent my constituency of Macclesfield, which has a diverse cross-section of manufacturing industry from textiles to paper and board, to light engineering, to pharmaceuticals, to chemicals, to video production and technology and to dental laboratories as well.

From the Lobby today, I learned another sad fact. The cut of 7 per cent. in the remuneration of dentists last year has led directly to the los of 25 jobs in my constituency. My hon. Friend may ask what that has to do with import substitution. It has much to do with it, because it affects productive industry. Again, there seems to have been a lack of liaison between Government Departments which are seeking to respond directly to requests by the Treasury for a reduction in public expenditure.

The Treasury has failed to appreciate the long-term effect that those decisions will have on the country and its ability to produce and to reduce the number of products that are imported. Those imports deprive our people of employment and, dare I say it to my right hon. Friend, deprive the Exchequer of much-needed income. The Government need to receive a greater income to enable them to fulfil their role. Surely my right hon. Friend is aware that, to do that, it is much better to produce more rather than to tax more. If he responds positively to the debate, I believe that the country will have a golden opportunity to achieve a second industrial revolution.

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Arbuthnot.]*

Mr. Winterton: I had hoped to conclude my remarks before 10 o'clock, but I am delighted to be able to make a few more comments.

Surely the people would much prefer to have a Government who stimulated manufacturing industry, to create jobs and the profit—some of which will be taken by the Exchequer to be used for all the purposes for which the Government need resources—rather than a Government who, in the recent Budget, sought to take away from people huge additional sums in taxation. I believe that I am not far wrong in saying that the additional taxation that the Government will take from the people and from companies as a result of the Budget amounts to about £6 billion.

My right hon. Friend can help the people and his Government if his Department tackles the important issue of import substitution and seeks with me the achievement of a second industrial revolution—a renaissance of manufacturing in this country. He has a great deal on his shoulders, but I am confident that he is prepared to tackle the issue. I hope that he will respond positively and constructively to my firm proposals.

10.1 pm

The Minister for Industry (Mr. Tim Sainsbury): I am glad that my hon. Friend the Member for Macclesfield (Mr. Winterton) has provided the House with another opportunity to debate an extremely important subject, manufacturing industry. I am sorry, however, that the title of the debate referred to import substitution rather than the much more important and relevant issue of the competitiveness of our industry.

I regret that some of my hon. Friend's introductory remarks focused on what he called a decline in our manufacturing industry. That is an inappropriate description when our manufacturing industrial productivity and our manufactured exports are at all-time record levels—even today, we learned of further increases. Those increases have been achieved in difficult world trading conditions. Despite those difficulties, the output of our manufacturing industry is one quarter higher than it was in 1981, and 1·5 per cent. higher than it was a year ago.

I was delighted that my hon. Friend recognised my right hon. Friend the Prime Minister's commitment to manufacturing industry. I hope that he appreciates that, within our party, there is a far wider recognition of the importance of our manufacturing industry and that that recognition is not by any means recent.

I hope that my hon. Friend will not continue to judge the performance of our manufacturing industry, as he appeared to do at moments in his speech, by the number of its employees. My hon. Friend should consider one statistic that relates to our vehicle industry, which, as he is aware, is an important part of our manufacturing industry not only because of the direct employment it provides, but because of the indirect employment it provides to many subcontractors. Last year, it produced 300,000 more vehicles than it did 10 years ago, but it employed 100,000 fewer people to do so. That is a sign of what was a necessary increase in productivity.

My hon. Friend accused my Department of having provided a drab and depressing answer to a question he asked. Indeed, I understood him to say that my answer had made him dumbstruck. He was not that tonight. He was far from dumb. If he was dumbstruck, perhaps it was because he failed to analyse sufficiently the nature of international trade today. I am grateful to him for his occasional tributes to me and what my Department is doing. I would be even more grateful if we could have his more consistent support.

Mr. Winterton: My right hon. Friend is being somewhat unfair to me in his introductory remarks. Does he not pay attention to, or is he not aware of, the huge trade deficit that Britain has and the tremendous concern that is now being expressed—I referred to it in my remarks—by, for example, the Engineering Employers Federation? That organisation is not my mouthpiece, although I hope that in some ways I may be a mouthpiece for it. It is articulating much of the concern that I expressed tonight. In other words, I am not the only person expressing concern about our manufacturing base. That concern goes much further. Indeed, it goes as high as the Prime Minister, who has publicly stated his belief that manufacturing deserves a better deal.

Mr. Sainsbury: I am as aware of the nature of our trade balance as I am of the inconsistency of my hon. Friend's support for the Government he was elected to support. As I said, I am grateful for his occasional tributes, but we would like a little more consistent support from him. I assure him that I and my whole Department keep in close contact with the Engineering Employers Federation, and only yesterday I was discussing manufacturing industry with Mr. Neil Johnson.

I would like my hon. Friend and the official Opposition to recognise more readily the considerable achievements of our industry. My hon. Friend and I have a shared objective in wishing to see our manufacturing industry flourish, our manufacturing base expand and our manufacturing industries win more export orders and obtain a bigger share of the home market. Even so, we disagree over a number of aspects and methods by which we can achieve that aim.

I come to my hon. Friend's interest in import substitution, a subject to which reference is often made. It is frequently spoken as an appeal to patriotism, but I suggest that such an appeal in connection with import substitution is liable to be expensive and damaging to the economy. It is a common, if understandable, reaction to the trade deficit to which my hon. Friend referred.

I hope that all customers—individuals and retail and other business customers—will always consider whether there are United Kingdom suppliers of the products that they wish to buy. If there are, and if the foreign and domestic made products are, to all intents and purposes, of the same quality and of similar value, I hope that the purchaser—as I say, business or individual—will always buy British.

I hope that British businesses will work with their suppliers to see whether those suppliers can fill gaps so that they can purchase goods from British sources. They should recognise the benefits of having their suppliers close to their places of production, their manufacturing plants and factories. I hope that they will appreciate the considerable advantage of easier contact between a business and its supplier. Obviously, if a supplier is close by, telephone conversations are more economical and people can be in and out of each other's production facilities, readily discussing problems and opportunities face to face.

My Department, along with the Confederation of British Industry, is backing the partnership sourcing initiative, which is not new, but something that we have been involved in for a number of years. The initiative is aimed at strengthening the relationship between British purchasers of goods and their suppliers. That sort of relationship will be of mutual benefit to both parties.

There are three good reasons why the sort of import substitution that my hon. Friend appeared to be suggesting in the form of a buy British campaign is misguided and could well do more harm than good. First, the implication of such a campaign is that the Government should try to persuade customers to buy goods against their better judgment——

Mr. Andrew Mackinlay (Thurrock): Manufacturers.

Mr. Sainsbury: If the hon. Gentleman will restrain himself and listen, I can continue with my argument that the fundamental flaw of such an appeal is that it would, if successful, send the wrong signals to British manufacturers. Buying British regardless of the price or quality of goods would not help British firms to improve their international competitiveness. It would not help them to sustain any increase in their share of the United Kingdom market. It would simply make matters worse in the long run.

That argument is particularly true because, as my hon. Friend the Member for Macclesfield must surely recognise —I know this to be true from my business experience—if one tries by whatever method to make customers buy goods that do not present the best value, it will not work in the longer term. Sooner or later, those customers will buy products that offer better value for money.

Mr. Nicholas Winterton: Will my right hon. Friend give way?

Mr. Sainsbury: My hon. Friend spoke for a long time, and I should like to develop my argument.

The second fundamental reason why the sort of campaign that my hon. Friend appears to be advocating would be ill conceived is one that he attacked in his speech. A Government-sponsored buy British campaign would clearly run counter to their international obligations under the general agreement on tariffs and trade, and the treaty of Rome, as would more explicit forms of import control such as licensing. We take those obligations extremely seriously, for a good reason. It would be totally unrealistic to ignore them and, worse, it would run very much against our national interests.

Mr. Winterton *rose*——

Mr. Sainsbury: I shall give way, to my hon. Friend for what I hope is a brief intervention.

Mr. Winterton: The Minister seems to have been listening to a totally different speech from the one that I delivered. At no stage did I say that I wanted protection or a buy British campaign. I do not think that I used the phrase "buy British" once during my speech. I want the Government to identify sectors where we are currently importing goods that we could competitively and qualitatively provide and produce in this country for our customers. Every other major industrial country does that, and I am merely asking that the United Kingdom Government should do the same for British industry.

Mr. Sainsbury: If I in any way misinterpreted what my hon. Friend said, I am glad, because, if he agrees with my analysis of why an import substitution campaign of the sort that I understood him to be suggesting would be counter-productive, we are coming together in our recognition of the realities of international trade.

My hon. Friend referred to his belief in free trade. On a number of occasions I have wondered whether his belief in free trade extended as fully to trade in textiles as it might in the interests of the consumers, as well as the producers, of Macclesfield. I hope that my hon. Friend agrees that it is in our national interest to maintain a free and open international trading system and to have fair rules firmly enforced—on that I agree with my hon. Friend.

The liberalisation of world trade benefits this country in particular. The last thing that our exporters want is to find Governments to which they export promoting nationalistic campaigns—whether they be campaigns to buy French, buy Danish, buy Argentine or buy Malaysian. When exporters hear of such campaigns, they ask us to stop them, and we do. That is why the Government believe that

a successful conclusion to the Uruguay round, including the phasing out of the multi-fibre arrangement, is well worth fighting for.

As my hon. Friend, I am sure, knows, we export a quarter of our output, and our trade and manufacturinjg industry would suffer disproportionately from any Government-sponsored import substitution scheme. Those who believe otherwise are deluding themselves.

There is another powerful objection to a buy British campaign. It is too often assumed—this is my third point—by those who are perhaps not too well informed about the global nature of today's industry that it is easy to distinguish between foreign and domestic goods. I hope that my hon. Friend recognises that in practice these days it is simply not possible to do so.

Component supply knows no international boundaries. Our businesses are operating in an ever more international market. It is not just that more goods are imported and exported—that is welcome and it helps add to the wealth of nations; it is also that most products contain parts from different sources and countries. It has become steadily more difficult to identify a product that would satisfy the label "Made in Britain". A product might be assembled in Britain but consist largely of foreign-made parts; it might be assembled overseas from largely British-made parts. The same product might be made in more than one country in the Community.

I will give my hon. Friend some examples. If he were, when driving in his constituency, in Macclesfield, to overtake a Peugeot, that Peugeot might have been made in France. If he happened to be in Marseilles, for example, and overtook a similar Peugeot, it might well have been made in Coventry. And those are identical cars.

If my hon. Friend were to fly to the United States on a Boeing 747, he might be in one which had a British content of no less than 40 per cent., starting, of course, with those splendid Rolls-Royce engines—the makers not to be confused, of course, with the company that makes the Rolls-Royce cars to which he referred. He might fly on another apparently identical Boeing 747 which had hardly any British component at all.

Mr. Greg Knight (Lords Commissioner to the Treasury): Shame.

Mr. Sainsbury: I hope that he would not do so, as my hon. Friend indicates; I hope that he would always look before he got on the aircraft to see that it had Rolls-Royce engines.

So there are three overwhelming reasons why advocating import substitution in these ways is totally misguided, would not work, would send the wrong signal to British manufacturers and would be counter-productive for our exporters, as well as being against our international obligations. In today's global market, it is just impracticable. If my hon. Friend agrees with me on that, I am delighted. If I have misunderstood what he is advocating, I apologise. If he can agree with me in what I have said about import substitution, we have made real progress.

Mr. Winterton: If my right hon. Friend is merely talking about a buy British campaign whatever the quality and whatever the price, and he has been addressing himself to that sort of thing, I agree with him. But our right hon. Friend the Prime Minister has told me that he wishes to encourage import substitution and wants this country to identify areas of manufacturing which we can re-stimulate to get back into, for instance, textile machinery, which is made in my constituency, and to rebuild that sector of our economy rather than importing all the machines from Italy, Belgium, Spain, America or Germany. It seems to me that that is not an insular, inward-looking——

Mr. Mackinlay: Coal from Colombia.

Mr. Winterton: I do not wish to talk about coal from Colombia; I wish to talk about the ability of this country to regenerate the manufacturing base that it had in the past, bringing that machinery and production up to modern techniques and design. I have never stated——

Madam Deputy Speaker (Dame Janet Fookes): Order. I am very tolerant of the hon. Gentleman, but I am aware that, as a member of the Chairmen's Panel, he knows that interventions should be brief, and this is becoming a speech.

Mr. Winterton: I am trying to say to my right hon. Friend that I am not looking for a think British or buy British campaign. I am looking for the Department in which my right hon. Friend is an important Minister to seek to identify areas where we can rebuild our manufacturing base in order to reduce our huge deficit in manufactured goods.

Mr. Sainsbury: We have made some progress. I am glad that my hon. Friend agrees with me about the unsuitability of import substitution campaigns of the type that we have been describing. I hope that he will understand why I will not be able to give way to him again.

We should now turn to what the Prime Minister, the Department, the President of the Board of Trade and I all have in mind as a sensible way of helping British industry obtain a larger share of the home market. It is to help British manufacturing industry to become more efficient and more competitive against the best standards in the world. The real answer is to help British firms beat the competition, not protect them from it. That brings me to the policies that Governments should pursue.

I hope that my hon. Friend recognises that the Government whom he was elected to support can and do help British manufacturing industry win in world markets. Our policies, our initiatives, are directed at the creation of a climate for business within which companies can prosper by their own efforts. I fear that he is remarkably reluctant to recognise the progress that we made in the past decade. Our policies are directed at achieving low inflation and interest rates, a competitive exchange rate, lower tax rates, deregulation—there is further to go, and we are determined to achieve more in this area—privatisation and trade union reform. This last was perhaps the most important of all, and I hope that my hon. Friend fully supported it.

As a result of those achievements, British industry is in a much stronger position today than it was in the early 1980s. This is clear from the way in which firms have responded to the extremely difficult world trading conditions of the past two years. We should warmly congratulate our exporters. Export volumes, excluding oil and erratics, were at a record level in the fourth quarter of 1992, despite sluggish or falling demand in our main markets. United Kingdom manufactured export volume

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has risen by no less than four fifths since 1981. In fact, over the 1980s, it grew faster than in France, Italy, Germany, Japan and the United States.

We should also acknowledge the efforts of our companies to maintain vital investment: investment in capital equipment and in the work force, both despite the recession. In the last quarter of 1992, manufacturing investment was 2·5 per cent. higher than in the previous quarter. We should praise manufacturers for their remarkable achievements in productivity. Let us not be complacent, however. There is still a long way to go if we are to become truly competitive against the best in the world. Thanks to British manufacturers' efforts, productivity has increased by 7 per cent. over the past year.

My hon. Friend should not need to be reminded that, during the 1980s, United Kingdom productivity grew faster than in all other major industrialised countries. This was after decades at bottom of the league. In addition, our policies to encourage inward investment have helped to reinvigorate key sectors of the economy. Inward investment has helped Britain to become a major exporter of vehicles, office equipment, television sets and chemicals. Indeed, we have an exporting surplus of television sets now.

British firms are now in a position to achieve even greater gains. I am sure that my hon. Friend recognises the extent to which we helped industry in the Budget. For the second year running, no business will face a real increase in rates. The burden of advance corporation tax will be reduced, and small businesses will be helped by a range of measures, including changes to the loan guarantee scheme. Overall, Budget measures will reduce the burden on business by £1,000 million in the coming year. There are clear signs that industry is responding well. New orders are being placed. According to the CBI's latest survey, most manufacturers expect output to increase. Order books are at their most favourable since mid-1990.

Our industrial strategy does not end there. The DTI has established a number of valuable services that help British firms to meet the challenge of international competition. The enterprise initiative addresses key aspects of management: production processes, business planning, and financial and information systems. I hope that my hon. Friend is familiar with the "managing into the 1990s programme". I commend to him attendance at one of its mobile shows if it arrives in his area. The programme is designed to highlight the need for a strategic approach to improve competitiveness.

I am sure that my hon. Friend is familiar with our programme to develop one-stop shops to provide high-quality support services to British businesses. They will do that by bringing together not just the services of my Department but chambers of commerce, local authorities, TECs and other providers of business information. The DTI's new industrial competitiveness division is examining how to promote the competitiveness of British industry.

To give Ministers a better understanding of what is happening in the marketplace, the President of the Board of Trade has asked his chief economic adviser to obtain information directly from a number of major British companies. Ministers are eager to develop a more effective dialogue between Government and industry to ensure that Government policies enhance rather than impede industry's performance. That is why the President reshaped the DTI last July to achieve clearer communications with industry. Each industrial sector now has a recognised and knowledgeable point of contact. That greater knowledge in industry and in my Department is beginning to pay off.

My hon. Friend spoke about capital allowances. Of course, he will be aware of their large cost. If they were to be increased, the cost would fall at a time when the public sector borrowing requirement is high. He will be aware of the frequent criticism that high capital allowances provide a tax stimulus to businesses to do what they were about to do anyway. Worse still is that in many cases they distort investment decisions and lead to lower-quality investment. Allowances for plant and machinery are already more generous than commercial depreciation.

I appreciate my hon. Friend's important point about market intelligence. The Government can help with that. Knowing about potential markets is usually not a problem for the large, sophisticated and well-informed manufacturer. Large companies generally know who their competitors are but small and medium-sized companies may not. For example, such enterprises may not know the main importers of their competitors' products nor which firms buy from those importers.

Market intelligence on suppliers is provided by numerous commercial sources, including the Kompass database and the "Machinery Buyers Guide". Quick and easy access to such information is valuable to small firms. A recent innovation is Chambernet, which relays the Kompass database to chambers of commerce. The Government also provide valuable market intelligence on the names of importers and on import flows of particular commodities. That is done through appointed commercial marketing agents, and data on trade flows are available from CSO publications. In that way, the Government act as a facilitator to assist business. My Department is happy to help any firm requiring details of that service.

My hon. Friend referred to transport infrastructure. I remind him that British Rail investment in 1993-94 is higher in real terms than in any year in the 1980s. London Transport's investment has been unmatched in real terms for 20 years. The roads programme, maintained in cash terms, is permitting higher volume because of lower construction prices. In addition, the Chancellor's private finance initiative will play an increasing role in the modernisation of Britain's infrastructure.

I agree with my hon. Friend on the importance of deregulation. I hope that he heard what our right hon. Friend the Prime Minister said today on that subject. The President of the Board of Trade has announced the formation of seven task forces from the private sector to mount an onslaught on the regulations affecting companies. They will report progress every eight weeks to the President and the Prime Minister. Ministers have agreed that no further regulations will be imposed on British companies unless the cost to them is spelled out before the regulations are put to Parliament.

The key to sustaining growth and increasing market share for British manufacturers is improved competitiveness. United Kingdom firms now have a great opportunity. Our inflation is at its lowest for 25 years, we have the lowest interest rates in the European Community, and our exchange rate is very competitive. The Budget

measures, which, as I have said, are worth £1 billion to business in the coming year, are set to boost confidence and stimulate growth.

The evidence of today shows that firms are responding to the improving economic climate. Surveys show that confidence is rising. Manufacturing output is increasing. Like my hon. Friend, the Government are keen to see British industry win a bigger share of the home market. We do not underestimate the challenge. There is no instant or easy way to become globally competitive, but we are working with industry to improve British competitiveness. I have no doubt that——

The motion having been made at Ten o'clock and the debate having continued for half an hour, MADAM DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at half-past Ten o'clock.

House of Commons

Friday 23 April 1993

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Points of Order

9.34 am

Mr. Clive Soley (Hammersmith): On a point of order, Madam Speaker. A month or so ago, I wrote to the Government Chief Whip asking what the Government's attitude would be to my private Member's Bill and he sent me a letter. I should be grateful for your views on the letter, which says:

"The arrangement for private Members' Bills is determined in accordance with the sessional orders and the Standing Orders of the House. It is therefore not a matter for the Chief Whip".

That is what I have always understood the position to be, but, on 19 April, a letter was sent to Conservative Members by the hon. Member for Wanstead and Woodford (Mr. Arbuthnot), who is a Government Whip, asking them to be present to talk on the Road Traffic (Driving Instruction by Disabled Persons) Bill, the first measure on the Order Paper, and then on my Freedom and Responsibility of the Press Bill. The understanding of a number of Conservative Members is that the intention is to talk out my Bill, and that is what I had anticipated, not being totally naive.

What is the position of the House? As I understand it, private Members' Bills drawn in the ballot should be treated as though they are normal Bills, and not operated on as though the Government can talk them out. Have you a view on the rights of Back Benchers on this matter, Madam Speaker, in terms of protecting their right to have Bills considered in a proper and factual manner and not manoeuvred against in the way that will happen this morning?

Mr. Peter Bottomley (Eltham): Further to that point of order, Madam Speaker. It is a well-known habit of hon. Members who want to delay or frustrate the passage of a Bill, and who are also interested in procedure, to raise a point of order. I am determined, without a letter from anybody, not only to frustrate the Bill promoted by the hon. Member for Hammersmith (Mr. Soley), which comes up later, but to treat the first Bill on its merits.

Would it be possible to have a ruling from you, Madam Speaker? If the hon. Member for Hammersmith, who appears not to have the votes to carry his Bill even if we reach it earlier and manage to dispose of all the amendments and new clauses, continues with his points of order, he is, in effect, filibustering his own Bill. That might meet the purpose of people such as myself who, out of courtesy to the hon. Gentleman, who is well meaning, had not intended to raise points of order. However, if he continues to raise his, I hope that I may be allowed to raise mine.

Mr. Peter Luff (Worcester): Further to that point of order, Madam Speaker. I should appreciate your guidance on the aspersion that the hon. Member for Hammersmith (Mr. Soley) has cast on Conservative Members—that we are here to filibuster his Bill. I am here as someone who has taken a close interest in the affairs of disabled people. I have had the privilege of speaking in two major debates this year on the needs of disabled persons. I assure the hon. Member for Hammersmith that we are here because we wish to explore, in some further detail, the content of the excellent Road Traffic (Driving Instruction by Disabled Persons) Bill promoted by my hon. Friend the Member for Exeter (Sir J. Hannam), which I welcome unreservedly. I am not here in any other spirit.

Mr. Peter Thurnham (Bolton, North-East): Further to that point of order, Madam Speaker. I am disappointed that the hon. Member for Hammersmith Mr. Soley) should have started today's proceedings in this way. If the points of order are taking up time, they must affect the time that may be available to debate his important Bill. I have congratulated him on the way in which he conducted himself when he introduced the Bill and on his general good humour and manner. I was a little taken aback suddenly to find that he had tabled early-day motion 1809. I do not know whether you have had the opportunity to see that motion, Madam Speaker. I was surprised that the hon. Gentleman had tabled it, and I hope that he has taken full note of the amendment to it that has been tabled.

The hon. Gentleman spoke about a member of the Government Whips Office and referred to a letter. I have never seen such a letter. I do not believe that it exists. His allegation is an unqualified slur on the integrity of hon. Members. You might wish to see, Madam Speaker, whether he has such a letter. I hope that you will ask him to withdraw those remarks.

Madam Speaker: The hon. Member for Hammersmith (Mr. Soley) knows that in the House, all Bills are treated on their merits and it is not for the Chair to involve itself in correspondence that passes between one hon. Member and another, whether or not one of those hon. Members is a Whip, or the Leader of the House. Neither is it for me to discourage any hon. Member who wishes to take part in a debate. The points of order are frustrating our debate and I hope that the House will allow the first Bill to proceed. First, there is a petition, to be presented by the hon. Member for Hexham (Mr. Atkinson).

Mr. Soley: Further to that point of order, Madam Speaker. I do not intend to talk out the Bill. If I involved myself in tactics similar to those used by Conservative Members, I could easily talk on the amendments to talk out the Road Traffic (Driving Instruction by Disabled Persons) Bill. I do not intend to do so, but I could. My point is that we have a balloting system and private Members' Bills should be given serious consideration. These tactics could not be used with Government Bills. The Government would either timetable a Bill or provide extra time for it. If we are serious about the reform of the procedures of the House, Bills ought to be decided on their merits. That is not happening. Furthermore, if the hon. Member for Bolton, North-East (Mr. Thurnham) wants to see the contents of the letter, I can show it to him.

Mr. Peter Bottomley: Further to that point of order, Madam Speaker. I hope that you will allow me to say that if we are considering whether the making of these points of order will seriously affect the progress of the hon.

[Mr. Peter Bottomley]

Gentleman's Bill, we ought to recognise that it has attracted distinguished opposition, including the editor of *The Guardian*, the National Union of Journalists, the Newspaper Publishers Association——

Madam Speaker: Order. The hon. Gentleman anticipates the second Bill on the Order Paper. If any hon. Member feels that the procedure is not correct, or could be improved, he or she has the opportunity to put the matter before the Procedure Committee. The House would be wise, I believe, to proceed with consideration of the first Bill. *[Interruption.]* We must not frustrate, though, presentation by the hon. Member for Hexham (Mr. Atkinson) of a petition.

PETITION

Hadrian's Wall National Trail

9.40 am

Mr. Peter Atkinson (Hexham): I have the honour to present a petition protesting against a plan by the Countryside Commission to create a Hadrian's Wall national trail. It is signed by more than 1,600 people in my constituency, all of them either residents, farmers, landowners or those who have an educational or commercial interest in the wall and the surrounding area. They protest that the trail is planned to cater for more than 200,000 people per annum, on top of the very many who already visit the site, causing considerable problems and financial loss, particularly to farmers in the area. They further protest that the Countryside Commission's consultation paper claims that most of those consulted agree with the commission's proposals, whereas in fact they do not. Finally, they express concern at the likely impact of this vast increase in tourism on a world heritage site, valued for its remoteness and isolated beauty.

Wherefore, your Petitioners pray that your Honourable House will urge the Secretary of State for the Environment from proceeding with the aforementioned proposals, and your Petitioners, as in duty bound, will ever pray.

To lie upon the Table.

Orders of the Day

Road Traffic (Driving Instruction by Disabled Persons) Bill

Not amended (in the Standing Committee), considered.

New Clause 1

APPLICATION OF THE PROVISIONS TO NON-DISABLED INSTRUCTORS

'The following section shall be inserted in the Road Traffic Act after section 125B—

"125C(1) A person who holds a current driving licence which is limited other than by virtue of a notice served under section 92(5)(b) of this Act may apply to the Registrar under the provisions of section 125 of this Act, for his name to be entered in the register for the purpose of giving instruction in the driving of motor cars of a class covered by his limited driving licence."'.—*[Mr. Peter Bottomley.]*

Brought up, and read the First time.

9.42 am

Mr. Peter Bottomley (Eltham): I beg to move, That the clause be read a Second Time.

The mobility roadshow will be held on 11, 12 and 13 June at the Transport Research Laboratory at Crowthorne in Berkshire. Those who have any experience of the previous five mobility roadshows will be able to testify to the remarkable range of adaptations that have already been made to vehicles to allow those who need to overcome a disability to be mobile. When we consider new clause 4, which probes whether there should be a right of appeal against an adverse decision by an assessor, we ought to bear in mind that the mobility roadshow is, in effect, a showcase for the work that goes on at Crowthorne and in other mobility centres throughout the United Kingdom.

I suspect that later in the debate we shall get to know MAVIS better. MAVIS is the Mobility Advice and Vehicle Information Service. I think that we may hear from my hon. Friend the Member for Exeter (Sir J. Hannam), who has promoted his Bill with great distinction, and, perhaps, from the Minister for Roads and Traffic, who has done so much to carry forward the work to overcome mobility handicaps, that MAVIS is where some of the assessment is likely to take place.

The purpose of the mobility roadshow is to give people with disabilities the chance to test drive a wide range of models of standard production cars and vans and to try out the latest range of hand controls, as well as the wheelchairs, pavement vehicles, modifications for swivel seats and a variety of mobility-related adaptations and equipment—so important to the purpose of the Bill—which are likely to be part of the adaptations that would then qualify somebody, under the terms of the Bill, to gain employment as a driving instructor.

If the media could give advance publicity to a roadshow, the growing number of people who would benefit from going there would know about it. Perhaps I may be permitted, in the gaps between the paving stones of my speech, to say that if anyone is interested in knowing more about where to stay in the area, they can telephone 0344-770463, or 071-276-5252 for more details, which could be sent to them.

Mr. Peter Thurnham (Bolton, North-East): My hon. Friend mentioned that there are other centres. Can he tell us where they are?

9.45 am

Mr. Bottomley: If I went into that matter in too much detail, I should probably trespass on the generosity of the Chair. A guide, published by the Department of Transport and the Transport Research Laboratory, is available from MAVIS and the disability unit of the Department of Transport. It details the services in the United Kingdom that offer advice, information and assessment to disabled and elderly motorists. The guide covers not just the independent centres, ranging all the way from the Northern Ireland Council for Disability in Belfast through to MAVIS in Crowthorne, but centres in Banstead, Avon, Berkshire, Buckinghamshire, Cornwall, Derbyshire, Lancashire, Shropshire, Surrey, Tyne and Wear, Wales and Scotland.

That is important, for those who want to follow a career as driving instructors will want to know where they can obtain access to assessment, whether there are grounds for appeal against the assessment, and in what way that appeal should be made. The booklet does not cover just the independent sector. It also covers commercial establishments. That may be important to those who want their vehicles to be adapted for their use either as drivers or as passengers, for not everyone will be able to drive an adapted vehicle. Nevertheless, they want mobility.

My hon. Friend the Member for Bolton, North-East (Mr. Thurnham), who has done so much to promote the Conservative view on disability problems, not just mobility problems, has asked a sensible question. I hope that those who have the same question in mind will apply to the disability unit for the information to which he referred.

The mobility roadshow is central to my proposed new clause. People need the chance to find out whether they can drive. They need to be able to do so off public roads, in an area where there is no question of causing danger to others and where there is plenty of space so that the errors that most of us make when we learn to drive under the supervision and instruction, preferably, of a driving instructor, rather than just a friend or a member of the family, can be rectified. At the Transport Research Laboratory's test track, on its private road system, they can use, so long as they have a provisional or full driving licence, a large number of vehicles equipped with various adaptations. All drivers would be accompanied by one of the Department's driving examiners, or another experienced driver, who would be able to offer expert advice and answer queries. All cars are fitted with dual controls, so that even inexperienced or nervous drivers can have a go, in safety and with confidence.

At this point, I want to refer to the many people who give up driving too soon. They may have an exaggerated fear of their loss of ability, through old age or frailty, but particularly, for the purposes of today's debate, because they feel that some disability that has come upon them suddenly, or which has developed gradually, renders them unsafe on the roads. I recommend those drivers who have such fears to apply to MAVIS for information about where they can be assessed. That is a general point, and different from the one about those who want to become driving instructors.

[Mr. Bottomley]

The advice that I give informally—I should not want anyone to take my advice too seriously unless it is confirmed by others with more expertise—is that it is perfectly reasonable, for example, for me to continue to drive until my driving is as risky as it was when I passed my driving test at 17. I do not see why we should have a different standard for people who are maturity challenged, to describe the elderly in politically correct language, or why disabled people should abandon independent mobility when their driving is safer than those who are passing the driving test.

The House will want to pay tribute to my hon. Friend the Member for Exeter for the way in which he has promoted the Bill. It was a shame that there was no opportunity for a fuller debate on Second Reading because it came on after 1.30 pm on a Friday, which did not allow much time for debate and most hon. Members did not have an opportunity to serve on the Committee.

We clearly want a higher standard for driving instructors, and here, perhaps, my remarks are probably more appropriate to Third Reading. When I was at the Department of Transport I became aware, I think from Joe Hennessey, that some people were being disqualified from taking employment as driving instructors, even though they wanted only to instruct on automatic cars because that was all they were capable of driving. No one is suggesting that all disabilities can be overcome to enable someone to drive. No one is suggesting that all those who overcome disability, or those for whom the disability becomes irrelevant and who have licences, would want to become instructors and no one is suggesting that all are suitable.

As a result of the consultations, my hon. Friend has provided conditions that, in general, are fair, but what about those who have a grievance about the assessment? My hon. Friend the Member for Exeter might say—if he did not, I am sure that my hon. Friend the Minister for Roads and Traffic, who has done so much to reduce casualties and to promote the opportunity of driving, would say it—that there is no realistic appeal against the failure of a test, so why should it be different for a failure on assessment? The answer is that the assessment is a far more objective measurement that is capable of being subjected to appeal. It is rather like remarking an examination paper: it does not happen often, but it is always possible to try to re-examine what was said or done or, for someone who has failed an assessment, to be able to reproduce conditions and ask, "Is this fair and right?"

I am grateful for the support of my hon. Friends the Members for Bolton, North-East and for Worcester (Mr. Luff) for new clause 4, which proposes that

> "a person who is aggrieved by a decision of the assessor—
> (a) to refuse to grant an emergency control certificate, or
> (b) to revoke an emergency control certificate, or
> (c) relating to modifications which may be specified in the emergency control certificate, or
> (d) relating to the recommendation as to such period of time after which a further emergency control assessment should be undergone may by notice in writing appeal to the Secretary of State within the period of twenty-eight days beginning with the day on which notice of the decision was given in accordance with this Part of the Act."

Paragraphs (a), (b), (c) and (d) are important. I will not go on at length because the House will want to debate a number of issues in the Bill, but the idea of an emergency control certificate is an inspired one—it offers the kind of simplicity and practical approach of which St. George, if he were still around today and whose birthday we spend only a little time celebrating these days, would have approved. It goes to the heart of the problem. When a novice driver is under the supervision of an instructor, is the instructor capable of bringing the vehicle to a halt—not taking over the driving, but, in effect, disabling the vehicle? The notion of the certificate is a good and clear one.

Mr. Oliver Heald (Hertfordshire, North): Does my hon. Friend agree that one of the great benefits of the emergency control certificate is that it enables people, as their condition perhaps worsens, to have further adaptations and modifications made to their vehicle, which are reflected in the certificate and thus enable them to continue to drive? That ties in with what my hon. Friend was saying about the roadshow and what is available under MAVIS. The strength of the certificate is that it is flexible but simple.

Mr. Bottomley: My hon. Friend is right, but he is tempting me to stray wider than the new clause. If people who can drive independently and, in effect, have a full licence have a condition, new or growing, that makes it likely that they will not be able to bring the vehicle to a halt in emergency conditions, they are under an obligation to notify the Driver and Vehicle Licensing Agency. Indeed, we are all subject to that obligation, regardless of whether we have a noticeable disability. I remind all those who are paying attention to our debate that not only driving instructors or those who wish to become instructors, but each of us, have an obligation not to drive when we are incapable of driving and, if we have a condition that is likely to be more than temporary, to notify the licensing centre of it so that, if necessary, our licence can be withdrawn and we can be referred for medical or driving assessment. That may not appear to be complicated, but it is effective as long as the message continues to get through to people.

The DVLA would decide whether an ordinary driver requires an emergency control certificate. It might want to discuss with the Department's medical advisers whether an emergency control certificate should be more widely available to people whose condition might in future fall into paragraph (d). Clearly, that paragraph could be widened. If I continue on those lines, I shall be going beyond whether qualified drivers should be able to appeal against an assessment that says that they cannot proceed to become a driving instructor.

Mr. Heald: I am sorry to trespass on my hon. Friend's good will, but, as the proposed system is so flexible and someone can take another control assessment within six months, is there any great benefit in having an appeal, the effect of which would be to add another layer of bureaucracy and to require the Secretary of State to consider such issues and to second-guess the assessor? Would not it be better if aggrieved people took a second test, as they do under the driving test?

Mr. Bottomley: That is the point before the House. My hon. Friend has a reputation as one of the radical young Turks of the Tory party who wants to strip away the red tape and I suppose that his argument needs to be balanced

against my idea of fairness. When the then Prime Minster called me in during the summer of 1990 and said that I was doing a frightfully good job in Northern Ireland "and, by the way, you are sacked", she reminded me that there is a lot of rough justice in government. If one spends a lot of time trying to enact legislation or make administrative decisions that are perfect for everybody, one does not get very far and the responsibilities of government are broader than that. When proposing legislation, we can say, "All right, there will be unfairness. Peter Bottomley can speak up for the aggrieved person, but my hon. Friend"——

Mr. Heald: The Member for Hertfordshire, North.

Mr. Bottomley: I tried not to identify my hon. Friend because it might embarrass him. The mood has now changed and we are all supposed to be soft, caring Tories like myself. If my hon. Friend wants to be identified with his own remarks, so be it, but I shall speak for those who feel aggrieved because they believe that they failed an assessment unfairly. My hon. Friend can say, "Just wait six months and avoid this extra layer of bureaucracy." I have never been too sure that one should regard the motion of an appeal as bureaucracy. If I were convicted unfairly or unjustly or, from the point of view of lawyers and, more important, against the law, I could appeal to a higher court two or three times. I am not sure that one should refer to the Judicial Committee of the House of Lords, the Court of Appeal or the High Court as "bureaucracy", but my hon. Friend is a lawyer and no doubt knows much more about it.

10 am

I must return to the decision that the House must take. Is it better for there to be no appeal against assessment, as there is no effective appeal against a test failure? I suspect that there is an appeal, but how does one recreate the necessary conditions? I am willing to be convinced, not that the new clause is wrong—it is clearly right—but that it should not be accepted on grounds of practice.

One could argue that it is unlikely that people would be wrongly failed and that the system is designed to let through as many people as possible, rather than to block as many as possible. One may argue that it will be obvious when someone has failed the test for an emergency control certificate by, for example, knocking down the cones on the test ground at Crowthorne. The situation may be similar to that involving alcohol testing for drivers.

During my service at the Department of Transport, well over 1 million people were tested for alcohol and not a single one complained to his Member of Parliament about the result. The people tested who had not taken any alcohol regarded themselves as potential victims; those whose tests were between zero and the legal limit wiped the perspiration from their forehead and said "Thank heavens"; and those who were above the legal limit knew that they had been caught bang to rights and had no grounds for complaint.

In this case, if the House is not minded to accept the eminently sensible new clause, I hope that, as part of the emergency control assessment, if someone has failed, the assessor will allow the candidate to try again, using the distance in which people should be able to stop a vehicle, and see whether he and the driving instructor candidate can agree why the candidate has been refused a certificate. Such a practical approach may be better than the legislative provision, which my hon. Friend the Member for Hertfordshire, North (Mr. Heald), in rather heavy language, called "another layer of bureaucracy".

Mr. Thurnham: Is my hon. Friend satisfied that there are sufficient provisions for the assessor to make clear the reasons why someone is failed? I am a little uncertain about whether the Bill goes far enough in that respect. If people are to fail on account of a disability, it is important that they should know that, and should perhaps be able to discuss the matter further. That is an important part of the appeals procedure because someone could be failed time and again on the six months' basis without knowing why.

Mr. Bottomley: I should be interested to hear my hon. Friend answer his own question. I think that I am falling into the trap of exaggerating the possible problems. The national vice-chairman of the Disabled Drivers Association, Mr. Hennessey, is quoted as saying:

> "It is many years since one of our members from Coventry was denied the opportunity to become a driving instructor and become gainfully employed, because she only had a licence to drive cars with automatic transmission. The 'Disabled Drivers Association' warmly welcomes this Bill which will remove the present discrimination against disabled drivers and enable those who wish to work as driving instructors to do so."

As my hon. Friend knows, those comments were backed up by Bert Massey, the distinguished director of the Royal Society for Disability and Rehabilitation, who said:

> "RADAR warmly welcomes this Bill, which if passed, will enable disabled drivers to become driving instructors. The Bill will affect a small number of disabled people, but removes a barrier to them becoming 'economically active' and assisting other disabled people to become 'independently mobile'. We very much hope the House will grant it a Second Reading."

The Bill has received a Second Reading, but the two quotations remind us that, in the main, we are talking about people driving cars with automatic transmission.

We are talking about people using one foot for the accelerator and the brake, as I would if I were driving an automatic transmission car—or one hand if there were hand controls; I am not arguing that one necessarily needs feet, but I am taking the most general example. In those circumstances, there is no difficulty about the emergency control certificate. It could be argued that, by talking about foot control or hand control, I am exaggerating the problem. Even people represented by RADAR and the Disabled Drivers Association might tell me that I do not need to pursue the issue at great length and that the assessors are perfectly happy to explain to those who will not receive the certificate why they will not receive it, a point mentioned by my hon. Friend the Member for Bolton, North-East.

If I were to watch a demonstration, I suspect that I could find that the prospective driving instructor would accept the assessor's decision. If I get the opportunity to go to Crowthorne, an assessor might say, "This is how it happens. There is not going to be a problem." If my hon. Friend the Member for Exeter can convince me that that is so, I shall not push the new clause to a vote, but we should hear what he has to say. I suspect that other people will be worrying about whether the reassessment of the decision should have to wait for six months, as suggested by my hon. Friend the Member for Hertfordshire, North, or should be a matter for appeal. I am making a relatively narrow point and am not suggesting reassessing the whole driving test.

Mr. Thurnham: I begin by congratulating my hon. Friend the Member for Exeter (Sir J. Hannam) on his good fortune in winning the ballot for a second time. I have entered all the ballots available but got nowhere, either for private Members' Bills or for private Members' motions. I also congratulate him on his great work for the disabled. I believe that he has been a member of the all-party parliamentary disablement group for about 20 years, which shows the length of his commitment. He has also supported other groups, including the Conservative disability group, and I look forward to visiting his constituency a little later this year to meet some of his constituents and to learn more about his work.

In my early days in the House, my hon. Friend introduced the Corneal Tissue Act 1986. I was not aware of all the shenanigans that can sometimes accompany private Members' Bills. One hon. Member approached me and asked whether I would be present on Friday. He could not be here and there was a danger that his Bill would not proceed because of another Bill. He asked me whether I would kindly shout, "Object" when the eighth Bill on the Order Paper was called. His Bill was an important one dealing with child abuse. I thought that it would be a good thing to help him so I said that I was sure I could do that. It was not until he had left and began to make further inquiries that I discovered that the eighth Bill—if I remember the number correctly—was the Corneal Tissue Bill. Had I shouted "Object", I might have prevented it from, making progress. Fortunately, I became aware of the dangers into which I might have fallen. The other hon. Member, who had better remain nameless, had to remain in the queue. I forget what happened to his Bill, but I am delighted that the Corneal Tissue Act 1986 reached the statute book.

If hon. Members are lucky in the ballot, it is especially important that they choose a Bill that will reach the statute book rather than a Bill that is bound to be highly contentious and has only the remotest chance of being passed. In choosing the Road Traffic (Driving Instruction by Disabled Persons) Bill, my hon. Friend the Member for Exeter has shown great wisdom in choosing a Bill which has good prospects of reaching the statute book and will be enormously helpful to many people.

I do not know how many people it is envisaged will become driving instructors under the Bill. We know that more than 100,000 people have taken advantage of the excellent motability scheme and have obtained cars through it. There may be a greater number of disabled driving instructors than has been imagined. By getting rid of a barrier here—regrettably, there are still barriers elsewhere for disabled people who seek employment—and by opening up an avenue, more people will come through.

I am a little concerned that there seem to be two classes of people under the Bill—ordinary driving instructors and registered disabled driving instructors. It may be possible to consider that aspect further. The appeals procedure is important because people should be left in no doubt if there is a difficulty.

I was fortunate in being a member of the Committee that considered the Bill. However, the Committee clashed with the Committee considering the Freedom and Responsibility of the Press Bill. My ability to attend the Committee considering this Bill was limited because I was selected to be a member of both Committees. I am pleased that the Bill made such rapid progress and that we can give it further consideration today.

I have not had the opportunity to visit the Mobility Advice and Vehicle Information Service at Crowthorne in Berkshire, but I hope that I may have a future opportunity to do so. I am impressed by the reports about it. I hope that facilities can be made available to people with disabilities in as many parts of the country as possible so that they can take advantage of the expertise held by the Department of Transport in that sector.

I know that my hon. Friend the Member for Eltham (Mr. Bottomley) was concerned with the centre when he was a Minister at the Department of Transport and I pay tribute to his work at the Department. The encouraging figures for road accidents are a great tribute to his work and to the work of other Ministers, including my hon. Friend the Minister for Roads and Traffic. Great credit is due to my hon. Friend the Member for Eltham for his work on this issue and for his work on drink-driving. He showed great common sense in charting the way forward. The figures prove the wisdom of my hon. Friend's approach when he was at the Department of Transport.

Mr. Peter Bottomley: I certainly do not mind my hon. Friend continuing to speak about me in that way. It is worth remembering that I was only a paragraph in a chapter because Barbara Castle introduced the breath alyser in 1967. What worked in drink-driving was sticking to things that mattered. The same applies to disability. Tribute should be paid to those who carried forward the United Kingdom effort after the international year of disabled people. The Department of Transport set up a disability unit and consulted the Sir Peter Baldwin committee—the disabled persons transport advisory committee—on which my hon. Friend the Member for Exeter served with great distinction, together with Lewis Carter-Jones. That provided the drive and combined the expertise. All that Ministers have to do is to turn up when asked and say the things that have been put in their hands, and that Parliament and Government care about these matters.

Mr. Thurnham: My hon. Friend is being very modest about the part that he played. Even if that was the extent of what he had to do, he did it extraordinarily well. I am pleased that he and I have been able to put our names to the new clause which deals with appeals in relation to the emergency control certificate, which is a key provision.

I was in a sense fortunate when I learnt to drive because it was at the time of the Suez crisis. All the driving instructors were taken away to issue petrol coupons and we were allowed to drive on our own. That was in the days before MOT certificates so not every car was as roadworthy as they are these days. There may have been times when I would have had difficulty in achieving an emergency control certificate because of the vehicles I was driving. I have no doubt that they would all be worth a fortune now if they were still on the roads. Perhaps they were consigned to the scrap heap long ago. The MOT certificate has ensured that every car on the roads is in far better condition.

In Japan, the MOT certificate is so tough to obtain that after six years, cars have to have their whole braking system replaced. The result is that Japan exports most cars that are more than six years old to China and to other countries where people are not so worried about braking systems. The Japanese motor industry is able to achieve great output and turnover because of the MOT certificate.

My hon. Friend the Minister may like to bear that in mind, although it might not be the most popular measure with people who own older cars.

10.15 am

The new clause would allow people to appeal if they are turned down. We do not have enough opportunities for appeals. I do not know whether the citizens charter comes into this. Bureaucracy is sometimes able to make its decisions without making clear why those decisions have been made and without allowing any process of appeal.

I can understand that if a disabled driver is turned down again and again and has to wait six months before he can apply again, he wants to be given sufficient reason. When my hon. Friend the Member for Exeter comments on the new clause, he may be able to clarify the extent to which the assessors will be responsible for telling people why they have failed. If they have no duty to make the reasons clear, there could be great frustration. There might then be a need for an appeal procedure. People with disabilities can find that their lives are frustrated if barriers and difficulties are placed in their way. The purpose and attraction of the Bill are that it removes barriers. However, there is a hurdle here over which disabled drivers must get. I should like to think that the Bill will help people to get over the hurdle and that any difficulties will be made clear to them.

Mr. Alan Duncan (Rutland and Melton): It is proposed that the person who is appealing will have 28 days in which to do so, beginning with the day on which the notice of the decision is given. The new clause is fairly vague on this point. The person who has declined to grant the emergency control certificate or who has revoked it will simply give notice in writing to that person of his decision and will include the reasons for it.

Is there a danger that the 28 days are not enough? Someone may have written a letter advising the person of the decision. A secretary may have sat on the letter for two or three days. The date on the letter may say the 21st, but it may not have been posted until the 28th. There may then be a weekend or a public holiday. The decision can affect the entire livelihood of an individual who may find that he has less than three weeks in which to appeal. He will need to take legal advice. If, in a few years' time, the provision is not uppermost in people's minds, it may take quite a lot of digging through law books to find out what a person's rights are. Does my hon. Friend the Member for Bolton, North-East (Mr. Thurnham) consider that 28 days is sufficient for an appeal which may dramatically affect the life of a disabled person?

Mr. Thurnham: My hon. Friend is right to point out that there can be practical difficulties. People may be away from their home address so the 28 days could become quite tight. Not every disabled person can get the guidance and advice that he needs. That could mean, as my hon. Friend the Member for Rutland and Melton (Mr. Duncan) has pointed out, that there is a danger of exceeding that period. Some period has to be stipulated, but we should perhaps consider extending it a little further. The issue may be resolved today, or it may be considered further when the Bill, as I very much hope it will, goes to the other place.

One of the best features of the upper House is that its Members come to debates on disability issues with considerable experience. No doubt some of their Lordships will be able to bring special expertise to bear on the question of how long the time should be and whether a 28-day timetable is tighter than is justified. The period could be anything up to six months, when a new assessment could take place anyway. I hope that that point can be considered further, either today or in the other place.

I welcome the measures that the Government have taken to help disabled drivers. The motability scheme has been enormously successful, and I understand that the motability fleet is the largest of its kind in Europe. I praise those in my constituency, including Mr. Harry Bowers of Kirkby Central Motors, who have done much to help disabled people to come to terms with their disability and to open up for themselves a whole new vista of mobility. If they can then develop that into a job by becoming driving instructors, so much the better. I think that my hon. Friend the Member for Exeter will be surprised by the success that his Bill will have when it reaches the statute book and people can take advantage of its provisions to make an economic contribution to our national life as well as enhancing their own lives. That is very much to my hon. Friend's credit and I wish him well with the Bill.

Mr. Peter Luff (Worcester): Let me preface my remarks by paying tribute to my hon. Friend the Member for Exeter (Sir J. Hannam) for the skilful way in which he has piloted the Bill through the House so far and congratulating him on his excellent work for the disabled, some of which I have had the pleasure to witness during a number of debates in this place.

The new clause that my hon. Friend the Member for Eltham (Mr. Bottomley) seeks to insert into the Bill is important. As my hon. Friend said, it deals with the single most ingenious concept in the Bill, which will enable its provisions to work satisfactorily. The emergency control certificate was defined precisely by my hon. Friend the Member for Exeter on Second Reading:

> "A disabled person who holds a valid emergency control certificate, and who has passed the necessary written and practical qualifying tests, just as non-disabled people have to qualify, will be able to have his or her name entered in the register of approved driving instructors. That would enable a disabled person to give paid driving instruction, although he or she would be restricted to cars with automatic transmission and with any other special modifications that might be specified in the emergency control certificate."

Access to the emergency control certificate is therefore the essential requirement for a disabled person who wishes to become a driving instructor.

As my hon. Friend also remarked on Second Reading, that certificate is the central concept and the key safeguard relating to road safety. Safety is the principal concern that those who are not disabled may have about the possibility of disabled people being allowed to become driving instructors, and I congratulate my hon. Friend on the effective way in which he has dealt with that concern.

My hon. Friend said on Second Reading:

> "Although it is necessary for road safety purposes that additional requirements should be placed on disabled people, it should not act as a disincentive to disabled people who want to qualify as approved driving instructors".—[*Official Report*, 11 December 1992; Vol. 215, c. 1162.]

It is precisely because of my concern that there should be no such obstacle placed in the way of disabled people that I have added my name to the new clause. I am somewhat concerned that my hon. Friend the Member for Eltham seemed to suggest that he intended to withdraw it. I welcome the clause, because I believe that the possibility of

[Mr. Peter Luff]

being unsuccessful in applying for an emergency control certificate or having an emergency control certificate revoked is rather different from failing one's driving test, for which one is given specific reasons. The possibility exists of discrimination, intentional or unintentional, against disabled people and the existence of a court of appeal in the form of the Secretary of State should commend itself to the House.

My one concern about the new clause is that perhaps it does not go far enough. I note that it imposes no duty on the Secretary of State in respect of the speed of his or her response to the appeal. Hon. Members who have the privilege of dealing with members of the Government on a variety of constituency issues know that one can wait a very long time for a reply, although I am happy to say that, in my experience, the Department of Transport replies speedily, and I congratulate those concerned. In the event of the House accepting the new clause, would it be possible for a subsequent amendment to be tabled in the other place to impose a duty on the Secretary of State to reply within a given period? I hope that my hon. Friend the Member for Eltham will address that point in due course.

Mr. Peter Bottomley: I imagine that it would be possible to ask Mr. Deputy Speaker whether he would accept a manuscript amendment, although I suspect that my hon. Friend has answered his own question. We need to know how many people are likely to be unsuccessful in obtaining an emergency control certificate. I may have been making a mountain out of a molehill, but I feel that we must look for justice on every occasion.

Mr. Luff: My hon. Friend is entirely right, and the whole Bill is about justice. It is precisely because the new clause seems to me to make the Bill still more just that I welcome it. I do not know whether my hon. Friend the Member for Exeter plans to speak, but if he does, he may wish to address himself to my remarks.

Mr. Heald: I, too, congratulate my hon. Friend the Member for Exeter (Sir J. Hannam) on introducing the Bill, which builds on the achievements of MAVIS, Crowthorne and the motability scheme, which have given many people a degree of independence that they had not enjoyed hitherto. A young constituent of mine returned from the Falklands conflict seriously injured. He was extremely depressed and anxious and had lost much of the morale and fortitude for which we had known him. Now that he has been to Crowthorne, used the MAVIS scheme and got his motor car through motability, he is a changed man. He is living an independent life and is much more like the person we all knew before he went to the Falklands. I therefore pay tribute to MAVIS and all its achievements.

Having achieved the degree of independence that a motor car can bring and having had the opportunity to learn to combat their disability, the many people like my constituent would be much better able to teach other disabled people to drive effectively than a fully able-bodied person who did not understand some of the difficulties.

Mr. Peter Bottomley: My hon. Friend has reminded me of a point that I intended to make. Someone qualified to be a driving instructor using only an automatic transmission car will not be confined to teaching only disabled people; he will be able to teach anyone who wants to qualify to drive by himself in an automatic transmission car. Rather than providing for specialist driving instructors, we seek to remove a barrier. I am sorry that I did not make that plain.

Mr. Heald: I have read the Bill and I entirely accept that point. It seems to me, however, that someone who has striven to overcome his disabilities can shed a new light on the business of instructing someone with similar disabilities in how to drive a vehicle. That important aspect commends the Bill to the House.

I must say that I was surprised to be described as a radical Turk. I have always been a Conservative, but I do not think that I have ever been radical. In considering a measure that deals with the attainment of a vocational qualification, it is important to examine the experience in other professions. I am ashamed to admit that I am a barrister because I know that we are not popular in this place. Usually, someone seeking to attain a professional qualification has no appeal. If he fails the examination, he is usually given the opportunity to have another go, but he cannot usually have the assessment reviewed by the Secretary of State in an attempt to second-guess the original assessor or examiner. If we are considering a vocational qualification, it is far better to grant the right to retake the examination or assessment than to review it.

Mr. Luff: The parallel with a professional qualification is a little forced. The new clause refers to the emergency control certificate which is an additional requirement over and above the vocational examination which a disabled person will have to take and for which no new appeal procedure is suggested.

10.30 am

Mr. Heald: I believe that we are talking about a vocational qualification. It is a qualification to allow someone to teach driving. It is not like a criminal case or an assessment for benefit. It is a vocational qualification. I believe that it would be wrong to have a system with an overlying appeal process which would create bureaucracy in the Department of Transport.

One of the great strengths of the Bill, which I agree should be passed and is achievable, can be found in the explanatory memorandum which, in relation to the

"Financial and public service manpower effects of the Bill"

states:

"The Bill will have no direct financial effects.

The Bill will have no effects on public service manpower."

Mr. Peter Bottomley: On a point of order, Mr. Deputy Speaker. My hon. Friend is coming close to suggesting that my new clause is out of order. I believe that my hon. Friend is almost making a direct criticism of the Chair. If my new clause affects public service manpower, would it have been called for debate? I am very worried about this.

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): The hon. Gentleman is aware that that is a matter for the Chair to decide.

Mr. Heald: I do not wish to stray out of order on this point and I know that I will not be allowed to do so.

It is important to consider that, although the new clause may not be out of order, a layer of bureaucracy would be created and inevitably that would mean that staff at the Department of Transport would have to deal with the appeals.

We do not know how many people would take the test. I believe that there are 100,000 disabled drivers, very few of whom may want to take the assessment. However, perhaps a far larger number than we imagine might decide to take it. When we consider that it is a logical career for a disabled person who has acquired the skills to want to pass on that knowledge, perhaps a substantial number of people might want to grasp this opportunity. If that is the case, many people in the Department of Transport will have to deal with the appeals.

If that is the case, we should consider whether that is an example of creating bureaucracy and red tape and the kind of things which we as Conservatives—even if we are not radical—do not normally support. I argue that it is unnecessary to create this new layer of bureaucracy because, with a national vocational qualification, we would not expect this kind of appeal.

We can tackle the issue with amendment No. 22. That amendment would reduce the period between which tests can occur to three months rather than six months. I would support that because if the three-month period were in operation, people——

Mr. Deputy Speaker: Order. The hon. Gentleman is straying into another debate.

Mr. Heald: I will not go down that line, Mr. Deputy Speaker.

Given that it is possible to take the test again relatively speedily, the position would be entirely different if we approved the new clause. Twenty-eight days' notice of appeal would probably mean that a decision would not be made for at least three months and possibly six months anyway. It might be better for an aggrieved person to take the test again and not go through the appeals procedure. Even on the grounds of efficiency and getting the job done for the aggrieved person, I believe that it is likely to be better to opt for a shorter period between tests.

Mrs. Cheryl Gillan (Chesham and Amersham): I congratulate my hon. Friend the Member for Exeter (Sir J. Hannam), whose championing of the causes of the disabled is unrivalled in this place. I am absolutely delighted that he came so high in the ballot and that he has introduced this Bill.

It is remarkable that we have continued for so long with this inequality in our system. The more that I consider the problems of disabled people, the more inequalities I find. Although we have come a long way, I believe that we still have a long way to go.

The fact that the Bill has all-party support is delightfully refreshing. Although hon. Members are thin on the ground in the Chamber today, the way in which the Bill was introduced and its passage through Committee are an endorsement of the will of the House and of the political will of all parties to support it.

Ms Joan Walley (Stoke-on-Trent, North): In view of what the hon. Lady has just said about all-party support for this Bill, will she join us in support of the Civil Rights (Disabled Persons) Bill, which was talked out on an earlier occasion?

Mr. Deputy Speaker: Order. The hon. Member for Chesham and Amersham (Mrs. Gillan) must not go down that road.

Mrs. Gillan: Thank you for that advice, Mr. Deputy Speaker. I must admit that I have sympathy for the hon. Member for Stoke-on-Trent, North (Ms Walley). She has championed her cause almost single-handedly on the Opposition Benches.

Mr. Luff: Some Conservative Members believe that the Road Traffic (Driving Instruction by Disabled Persons) Bill is a better example of the kind of targeted employment legislation which can bring real benefit to disabled people than the more omnibus approach suggested in the Bill referred to the hon. Member for Stoke-on-Trent, North (Ms Walley).

Mr. Deputy Speaker: Order. We are discussing the Road Traffic (Driving Instruction by Disabled Persons) Bill and new clause 4 and no other Bills.

Mrs. Gillan: I thank my hon. Friend the Member for Worcester (Mr. Luff). The Bill reflects a practical way of approaching some of the problems of disabled people.

I contrast this Bill and the way in which the House can be seen to be behaving at its best with some of the scenes over the past few weeks and months, when the House has not sent the right message to the rest of the country and when it was seen to be behaving at its worst. It is a pleasure to be here on an occasion on which the House is perceived to be performing its duty towards the people of the country.

It is the role of the House to look after the small sections of the population that are often left behind and forgotten when we are introducing legislation. We must never forget that we should examine our citizens and society closely and strive continually to help the small groups of people who are perhaps disadvantaged unfairly or left out when we are legislating for the country as a whole. In a ten-minute Bill next week, I will try to redress the balance for a small section of our population—parents who adopt children—who I believe to be disadvantaged.

The Bill will be welcomed throughout the country and when my hon. Friend the Minister replies, I hope that the time scale will become apparent and that we will know when we can expect the first disabled driving instructor to be operating in this country.

Mr. Deputy Speaker: Order. The hon. Lady is making a Third Reading speech. She should return to the new clause.

Mrs. Gillan: I will defer to your guidance, Mr. Deputy Speaker.

New clause 4 was ably moved by my hon. Friend the Member for Eltham (Mr. Bottomley). I am pleased that he has introduced the possibility of an appeal. After all, in the assessment of a disabled person seeking to practise as a driving instructor, an important medical element may demand a second opinion. It will be subjective. Therefore, for some elements of the assessment, two points of view will need to be brought to bear. During the passage of the Bill—perhaps when it is considered in the other place—I hope that we can ensure that disabled people who apply for the emergency control certificate will not be disadvantaged in any way compared with able-bodied drivers who are assessed during their period as driving instructors. If able-bodied driving instructors do not come up to standard, there is a period in which they can still instruct and then be reviewed. I agree with my hon. Friend

[Mrs. Gillan]

the Member for Hertfordshire, North (Mr. Heald) that perhaps 28 days is not long enough. When we introduce a level of bureaucracy, which must accompany this——

Mr. Duncan: I am grateful to my hon. Friend for giving way on the question of bureaucracy, which was mentioned a moment ago. It may be fallacious to suggest that an enormous layer of bureaucracy would be created by this measure. If there are, say, 200,000 registered disabled people in the United Kingdom, perhaps at the outset a maximum of something like 1,000 may wish to register under the scheme.

Once the system is up and running, in the years ahead, fewer people may apply for the emergency control certificate and we will find that only 20 or 30 a year need to invoke the appeals procedure. Even the least efficient of civil servants—increasingly, our civil servants are becoming more efficient—will be able to sustain the burden of a mere 20 or 30 appeals without great cost to the Exchequer—if, indeed, any at all.

Mrs. Gillan: I imagine that the number of appeals will be fairly small. When the Bill goes through the other place, I hope that we will carefully ensure that we do not disadvantage disabled people and create another barrier for them over that of able-bodied driving instructors.

I said earlier that the Bill will be welcomed throughout the country. It will certainly be welcomed by my disabled residents in Chesham and Amersham. We are opening new horizons for disabled people. I wish the Bill a speedy passage on to the statute book.

10.45 am

Sir John Hannam (Exeter): This has been an excellent debate on the new clause proposed by my hon. Friend the Member for Eltham (Mr. Bottomley) and other hon. Friends. It has given us an opportunity to examine in some detail the emergency control certificate assessment system. A number of interesting points have been raised which I hope to deal with in my speech.

I am grateful to my hon. Friend the Member for Eltham for his remarks about the importance of the Mobility Advice and Vehicle Information Service—MAVIS, as my favourite girlfriend is now known—advice centre because it plays a crucial role in advising disabled drivers all over the country on what sort of vehicles they need and the necessary adaptations, generally giving them confidence to embark on driving their own vehicles and getting their own mobility.

I shall start with a few words about the way in which the assessment is carried out, because it will help in my later arguments for resisting the new clause. The assessment will take place at MAVIS using one of a fleet of cars. An extensive fleet of cars is available—I have photographs of the range provided and the different adaptations. The assessment can also be carried out in a vehicle supplied by the person undertaking it. The choice of vehicle used will depend entirely on how the specific vehicle has been adapted.

The assessment will be subjective and will assess a person's performance. The driving adviser will act as the pupil. When I went to Crowthorne I tried out several vehicles and went through the test procedure. I behaved as a disabled driver with the instructor—the assessor—sitting beside me. We then changed round and, pretending to be disabled and using the adaptations, he tested my ability to effect an emergency stop. Under the system, the driving adviser will act as the pupil and the disabled driver undertaking the assessment will take the role of the driving instructor. It will be a practical assessment in a moving vehicle around the test area at Crowthorne. The potential driving instructor will be expected to take control of the steering and braking at any time—in other words, in any emergency—at various stages of the test course.

Mr. John Whittingdale (Colchester, South and Maldon): On a point of order, Mr. Deputy Speaker. I apologise for interrupting my hon. Friend, but the annunciator says that my hon. Friend the Member for Ravensbourne (Sir J. Hunt) is speaking at present, rather than my hon. Friend the Member for Exeter (Sir J. Hannam). I know that many hon. Members may wish to come and hear my hon. Friend the Member for Exeter. I apologise: the annunciator has now been changed and hon. Members may come to hear my hon. Friend's speech.

Mr. Deputy Speaker: I note that it has now been changed.

Sir John Hannam: It is nice to have the right name on the annunciator. It always takes a little time for the right name to appear.

Potential driving instructors will be expected to demonstrate control of braking and acceleration for the purpose of tuition. They must show that they will be able to carry out all those measures when giving instruction, if they become approved driving instructors. They will need to show that they can correct minor errors and take positive action in a simulated emergency. In the demonstration of their actions, they must show the highest regard to and protection of life and property. The assessment will not look simply at the ability of potential driving instructors to give driving tuition: it will establish that there is a potential for that tuition to be carried out safely.

The main concern expressed by my hon. Friend the Member for Bolton, North-East (Mr. Thurnham) and other hon. Friends is that, if an emergency control certificate is refused by the assessor, the disabled driver should be given full reasons for that refusal. I am happy to reassure the House that subsection (9) in new section 133A on page 7 of the Bill clearly requires the assessor to give those reasons for refusing permission.

I appreciate the initial attraction behind the new clause, which is that the Bill should provide disabled persons who are aggrieved by a decision of the assessor with a statutory right of appeal against that decision. That point was considered carefully in the drafting of the Bill, and I hope that I can persuade my hon. Friend for Eltham, for whom I have the the highest regard through his work as a previous transport Minister, that the new clause is not necessary.

It must be right that disabled registered driving instructors and candidate instructors should be treated no differently from their non-disabled counterparts when it comes to rights of appeal. The existing legislation governing the registration of able-bodied driving instructors—the Road Traffic Act 1988—does not provide a statutory right of appeal against the decision of those responsible for assessing the ability of the instructors or the candidate instructors to give instruction. To take it a

step further, nor does the existing legislation grant those who fail their ordinary driving test a statutory right of appeal against the decision of the driving examiner.

My Bill seeks to do no more than amend the Road Traffic Act 1988 to put disabled people on a par with those who are not disabled when it comes to registration as approved driving instructors—it is removing a barrier and a discrimination. It does not seek to confer on disabled people statutory rights in respect of giving paid driving instruction which are not available to able-bodied people. We are not creating positive discrimination—moving across the line and, therefore, favouring disabled people. We are simply establishing a level playing field.

There are good reasons why the existing legislation does not grant statutory rights of appeal against the decisions of driving examiners in the assessment of candidate and registered driving instructors. Those reasons also hold good for decisions of assessors of emergency control.

The first reason is that the circumstances giving rise to the decision of the assessor takes place in a moving vehicle. Actions and decisions are made as the person drives along undertaking the various checks and tests. Those circumstances can never be replicated to enable the person or body charged with determining an appeal to arrive at an informed and proper judgment of the decision of the assessor. The problem of replication makes it difficult, if not impossible, to see how an independent third party could arbitrate usefully on the assessment of emergency control. Assessment takes place in a moment under test circumstances.

Four decisions of the assessor of emergency control could aggrieve a potential driving instructor: first, a refusal to grant the control certificate; secondly, a decision to revoke an existing emergency control certificate; thirdly, the period specified in the certificate after the end of which the disabled person should undergo a further assessment —that point has been referred to in the debate; and fourthly, the required modifications to the vehicle, which may also be specified in the certificate.

The first two of those decisions—refusal to grant a certificate and revocation—will turn on the disabled person's ability to satisfy the assessor that he or she can safely exercise control of the vehicle, whether or not it has been modified, in a simulated emergency while giving instruction. Candidates must exercise control not merely in a driving test. They must convince the assessor that they can carry out an emergency control stop while giving instruction.

So any possible appeal against the assessor will be based on the disabled person's opinion that he or she exercised the necessary emergency control, against the assessor's judgment that the person did not exercise that control. Consequently, if the Bill provided a statutory right of appeal against the decision of the assessor, the arbitrator or appeals tribunal appointed by the Secretary of State for Transport would be tasked with deciding whether the assessor's judgment was right.

The independent third party would be expected to second-guess the assessor in respect of an assessment which could not be replicated and which was carried out when the third party was not present. So the arguments brought before any third party responsible for determining such an appeal would be reduced to the assessor maintaining that the disabled person did not exercise the required emergency control, and the disabled person claiming that he or she did.

The House can imagine—my hon. Friend the Member for Eltham pointed this out—the fruitless appeals which would be occasioned by statutory rights of appeal which turned on the professional assessor's judgment. Let us take the analogy of the ordinary driving test, which I suppose that most Members have taken and passed, if not at the first attempt. A driving examiner who failed a candidate might say, "You failed to make proper use of your mirrors and to make a safe controlled emergency stop." The candidate might say, "That was not the case." The examiner would say, "Oh, yes it was." The candidate would say, "No it was not. Furthermore, I shall exercise my statutory right of appeal against your decision to fail me."

Obviously such a dialogue would prove unsatisfactory and create a ridiculous scenario. It would not get the parties in dispute any further. The driving test that gave rise to the appeal could not be replicated. I am sure that the House would not want to create such a scenario in the judgment of emergency control ability. That is the unsatisfactory position which would almost certainly be created.

Mr. Heald: Does my hon. Friend agree that just about the only way of creating a successful appeal process would be something similar to the way in which medical appeals for benefits are treated? A medical appeal tribunal makes its assessment of the person's disability. With an emergency control assessment, an appeal panel would have to undertake a reassessment. Given that that is the only practical way, is it not just as good to allow the disabled person who wishes to become an instructor to take the assessment again, as the Act provides?

Sir John Hannam: My hon. Friend is correct. We have provided for the failed potential driving instructor to come back within a reasonably short period if he or she feels, as we often feel in similar circumstances, that the judgment was wrong. We must create in the Bill fair treatment for potential disabled driving instructors, but, at the same time, ensure that we do not land ourselves with a litigious process which would not work in the long term.

Disabled candidates may rehearse the same arguments over and over again. Many of us, in dealing with our constituents in other matters such as disability allowances, come up against people who rehearse the same case over the years. They feel aggrieved that they do not receive mobility allowance or whatever allowance they wish to claim. We perhaps can see clearly from the first instance that their entitlement is not necessarily established.

If the Bill granted a statutory right of appeal against the decision of the assessor of emergency control, it would be difficult for my hon. Friend the Minister for Roads and Traffic to resist pressure to amend the existing legislation to grant the same rights to all people to appeal against the decisions of driving examiners in connection with the ordinary driving test, vocational driving tests, the approved driving instructor practical tests and the periodic check tests of registered instructors. I submit that there would be no end to the differences of opinion between examiner and candidate.

I am sure that, in discussing the matter today, the House does not wish to question the objectivity and professionalism of the Department of Transport driving examiners. Nor do we wish to question the integrity and objectivity of the driving advisers who would conduct the

[Sir John Hannam]

emergency control assessment. Anyone who goes to the centre will soon come to admire their integrity, expertise and professionalism and the humanitarian approach that they take to the job that they do.

To introduce the concept of a statutory right of appeal against what must be matters of professional opinion could lead to a proliferation of appeals tribunals or something similar. Given that the assessment could not be replicated, the tribunal could do no more than require that the test be taken again. That is what we have provided for in the Bill.

There is nothing in existing legislation or in the Bill to prevent a person from taking a test or assessment again. A statutory appeals procedure is not necessary to provide that opportunity. The Bill enables a disabled person to apply for reassessment, although six months must elapse before a further assessment may be undergone at that person's request.

The six-month period is intended to prevent time wasters who have no realistic chance of satisfying the emergency control assessor. Without the six-month minimum period between assessments, such time wasters might be encouraged to seek more frequent assessments, especially because there will be no fee for that assessment.

The most that the third party could conceivably do when faced with what amounted to differing opinions on emergency control ability would be to order a reassessment. We can agree that the third party could not reach a judgment and would have to order a reassessment. If the arbitrator ordered a reassessment, unless the assessor of emergency control had acted perversely—that is an unlikely event—the outcome of the reassessment ordered by the third party arbiter would almost certainly be the same as that which occasioned the appeal in the first instance.

I submit that the assessment of emergency control is essentially black and white. The disabled person will either be able or unable to exercise the necessary control. That will be perfectly obvious during the test. In most, if not all, cases, I am sure that the disabled person would be in no doubt about whether emergency control was demonstrated. If the car finishes up in the trees, he has not done the job and knows that he has not passed. It is as simple as that. So I am sure that the House agrees that disabled people are not being disadvantaged by the Bill's not containing a statutory right of appeal against the decision of an assessor to refuse to grant an emergency control certificate or in cases where the assessor revokes an existing certificate.

In practice, there will be few cases of doubt. The assessment that was the subject of appeal could not be replicated. The best that a statutory right of appeal could provide would be the power of a third party to order a reassessment. The Bill already provides for a disabled person to apply for reassessment and that person would already have received in the refusal full reasons why he had been refused his emergency control certificate.

We would not want to do anything under the Bill that offered the prospect of statutory rights of appeal against decisions of professional Government officials in respect of driving tests or in the execution of the practical aspects of the approved driving instructor examination. The sensible thing is for the aggrieved candidate to take the test again. That is what many hon. Members will have had to do before tearing up their L plates. That is what underlies the lack of a statutory right of appeal in the existing legislation governing driving tests and the driving instructor examination. That is why I omitted from the Bill a statutory right of appeal against the judgment of the assessor.

11 am

My hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) spoke about the medical aspects of the system. A disabled person might want to appeal against the period specified by the assessor in the emergency control certificate after the end of which that person should undergo a further assessment, which is set when there are doubts about a deterioration in that person's condition. Secondly, an appeal could be lodged on the modifications to the vehicle that the assessor considers necessary for the purpose of giving driving instruction. Essentially, those decisions are based on medical questions and the assessor's decision will be informed by the extent and nature of a person's physical disability.

In most cases, it is anticipated that disabled people applying for an emergency control assessment will have a stable condition, for example, paraplegia, where there is little or no likelihood of that condition worsening. In those cases, the assessor is unlikely to specify a period after which a further assessment should be undergone. Any worsening in such a person's physical condition, such as to render that person incapable of giving safe driving instruction, would, in those circumstances, be picked up as part of the periodic check testing that all registered driving instructors are required to undergo, as my hon. Friend the Member for Eltham pointed out.

The Bill places a duty on the disabled person, like his non-disabled counterpart, to notify the registrar of approved driving examiners if his physical condition worsens, unless that worsening is expected to be temporary. That duty is laid down under statute.

Any area of dispute about the period after which the assessor specifies that a further assessment should be undergone will arise in those cases where a person is suffering from a progressive illness, which leads to a reduction of physical capacity over time. It is possible to envisage granting a statutory right of appeal to a suitably qualified third party, but disputes about medical conditions are time consuming and costly to resolve. In practice, I do not believe that granting a right of appeal to some sort of independent medical tribunal is necessary.

The assesor will be well versed in the nature of various physical disabilities, whether stable or otherwise, and will have access to medical advice. That advice can come from the candidate's doctor and the Department of Transport's medical adviser. It is difficult to believe that the introduction of a statutory and costly right of appeal to third-party medical opinion would add anything constructive to that informative process.

If the disabled person considers that the assessor has reached the wrong conclusion about the nature or the pace of the progressive disability, it is open to him to produce medical advice to counter the assessor's conclusion. The assessor can then refer that advice to the Department of Transport's medical adviser. There will be a few cases where there is a marked difference of opinion, but I believe that the matter will be best resolved between the disabled

person, advised by his medical practitioner, and the Department's medical adviser, without a statutory right of appeal to a medical third party. I hope that the House will agree with me that a statutory right of appeal against decisions of the assessor, for the purposes of the emergency control certificate, relating to the rate of progressive illness would be inappropriate and unnecessary.

That leaves the last possible area of appeals—those made against the decision of the assessor on the modifications to the vehicle, as specified in the emergency control certificate. This is a specialist area and it should be left to the professionalism and expertise of the driving adviser of MAVIS who will conduct the assessment. In practice, I am sure that a disabled person who is determined to become a registered driving instructor would not reasonably object if the assessor specified a modification that the disabled person was not persuaded was wholly ncessary.

Although I do not support the concept of statutory rights of appeal, disabled registered driving instructors will enjoy the same statutory rights of appeal against decisions of the registrar. The existing legislation provides that statutory right against decisions such as the removal of a person's name from the register. Those appeals are considered by appeals tribunals which make recommendations to the Secretary of State for Transport. My Bill, which deals solely with the emergency control certificate, does not change that process.

I hope that my hon. Friend the Member for Eltham, with his wide knowledge as a former transport Minister, will accept my arguments and will feel able to withdraw his new clause. I assure the House that full consideration will be given in another place to the other points raised during the debate. I would therefore ask the House not to accept the new clause.

Ms Walley: I congratulate the hon. Member for Exeter (Sir J. Hannam) on his Bill, which has been subject ot considerable consultation throughout all its stages.

The hon. Gentleman has given us a thorough and comprehensive resumé of the existing safeguards in the Bill. The Opposition do not want to be classified as time wasters, to whom the hon. Gentleman referred, so I shall merely say that we have every confidence in the reply that the hon. Gentleman gave to the hon. Member for Eltham (Mr. Bottomley).

Mr. Peter Bottomley: With the leave of the House, I shall reply to the debate.

We have already agreed that we will all meet MAVIS at Crowthorne in June at the mobility road show.

The hon. Member for Stoke-on-Trent, North (Ms Walley) has shown today, as she did on Second Reading, that she has gone into the details of the Bill. I know that she supports the Bill and we appreciate that the close work she has done with Lord Ashley is in the interests of people who are overcoming disability.

Although my hon. Friend the Member for Exeter (Sir J. Hannam) said that he could not support new clause 4, I believe that some of his remarks lend support to an amendment that I hope will be discussed later today.

I am in a slight dilemma. If the estimate of the number of cases of appeal against refusal of the emergency control certificate came to 20, I calculate that my hon. Friend the Minister would be able to handle them personally at the rate of less than one a fortnight. I do not believe that anyone should have any doubt that that is not a matter of bureaucracy, but political judgment. My hon. Friend is well capable of making such a decision. If my hon. Friend is able to go to Crowthorne once a fortnight or once a month and went to one of the other mobility advice centres on the alternate fortnights, many would be persuaded to join him there, especially the media, who have done so much to help disabled people understand that they can get out and about, That would lead to even more barrier jumping.

You were kind, Mr. Lofthouse, when you did not call me to order earlier and I believe that I have an apology to make to my hon. Friend the Member for Hertfordshire, North (Mr. Heald) because I was guilty of a degree of political incorrectness. I am sorry I described him as I did, but it was meant as a term of praise and endearment. If he does not want to be called a radical whatever—[HON. MEMBERS: "Turk."] I shall call him a moderate Conservative with overwhelming arguments.

If I have exaggerated the scope of the problem, it was well worth raising that apprehension now, rather than after the Bill has proceeded through the House. The most important thing to remember is that the assessors are doing all that they can to try to help people gain the capability, if they do not have it already, to execute an emergency controlled stop of a vehicle under their control. Most people will clearly be able to obtain a certificate without difficulty or they will not obtain one at all. I suspect that the numbers of people on the margins will be small as this is a bi-polar issue—either people are capable or, quite clearly, they are not. The number of occasions when there will be doubt will be small.

I disregard some of the arguments that have been advanced as I do not think that they carry weight. One argument that is valid involves someone at the margin who wants to become a professional driving instructor, when there should be no doubt. In those circumstances, a wait of six months—or whatever period is considered suitable subject to future amendments—is reasonable. Although my heart is with my hon. Friend the Member for Worcester (Mr. Luff), my head is with my hon. Friend the Member for Hertfordshire, North. The arguments advanced by my hon. Friend the Member for Exeter were overwhelming. Therefore, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 5

APPLICANT'S RIGHT TO ON-SITE MEDICAL EXAMINATION

'. Any applicant may, after giving notice of not less than three weeks, undergo a further medical examination at the site of his assessment centre undertaken by a doctor or qualified medical practitioner approved by the Driver and Vehicle Licensing Agency.'—*[Mr. Peter Atkinson.]*

Brought up, and read the First time.

Mr. Peter Atkinson (Hexham): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to take the following amendments: No. 16, in clause 1, page 2, line 38 at end insert—

'(7A) On production of a medical certificate by a doctor approved by the Driver and Vehicle Licensing Agency, any person previously recorded as disabled under section 125A(1) of this Act may apply to have the details of his disability

[Mr. Deputy Speaker]

removed from the register, and from his driving licence, and be notified by the relevant authority that such removal has taken place.'.

No. 18, in clause 1, page 4, line 37 at end insert

'or

(c) submit himself to any relevant medical examination as may be prescribed by regulations.'.

No. 20, in clause 3 page 6, line 35 at end insert

'and—

(c) a medical certificate from a qualified medical practitioner approved by the Driver and Vehicle Licensing Agency detailing every relevant disability or prospective disability.'.

Mr. Atkinson: The hon. Member for Hammersmith (Mr. Soley), on a point of order, questioned the motives of some of us for taking part in today's debate on the Bill. I may think that the hon. Gentleman's Bill about the press is an iniquitous attempt to censor it, but I am speaking today because I have a specific interest in the disabled.

My constituency contains Hexham hospital, which is the regional centre for spinal injuries for the whole of the northern region. Therefore, I see at first hand the effects caused, particularly to young people who are seriously injured in road and industrial accidents. They frequently come into town so we see how their recovery progresses and how people with appalling, crippling injuries can become much fitter and restored. The sort of measure proposed by my hon. Friend the Member for Exeter (Sir J. Hannam) provides exactly the opportunity that such people need to find a different job. Therefore, I warmly welcome the Bill, which removes another barrier to the disabled.

Mr. David Lidington (Aylesbury): My constituents live side by side with the Stoke Mandeville spinal injuries unit. Constituents of hon. Members on both sides of the House will regard the Bill of my hon. Friend the Member for Exeter (Sir J. Hannam) as providing important new opportunities to disabled people. I think that our constituents, as well as hon. Members, will resent some of the insinuations contained in the remarks by the hon. Member for Hammersmith (Mr. Soley).

11.15 am

Mr. Atkinson: I agree with my hon. Friend, and appreciate that, as he has the Stoke Mandeville unit in his constituency, he has even more experience of what happens than I do.

One of the problems that people face on their way to recovery is that of their future. Many of them receive compensation for industrial and motor accidents, but life looks bleak unless they can find something worth while to do. That is why the Bill is so good, and why I largely support it. The only purpose of my amendments is to seek clarification on one or two issues.

I join in the congratulations to the Department of Transport, whose officials have clearly been extremely helpful. We often forget their role. The input of those at the disability unit must be particularly warmly welcomed by those of us who have sought their advice. I hope that my hon. Friend the Minister for Roads and Traffic bears in mind my kind words when I come to him seeking a new bypass in my constituency.

The purpose of the new clause and the amendments is to seek clarification about the role of the medical assessor when granting disabled people licences to become driving instructors. Had I gone to MAVIS, who has been mentioned a number of times, my questions would have been answered. I was interested to read the report by the Standing Committee on the Bill and the remarks by my hon. Friend the Member for Exeter about MAVIS I must make an effort to go down to see her for, if no other reason than to eat the rock cakes, of which I am particularly fond, and which my hon. Friend mentioned on Second Reading.

One of my problems relates to when an applicant has a licence granted to him as a disabled driver some time after he visits MAVIS seeking the certificate to become a driving instructor. I am not sure how up to date the medical advice needs to be. The problem is that a disabled driver's licence could have been issued some time ago, and when he arrives at MAVIS his licence could be old and his condition could have deteriorated. The assessor who grants the emergency control certificate will have to make some form of medical judgment about the person seen on the day. I was trying to find out about the advice that the assessor would have in order to make that judgment. I see that on Second Reading it was said that the assessor would have access to medical advice, but I should like to know more about that advice.

New clause 5 gives the applicant the right to claim an on-site medical assessment provided notice is given. I floated that suggestion because it is important that if there were a dispute about the disabled person's condition, that person should be able to turn to an approved medical adviser and doctor for representation on the day. That might overcome some of the problems.

I also want to explore the medical qualifications of the applicant's assessors. They will clearly be skilled in driving and driving instruction. I am anxious to know more about their medical background. That matter was raised a number of times in the Second Reading debate, which was brief, and in Committee, which was also brief.

On Second Reading my hon. Friend the Member for Woodspring (Dr. Fox), who is not present, talked about regular retesting and I think that the duty to disclose further disability was mentioned. A disabled driving instructor with a progressive condition has a duty to reveal that to the authorities. However, if someone makes a living from instructing—and given that being disabled makes earning a living harder—clearly, it would not be to his advantage to reveal that his condition was deteriorating, even if he had an obligation to do so. There is regular retesting, but I should like to know the length of the intervals before which the person with the licence is required to return for a test. Obviously, that would depend on the disability. In some cases, it might be advisable for a person to be retested every three months, but for others it might be necessary only every year, which I believe is the maximum allowed.

My other amendments follow the same line in that they require an applicant to provide a medical certificate. They also require that when the DVLA grants a licence, it can insist that the successful applicant returns for regular medical tests. I tabled the amendments because I was not sure whether the Bill covered this point—at least, I could not see it in the Bill. It seemed to me that the Bill perhaps leaves it too much to the disabled instructor's own volition to come forward. Of course, if he does not, he will commit an offence; but I thought that my provision was in the interests of public safety.

One of the other amendments deals with wiping the medical record clean, on medical advice, if a person is cured of his disability. This relates to amendments in a different group by means of which I have sought to incorporate notes of the disability in a record. It will of course be important to note the nature of people's disabilities so as to know whether their condition is likely to get worse. Nevertheless, if a disability has cleared up or disappeared, the record of it should be expunged.

These are certainly technical amendments, designed to illicit some clarity. I hope that my hon. Friend the Member for Exeter will be able to shed some light on this subject. I reiterate that I believe this to be a worthwhile Bill. My hon. Friend deserves great credit for it, and I wish it an easy passage into law.

Lady Olga Maitland (Sutton and Cheam): I warmly welcome the Bill, the more so because I know of the deep commitment of my hon. Friend the Member for Exeter (Sir J. Hannan) to getting a fair deal for disabled people in all walks of life.

We all feel a sense of involvement in trying to help disabled people. In my constituency, I have meetings with the Sutton Disabled Association and I know how strongly its members feel that they should have access to all the jobs that able-bodied people have. I am sure that they think that they should be able to become driving instructors, too. A cousin of mine has no hands, but he drives around very deftly. Why should not he be an instructor?

I sympathise with new clause 5. It is important to accord a high priority to a rigorous health examination. That in no way demeans the disabled person. Disabled people do not seek positive discrimination, and it should be clear to all that they are wholly capable of becoming not just drivers, but driving instructors. If there is any doubt about a person's medical condition, he should have the right to ask for a further examination to prove that he is perfectly capable of the task. Likewise, his medical condition should be regularly assessed; we should not rely on his revealing whether he is fit to become a driving instructor.

The Bill can achieve a great deal. It is important to remove all elements of doubt about people's ability to become instructors. After all, learner drivers need to feel confident that their instructors are as capable as able-bodied drivers. That is why this group of amendments deserves serious consideration.

Again, I wholeheartedly congratulate my hon. Friend on the Bill. It is long overdue.

Mr. Peter Bottomley: I am pleased to follow my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland), and I apologise for having to speak now with my back to her—one cannot face in both directions at once, unless one is a better politician than I am.

I hope that my hon. Friend the Member for Hexham (Mr. Atkinson) will allow me to speak against his new clause, although I should point out that his remarks may have made it possible to hold truncated debates on other groups, because he ranged widely over the issues.

The test of the assessment should not be whether a driver can make an emergency stop. Any driver needs to be able to do that. The question is whether a supervising driver can bring a vehicle to a controlled stop if the trainee gets out of control. The nearest analogy that I can think of would come from the occasional campaigns to require new drivers and experienced drivers to be extensively eye-tested. Of course, the real test is whether they can see what they need for driving—can they read a number plate at the specified distance? That should show whether their eyes are working well. Eyesight is not usually the key factor in crashes anyway. It is often young people, who have the best eyes, who have the most frequent and the worst crashes.

The point at issue, I repeat, is whether the person will be able to bring the vehicle to a controlled stop. I do not see how medical examinations are relevant to that. Passing or failing such examinations will not necessarily help. The only instance in which an examination would help is when people have disclosed the fact that they have a condition that is predicted to get worse. Some of the other provisions of the Bill may then be used to ensure that they present themselves for retesting.

I shall be interested to hear what my hon. Friend the Member for Exeter (Sir J. Hannam) has to say in response. I recommend that we stick to the practical question: will the driving instructor actually be able to bring the vehicle to a controlled halt?

Mr. Heald: The Bill deals with people whose driving licences are limited under section 92(5)(b) of the Road Traffic Act—people who require a vehicle of a particular construction or design to be able to drive safely. The sort of people who have a medical condition that is likely to deteriorate over a fairly short period are usually dealt with under section 92(4)(b)—the section in which the Secretary of State must not refuse to grant a licence

"on account of any relevant disability which is prescribed for the purposes of this paragraph . . . if the applicant satisfies such conditions as may be prescribed with a view to authorising the grant of a licence to a person in whose case the disability is appropriately controlled".

If a person's condition is deteriorating, the Secretary of State is entitled to impose particular conditions on his driving licence to take account of that. Is it not true that most of the people covered by the Bill will not have deteriorating medical conditions—at least not to any great extent? Will they not mostly be people with stable conditions who need a car that has been adapted?

Mr. Bottomley: I agree. That was most helpful.

Sir John Hannam: The new clause and amendments all relate to medical examinations or changes in medical circumstances. I hope to be able to persuade the House that they are not necessary.

The Bill takes the driving instructor approval process onto new ground—to include disabled instructors. As well as the requirement to hold a full driving licence, an applicant will need to get through the three stages of the qualifying examination: the written theory test, the test of driving ability and, finally, after a training period, the last practical test. That applies to everyone becoming a driving instructor, and the same conditions will apply to a disabled driver who has to satisfy all the requirements. The Bill takes us into new ground under clause 3, where we have assessment of the ability to control a motor vehicle in an emergency, so that the necessary emergency control certificate can be issued. Assessment of a disabled person's competence to take control of a moving vehicle is not a medical assessment of that person's condition.

11.30 pm

A disabled person's medical condition will be relevant only in so far as it impinges on his ability to control a vehicle in an emergency situation while giving instruction, as my hon. Friend the Member for Eltham (Mr. Bottomley) pointed out, with or without the additional modifications to the vehicle that may be necessary.

The assessment of emergency control proposed in the Bill will not be a medical assessment. The disabled person, whatever his medical condition at the time of assessment, will be required simply to demonstrate the necessary emergency control. If the disabled person can satisfy the assessor on that, he will be issued with a certificate which will enable him to apply for registration as an approved driving instructor, assuming that he passes all parts of the examination.

The new clause envisages a potential disabled driving instructor undergoing a further medical examination at the assessment centre. Why "further", given that the emergency control assessment will not entail a medical examination? If the disabled person can demonstrate satisfactorily to the assessor that he can exercise emergency control, the person's medical condition is relevant only, first, in respect of what additional modifications to the vehicle, if any, the assessor may specify in the emergency control certificate and, secondly, the time period, again if any, after which the assessor considers the person should undergo a further assessment of emergency control ability.

There is no medical examination, only an assessment of the condition of that person, and when he may be required to be brought back again for another assessment.

In reaching his view on those aspects of the emergency control assessment, the assessor will use his professional and specialist knowledge of the sorts of vehicle modifications that are available to assist a disabled person give safe driving instruction. Where a disabled person has a progressive illness that reduces physical capacity over time—that will apply in some cases—the assessor will, if needed, have access to medical advice from the Department's medical adviser at the DVLA, and the Bill places on the applicant a duty to disclose such details of his physical disability as the Secretary of State may require. If, in the rare case, the assessor considers it would be helpful for the applicant to undergo a medical examination, he can inform the applicant accordingly, and request, but not oblige, the person to have the examination and to inform him of the outcome, before finally making a decision on the details of modifications. In that case, the medical examination is aimed purely at arriving at the right kind of modification needed for the vehicle to be used by the disabled driving instructor, or for the time period to be specified. Therefore, the new clause is not required because we are not carrying out medical examinations and do not need to do so at the time of the assessment.

Amendment No. 16 appears to be designed to allow a previously disabled person who has taken advantage of the Bill, but is no longer disabled, to become an unrestricted driving instructor, and also, rather bizarrely, to have details of the disability removed from his driving licence. The Bill is designed to enable physically disabled people who meet the conditions to become driving instructors, but with the limitation that they can give paid driving instruction only in a vehicle and class covered by the person's limited driving licence. In practice, that means automatic cars with any additional modifications, which will be specified in a certificate. The Bill is not designed to deal with those who, for whatever reason, are no longer suffering from a relevant or prospective disability.

If a previously disabled person, who is registered as a disabled driving instructor, wishes to have that restriction removed from the register, the person must first obtain a full driving licence in the normal way. In other words, if a person who has recovered full physical capacity, such that his driving licence need no longer be limited by virtue of the earlier disability, there is nothing to prevent that person from taking and passing the driving test in a car fitted with manual transmission, and thereby obtain a full driving licence.

The production of a medical certificate, as envisaged by the amendment, will not be sufficient to change his driving licence in any material way. While there may be circumstances where limited improvements in physical capacity are such that certain restrictions may be removed from the driving licence, existing driver licensing regulations cater for such circumstances. There is no need for such a provision in the Bill.

If a previously disabled person obtains a full driving licence, that person can apply to the registrar for inclusion in the register under the terms of the existing legislation governing able-bodied driving instructors. The person would no longer meet the conditions proposed in the Bill. In practice, it is highly likely that a previously disabled registered driving instructor would wish to apply for unrestricted registration, since that would enable him to offer his instructional services to a wider market. There is no need for that to be enshrined in legislation in the way that the new clause proposes. Therefore, I hope that it will not be pressed to a vote.

The Bill provides that a disabled person may be included in the register of approved driving instructors, on condition that, at any time, he submits himself to a further emergency control assessment and a test of continued ability of fitness to give instruction. That applies also to able-bodied instructors, as at present. Amendment No. 18 speaks of a "medical examination". What matters is the ability to control a vehicle of a class covered by the driving licence, with any additional modifications, which may be specified. It is that emergency control ability, and general driving ability, which concern the registrar. If the registrar requires a registered disabled instructor to undergo a further emergency control assessment because, for instance, the person had notified the registrar that his disability had worsened, as he would be under a legal duty to do, it would be the outcome of that assessment which interested the registrar, not the outcome of any medical examination.

If, on a reassessment of emergency control, the assessor is no longer satisfied that the disabled driving instructor can exercise the necessary emergency control, the Bill provides for the certificate to be revoked. On receipt of notification of recovation, it will be an offence for the disabled driving instructor to give paid instruction, thereby preserving road safety interests, even though it may take a little longer for his name to be removed from the register. We are covering every possible aspect of road safety. Throughout the whole of the process, a medical examination is not relevant.

Amendment No. 20 would be extremely bureaucratic. It would provide some copper plating to minimise or remove the risk of applicants making incomplete declarations as to the nature of their disabilities. We

debated how a disabled driving instructor may want to hold back from giving the necessary information. The amendment would place an unnecessary burden on the disabled person, who would have to incur the cost of acquiring a medical certificate before applying for an emergency control assessment. There is no evidence to suggest that such a measure could be justified on road safety grounds. Most physical disabilities will be obvious and the condition will be stable, for example in the case of paraplegics, and even where the disability is progressive, other provisions in the Bill adequately deal with that.

It is important to draw the distinction between applying for the emergency control certificate and later entry to the register of approved driving instructors. At the time of the certificate assessment, the declaration of disabilities and prospective disabilities will be to aid the assessor form a view as to the nature of any modifications to the vehicle that may be necessary for the purpose of giving instruction, and the time period to be specified after which further emergency control assessment should be undertaken. A medical certificate will not add anything to the assessment of emergency control. The person, whatever his certificate says, will either be able or unable to control the vehicle in the simulated situation. It is as simple as that.

When a disabled person has been included in the register, or when he holds a trainee licence to instruct, he will be under a statutory duty to inform the registrar if he becomes aware either of a relevant or prospective disability that he has not previously notified or of a previously notified disability that has worsened. A person who fails to comply with that duty will be guilty of an offence. On receipt of such notification, the registrar can require a person to undergo a further emergency control assessment. That, again, provides the necessary road safety safeguard.

We have to assume that disabled people are as law abiding as those who are not. The burden on the disabled potential driving instructor, which would be entailed by requiring the production of a medical certificate, cannot be justified, given all the other safeguards in the Bill. I hope that I have convinced my hon. Friend and the House that the new clause and the amendments are unnecessary.

Mr. Peter Atkinson: I am grateful to my hon. Friend. As I said at the outset, this is a popular measure. Because of the time constraints on private Member's Bills, it flew through its Second Reading and Committee stage. One of the consequent disadvantages was that a few points were not fully explained. I am, therefore, grateful that my hon. Friend has dealt so fully with the points that I have raised. He has clarified the position. Therefore, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 1

REGISTRATION OF DISABLED PERSON AS DRIVING INSTRUCTORS

Mr. Peter Bottomley: I beg to move amendment No. 1, in page 1, line 14, leave out

'as that of a disabled instructor'.

Mr. Deputy Speaker: With this, it will be convenient to take the following amendments: No. 3, in page 2, line 18, leave out

'with an indication that he is a disabled person'.

No. 15, in page 2, line 19, at end insert

', and note the relevant disability against the applicant's name.'

No. 5, in page 2, line 32, leave out

'as that of a disabled instructor'.

No. 7, in page 3, leave out lines 33 to 35 and insert

'"a registered disabled instructor" means a disabled person whose name is in the register'.

No. 17, in page 3, line 35, at end insert

', and whose disability is noted against his name on the register;'

No. 8, in page 4, line 26, leave out

'as that of a disabled instructor'.

No. 6, in page 4, line 28, leave out 'a registered disabled instructor' and insert 'registered'.

Mr. Bottomley: As my hon. Friend the Member for Hexham (Mr. Atkinson) said, the House wants to make progress. Therefore, if I say just a few words now, it may not be necessary to deal with all the other amendments that have been selected for debate.

Amendment No. 1 picks up a point that my hon. Friend the Member for Exeter (Sir. J. Hannam) made in an earlier speech. We want to treat people the same, overcome barriers and get rid of discrimination. The new section 125A which, under clause 1, is to be inserted in the Road Traffic Act 1988 contains, in subsection (1)(c), the words

"may apply to the Registrar for his name to be entered in the register as that of a disabled instructor."

The words

"as that of a disabled instructor"

worry me. If we have overcome the barrier, I do not know why the label should be left intact. That is the question that I must put to my hon. Friend. It is possible that the House will not press the issue to a Division. I hope that my hon. Friend will accept the amendment, but if he cannot do so I hope that he will reconsider it before the Bill goes to another place.

11.45 am

On file there will be information about what has happened, but once someone reaches the stage of having qualified as a trainee driving instructor, or as a driving instructor, without qualification, why should we make it a matter of law that that person's name should be entered on the register

"as that of a disabled instructor"?

I have tried to anticipate the answer, but I cannot think of one that is generally acceptable, so that it is a worry. If it were possible for my hon. Friend or the Minister to say whether a fee is likely to be paid for entering the name, whether or not the amendment is accepted, we should know a little more about the response to the debate, if we have one, on amendment No. 2, which deals with the question of a fee, if any.

Perhaps I may trespass on my hon. Friend's patience by looking forward to amendment No. 11, which would change the period of four years to two years and——

Mr. Deputy Speaker: Order. The hon. Gentleman has been a Member of the House for many years. I am sure that he realises that he is dealing with amendments unrelated to those under consideration at present. I hope that he will stick to the ones that we are dealing with.

Mr. Bottomley: I shall say not another word about them, Mr. Deputy Speaker. I would just point out that before you took the Chair there were objections from an hon. Member who thought that we intended to delay the proceedings. I want to put it on record that we are trying

[Mr. Bottomley]

to accelerate the proceedings as fast as we possibly can. I shall not add another word to what I have already said, apart from asking why it is not possible to have the European Community and Commonwealth exemption, which is the subject of amendment No. 12.

Sir John Hannam: This group of amendments can be divided into two—amendments Nos. 1, 3, 5, 7, 8 and 6, tabled in the names of my hon. Friends the Members for Bolton, North-East (Mr. Thurnham) and for Eltham (Mr. Bottomley), and amendments Nos. 15 and 17, tabled in the name of my hon. Friend the Member for Hexham (Mr. Atkinson).

The first group seeks to remove the identification of disabled driving instructors from the register. Although it may appear to be a sensible move, I believe that I can show that it would be unwise to do so. In order to assist those who wish to consult the register of approved driving instructors, separate identification is considered to be necessary so that people who consult the register in order to get driving instruction—possibly from a disabled driving instructor, because they fall into that category—can identify those disabled driving instructors who are authorised to give paid instruction in automatic vehicles only.

If a disabled driving instructor were not identified in the register as such, an able-bodied person who wished to obtain a full driving licence covering cars fitted with manual gear boxes would have his time wasted by approaching that registered instructor. As a result of the Bill, many driving instruction schools will have on their staff disabled driving instructors. Therefore, someone approaching a school to seek driving instruction could find, when it came to the appointment, that the instructor was disabled and therefore able to give driving instruction only in cars fitted with automatic transmission.

Separate identification would also be helpful for disabled people who want to be taught to drive an automatic vehicle by a disabled instructor. We have to accept that the area of activity of disabled driving instructor will certainly concentrate largely on other disabled drivers—people who become disabled through accidents and wish to become licensed drivers of vehicles. In many cases, they will seek out someone with the expertise to understand their disabilities and needs. Therefore, identification is part of the requirement.

Mr. Thurnham: I am not entirely happy about this aspect of the Bill. I cannot understand why my hon. Friend's points could not be covered just by saying that the driving instructor will give instruction only in cars fitted with automatic gear boxes. I imagine that in a country such as America there are more driving instructors who give instruction only in cars with automatic gear boxes than there are driving instructors who give instruction in any car. I am not entirely happy with the idea that we should discriminate between driving instructors who are able-bodied and those who are not, for the purpose of indicating whether they can use a car fitted with an automatic gear box.

Sir John Hannam: I accept that point, which must be considered carefully, but we must also carefully consider the provision of necessary information to people seeking driving instruction.

Mr. Peter Bottomley: The House has a genuine difficulty, which it could spend much time debating. May I put this suggestion to my hon. Friend? Will he consult the chairman and members of the disabled persons advisory committee and their officials to see whether it is possible to have disabled people entered on the register not as "disabled instructor", but with whatever qualification may be appropriate? As my hon. Friend the Member for Hexham suggested earlier, it might be sensible to consider the point in another place.

Sir John Hannam: I should like to pursue my arguments to their conclusion because, to a certain extent, they answer the nature of the concerns that are being expressed about the definition of the entry on the register.

I have dealt with the need to identify the disabled driving instructor on the register so that an able-bodied person can ensure that he does not receive instruction from a disabled instructor in an automatic vehicle and so that disabled people can ensure that they are taught by a disabled instructor in an automatic vehicle.

Separate identification is necessary for enforcement purposes. The Driving Standards Agency enforces the approved driving instructors scheme to ensure, among other things, that people who are getting paid for instruction are registered to do so—that they have valid certificates of registration. A disabled driving instructor, unlike his able-bodied counterpart, will be limited to giving paid instruction in a vehicle of a class covered by his limited driving licence, with the additional modifications for the purpose that the assessor may specify in the certificate. It will be unlawful for a disabled person to give instruction either in a vehicle of a class not covered by his limited driving licence or in a vehicle of a class covered by his limited driving licence but without the necessary modifications as laid down in the emergency control certificate.

To ensure proper and effective enforcement of the conditions that apply to disabled registered driving instructors, it is essential that the register separately identifies disabled instructors. The Bill does not propose the creation of a separate register for disabled driving instructors. The separate identification would be minimal—literally, the letter "R" for restricted or "D" for disabled at the end of the registration number, with an alteration to the certificate of registration to show any modification that the assessor has specified in the control certificate.

Mr. Heald: Is not one of the problems that the way in which the person is entered on the register is the trigger for a host of provisions in the Bill which protect the public on grounds of safety? I am looking at proposed new section 125B(6), which says:

"The entry of a person's name in the register as that of a disabled instructor shall be subject to the condition",

which it then lists, about submitting to further assessments and so on. Without that entry on the register in a different category, there would be no trigger for many of the safety provisions. It is difficult to see, from a drafting point of view, how the mechanism could be triggered in another way. I do not know whether my hon. Friend the Member for Eltham (Mr. Bottomley) has any suggestions about that, but it is difficult to see how it could be drafted effectively in any other way.

Sir John Hannam: This is the crux of the argument. It is a balanced decision. Obviously one does not want the

Bill to be discriminatory, but nor do we want the register to be misleading. The register, and the information on it, could trigger subsequent actions. I should very much like to consider this point again when the Bill is in the other place. At the moment, I should be inclined to advise the House not to accept the amendments and I hope that they will be withdrawn to enable us to reconsider them.

Interestingly, amendments Nos. 15 and 17, which stand in the name of my hon. Friend the Member for Hexham, work the other way, as they would require a description of actual disabilities, which is a problem area. The argument advanced in the amendments is slightly unclear, but my hon. Friend seems to think that including the nature of the disability might be helpful. The registrar of approved driving instructors would have no reason to record the nature of the physicial disability in the register. The nature of the disability is not relevant. All that the registrar needs to know is that the person has a current emergency control certificate and, as long as the disabled person possesses that certificate, that he or she has passsed the qualifying examination as a driving instructor and is a fit and proper person. As long as those requirements are satisfied, that person's name will be entered on the register as a disabled driving instructor.

The entry on the register showing that a person is disabled will be confined to one letter after his or her registration number, so anyone consulting the register would know that a person is disabled and cannot instruct in cars fitted with manual transmission. Separate identification, but not the nature of the disability, is relevant for enforcement purposes, but the nature of a person's disability is relevant to the emergency control certificate. For example, the person may have a progressive illness that leads to increasing loss of physical capacity. In those circumstances, the certificate may specify, as we have already discussed, a period after which the registrar may order the person concerned to undergo further assessment. The currency of the emergency control certificate is relevant to the purposes of the register and not the nature of the disability. I hope that my hon. Friend will not press the amendments.

Mr. Peter Atkinson: My hon. Friend's remarks clarified the matter, for which I am grateful. I had not understood the position from his earlier remarks, but I do now and will not push the amendments.

Lady Olga Maitland: I do not support the amendments moved by my hon. Friend the Member for Eltham (Mr. Bottomley). I fear that he is slightly confused in suggesting that a denoting mark beside a disabled driver's name is a slur on him or her or is some kind of discrimination. It denotes a statement of fact and it is important that people know from the register who is able-bodied and who is disabled. These provisions have a positive element because a disabled person seeking a disabled driver to instruct him could find an instructor who understands his problems and could provide a car adapted for his needs.

There has been a slight misunderstanding about the letter identifying a disabled instructor. It does not make him appear less qualified, but it helps those who would particularly appreciate instruction from such a person.

Mr. Thurnham: I take it that we are speaking to all these amendments, but I thought that my hon. Friend the Member for Eltham (Mr. Bottomley) might have had a little more to say. He spoke only to amendment No. 1.

I am still a little unhappy about the separate register of disabled instructors because there are few other spheres of life in which a disabled person is shown as such on a register, unless he chooses so to appear. People can choose to be registered disabled for employment purposes, but, in this case, as I understand it, it is not a matter of choice. If someone is disabled, he will end up on the register of disabled driving instructors whether he likes it or not.

Lady Olga Maitland: Does my hon. Friend agree that a person's physical capability is enormously important if he is a driving instructor? We are not talking about a disabled clerk, secretary or bank manager. In this case, disability is relevant.

12 noon

Mr. Thurnham: Many issues are relevant, including a person's abilities in other respects. I feel instinctively unhappy about the fact that, whether a person likes it or not, he is to be entered on the register. It is a valuable feature of our society that, in other spheres, people do not have to register as disabled if they do not want to. There has been a great debate about employers meeting quotas in employing registered disabled people. Often employers employ people who are disabled but who do not want to be registered as such. It would be wrong for the House to force people to be registered as disabled for employment purposes.

The Minister for Roads and Traffic (Mr. Kenneth Carlisle): I should like to reinforce what my hon. Friend the Member for Exeter (Sir J. Hannam) said. It is a matter of practicality rather than discrimination. First, one wants to be helpful to people who are looking for driving instruction. If a disabled person wants to learn to drive, it would be helpful for him or her to be able to go through the list of driving instructors and seek out those who they can be confident will be able to teach with a manually controlled car. It is a helpful and practical measure for disabled people who want instruction.

Secondly, we must be aware of the problems of enforcement, an important issue stressed by my hon. Friend the Member for Exeter.

Mr. Thurnham: I am grateful to the Minister for putting it so well. Although it would be a valuable facility for disabled people to be able to choose a disabled instructor because they believe that that would be the best way of receiving instruction, I am worried that the Bill offers no element of choice. A person will appear on the list whether he likes it or not.

Mr. Peter Bottomley: I take the blame for that. The amendment proposes to leave out words, but I should have anticipated the need to include a qualification in the register. We are discussing what the qualification on the register should be. I suggest that it should be "restricted", because the driving instructor is to be restricted in the type of vehicles he can drive, not whom he can teach. It has nothing to do with disability. It is the consequence of overcoming the disability which requires a restriction on the vehicle to be driven. If the Chair will accept a manuscript amendment, I will change the original amendment. If the Chair will not, we shall have to take up time with a Division and require an amendment in another place to add the word "restricted" or, having aired the

[Mr. Peter Bottomley]

issue, we shall have to rely on the good sense of my hon. Friend and those advising him to change the word "disabled" to "restricted".

Mr. Thurnham: That is it in a nutshell. I should be much happier if we were able to consider the matter in that way.

Sir John Hannam: I said that the letter to be considered would be either "D" or "R" for restricted. We can certainly reconsider the issue during the Bill's consideration in another place. It would be unwise to jump in and make a firm decision today.

Mr. Thurnham: I am happy to leave it at that. We have had a useful debate, and my hon. Friend's suggestion would leave everyone satisfied that they could examine a list of driving instructors and find those who are restricted for one reason or another without people being distinguished because of their disability. I should be happy to leave that to my hon. Friend and look forward to the Bill's passage through another place when the issue can be given every possible consideration.

Ms Walley: I do not wish to detain the House unnecessarily, but the debate raises important issues. I endorse the suggestion that there is a valid reason for further discussions with the various disability organisations. The points made about not wishing to discriminate against disabled people are general and should be taken up right the way through the Department of Transport and perhaps by the Leader of the House.

I cannot let the debate end without making one observation. With the exception of the Minister for Roads and Traffic, every hon. Member who has spoken has talked of disabled driving instructors as "he", or male. *[Interruption.]* That will prove to be true if one reads *Hansard*. I should be heartened if the amendment acknowledged——

Mr. Heald *rose*——

Ms Walley: I shall not give way until I have made the point. If we want to outlaw all types of discrimination, we should consider the way in which we use the word "he" in the Bill.

As I said, I do not wish to detain the House unnecessarily. There are many important issues, but we do not wish to contribute to the labelling of or discrimination against any group of people.

Mr. Heald *rose*——

Ms Walley: The hon. Gentleman may catch your eye, Mr. Deputy Speaker, but I do not wish to detain the House unnecessarily.

Mr. Heald: On a point of order, Mr. Deputy Speaker. The word "he" is always used in parliamentary Acts to mean he and/or she under the Interpretation——

Mr. Deputy Speaker: That is not a point of order for the Chair, and the hon. Gentleman knows it.

Mr. Peter Bottomley: On behalf of all the hon. Members who have expressed concern, may I tell my hon. Friend the Member for Exeter (Sir J. Hannam) that his response is very welcome. I am sure that we can find a way to remove any controversy or doubt while retaining the benefits. On that understanding, I shall not press the amendment to a Division. I understand that a manuscript amendment may not be acceptable at such short notice. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Deputy Speaker: We now come to amendments Nos. 2 and 9.

Mr. Bottomley: My hon. Friend the Minister may be able to deal with this matter in one sentence on Third Reading so I do not propose to move the amendments.

Clause 3

ASSESSMENT OF DISABLED PERSON'S ABILITY TO CONTROL A MOTOR CAR IN AN EMERGENCY

Mr. Peter Atkinson: I beg to move amendment No. 22, in line 49 leave out 'six' and insert 'three'.

I shall not detain the House for long. Amendment No. 22 would reduce from six months to three months the time in which an applicant who had failed an assessment could reapply. It seemed on that margin that the six-month period was rather too long, given the importance of someone being able to obtain employment. It would be kinder to allow the applicant to reapply after only three months. I am aware that I may have been considered to be beastly to the applicant in amendments Nos. 15 and 17, so I have been kinder in amendment No. 22. On the margin, I felt that it might be better to reduce the time involved.

Sir John Hannam: It is an interesting amendment about which I thought deeply. The Bill states that a period of six months shall elapse before a further assessment may be undergone. We decided that there would be no fee for the assessment, but if the period between assessments is too short, we should be encouraging time wasters at the expense of the taxpayer. If the period is shorter, it is less likely that there will have been a material change in the person's physical condition, so a shorter period may encourage some people to apply for another assessment when the likelihood is that the outcome will be the same.

I suggest that we need to see how the provision works in practice. If it transpires that six months is an unreasonably long period to expect disabled people to wait before they can apply for another assessment, regulations can easily be made to shorten the period or to lengthen it if our experience of the operation of the Bill suggests that. I should like the provision to stay in its present form with the six-month period. We should see how things turn out and, if necessary, amend the provision in future. On that basis, I hope that my hon. Friend the Member for Hexham (Mr. Atkinson) will withdraw the amendment.

Mr. Heald: I am concerned about the six-month gap between taking an assessment and taking a further assessment, given that this is not an area in which there should be a right of appeal. Indeed, thanks to our earlier decision, there will not be such a right. Given that there is no right of appeal, it could be unfair to an applicant to have to wait as long as six months before the next assessment and that might lead to a sense of injustice in those who wish to take the test again speedily. With most vocational qualifications, there is some gap before one can take the test or the examination again, but it is not normally as long as six months. I hope that my hon. Friend the Member for Exeter (Sir J. Hannam) will be prepared to

consider the matter again. We do not have to push the matter to a Division today. Six months is rather a long time to wait for such reassessment, so I hope that the point can be considered again.

Sir John Hannam: By leave of the House, Mr. Deputy Speaker. I hope that I have made it clear that we shall have to look at the matter in the light of experience. No one is sure what the correct period is. With other forms of disability allowance, there are periods after which one can reapply. All that we can do at this stage is to take a period that seems to be reasonable and sensible. If necessary, it can be changed by regulation in future.

Mr. Peter Atkinson: I hear exactly what my hon. Friend the Member for Exeter (Sir J. Hannam) says and I am grateful for his assurance that when the Bill comes into force, the practice will be examined to see whether the time scale needs to be reviewed. On that basis and as I see the hon. Member for Hammersmith (Mr. Soley) waiting to proceed with his iniquitous Freedom and Responsibility of the Press Bill, I shall not detain the House. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule

RELATED AND CONSEQUENTIAL AMENDMENTS

Mr. Thurnham: I beg to move amendment No. 11, in page 12, line 6, leave out 'four' and insert 'two'.

The amendment is designed to reduce the restrictiveness of the Bill. We have too many burdens on enterprise as it is. A new Domesday book has been produced by my hon. Friend the Under-Secretary of State for Corporate Affairs who is responsible for deregulation. I have seen the book —I believe that a copy has been deposited in the Library —so I know that it is about 4 in thick. It lists all the burdens and restrictions on individuals and on enterprises. If people want to earn a living as a driving instructors, we should remove the restrictions as far as we can.

12.15 pm

Although the Bill is extraordinarily valuable and helpful in opening up an opportunity for people to earn a living as driving instructors when they have not been able to do so before, it contains various restrictions. I do not know whether my hon. Friend the Under-Secretary of State for Corporate Affairs has seen the Bill yet. No doubt it will be added to his Doomsday book of regulation. I should be grateful if my hon. Friend the Member for Exeter (Sir J. Hannam) would give some consideration to an amendment which is designed to make life easier.

I do not know where the period of four years came from. I do not know whether the four-year period relates to provisions in existing legislation. Perhaps it could be relaxed somewhat to a period of two years, which would shorten the period in which someone is restricted. Perhaps my hon. Friend the Member for Exeter will consider that point so that we can amend the provision either now or in the other place. I am glad that my hon. Friend the Member for Eltham (Mr. Bottomley), who tabled the amendment with me, is now back in the Chamber. He may want to comment briefly on whether he is happy for the period to be reduced from four years to two years. Alternatively, there may be further discussion during the proceedings of the Bill.

Sir John Hannam: This is rather strange. We had an earlier debate because of concern that we might discriminate against disabled drivers through an insistence on a distinguishing letter after their entry in the register, yet the amendment would create a form of discrimination against disabled drivers. The arrangements in the Bill are the same as the normal arrangements for non-disabled drivers. When one is registered, one has four years of registration. After that, registration lapses unless one continues to apply. The amendment seeks to deprive disabled drivers of the four-year and to replace it by a period of two years, after which they have to reapply. It would be unreasonable to penalise disabled drivers in that way. The amendment reflects a misreading of the Bill and it would discriminate against disabled drivers. I ask that the amendment is not pursued.

Mr. Thurnham: I beg to ask leave to withdraw the amendment.

Amendent by leave, withdrawn.

Mr. Peter Bottomley: I beg to move amendment No. 12, in page 12, line 51, at end insert—

'(g) that he is disqualified in another Member State of the European Community or in a Commonwealth country.'.

I should also be grateful to be told why a qualification obtained in another European Community country or in another Commonwealth country might equally not be acceptable.

Sir John Hannam: I am not at all clear why we should wish to amend the Bill as my hon. Friend the Member for Eltham (Mr. Bottomley) proposes. The schedule does no more than mirror the provisions of the Road Traffic Act 1988 which prevent someone who is disqualified from giving paid instruction or from holding a trainee licence. The existing legislation does not require such people to be removed from the register or to be barred from entry to it if they have been disqualified in a European Community or Commonwealth country. Nor does the existing legislation prevent an able-bodied person from obtaining or holding a trainee licence if that person is disqualified from driving in an EC or Commonwealth country.

Why should a disabled driving instructor or a trainee licence holder be subject to such constraints? How is the registrar to find out whether a disabled person has been disqualified in one of those countries? There is as yet no common driving licence record system covering all those countries, so there would be no possibility of implementing the amendment.

However, if it comes to the registrar's notice that a disabled person or an able-bodied person has been disqualified from driving in any country in the world, it is open to him to consider that fact in deciding whether the person is otherwise a fit and proper person for the purposes of registration as a driving instructor or as the holder of a trainee licence to instruct. The Bill and the current legislation do not specify what factors the registrar should take into account when determining whether a person is a fit and proper person. That is the best way in which to deal with the intent that lies behind the amendment.

Mr. Clive Soley (Hammersmith): The hon. Member for Exeter (Sir J. Hannam) says that he does not know why Conservative Members want to amend his Bill. Let me

[Mr. Clive Soley]

assure him absolutely and categorically that his Friends have no intention of amending the Bill, and will withdraw this amendment just as they withdrew the previous one.

Mr. Thurnham: On a point of order, Madam Deputy Speaker. The hon. Member for Hammersmith (Mr. Soley) has not been here for the debate. Genuine points have been made and only a few minutes ago we agreed that the Bill should, indeed, be amended—if not by manuscript amendment immediately, in the other place.

Madam Deputy Speaker (Dame Janet Fookes): That is not a matter for the Chair, although it may be a point of substance.

Mr. Peter Bottomley: On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: I hope that it is, indeed, a point of order.

Mr. Bottomley: When an accusation is made against an hon. Member, there are ways of dealing with it—by rebuttal, for example. If the same rules applied in the House as might come into effect if the hon. Gentleman's Bill were passed, I could claim an equal right to reply. I could go to a statutory authority and take the hon. Gentleman to court, and I suspect that he would lose his licence to be a Member of Parliament and to make factually inaccurate points in the Chamber.

Madam Deputy Speaker: I used to be a teacher, and I somehow feel that I have a class of small boys in front of me. Let us move on.

Mr. Soley: I am inclined to agree with you, Madam Deputy Speaker, and I am grateful to you for your protection. I merely wanted to give the hon. Member for Exeter the absolute assurance that there is no intention to amend the Bill. I knew that to be the case some time ago.

Mr. Luff: That is not true.

Mr. Soley: There is no intention to amend the Bill in this House and at this time. As the hon. Member for Exeter knows, his hon. Friends' purpose is to create problems for the Freedom and Responsibility of the Press Bill, and they will withdraw their amendment in due course.

Mr. Luff: On a point of order, Madam Deputy Speaker. Can you clarify whether it is in order for an hon. Member who has not been present during the debate and who has not heard the arguments advanced by Conservative Members to cast totally false aspersions on those hon. Members' attitude towards the legislation in question?

Madam Deputy Speaker: That is not a point of order for the Chair. The occupant of the Chair is not responsible for the wisdom or otherwise of the words that are uttered, and that is a fortunate thing.

Mr. Peter Bottomley: I proposed to respond to the points made by my hon. Friend the Member for Exeter (Sir J. Hannam) in his reply to my amendment No. 12. The House will recall that we were interrupted when the hon. Member for Hammersmith (Mr. Soley) made the assertion that the amendments that had been tabled were not serious. I did not press amendment No. 1, because, as any hon. Member who was present will have heard me say —the hon. Member for Hammersmith was not present and will not have heard me—I wanted to avoid the amount of time that a Division would take. It is the understanding of the House that my proposal will be accepted. I see every prospect of the word "disabled" being changed to the word "restricted", although—for reasons which we would not be given if we asked for them—my manuscript amendment was not acceptable to the occupant of the Chair.

What the hon. Member for Hammersmith came in to say was wrong. I regret that, and I suspect that, when the hon. Gentleman reads *Hansard*, he will regret it. I shall not try to insist on an apology because it is better to deal with such matters by controversy rather than by using a sledgehammer to crack an hon. Member for Hammersmith.

My hon. Friend the Member for Exeter has used the historic negative argument against amendment No. 12. It would be regrettable if the House and other member states of the European Community allowed the situation to continue whereby I might be disqualified for drink-driving in 11 of the 12 member states of the Community but could still come to Britain and carry on a trade as a driving instructor. That is undesirable. Perhaps it has arisen because of what the Road Traffic Act 1988 did or did not do. As I was the Minister responsible, I take responsibility for an unsatisfactory state of affairs. But there is no reason why, just because something was acceptable to me or to the House in 1988, it should remain acceptable in 1993, when we know more about such matters.

We can deal with the problem relatively simply by asking people for a declaration that they have not been disqualified in another European Community or Commonwealth country. I suspect that, like many other measures to overcome handicap, the emergency control certificate provisions will be copied, just as the orange badge and other provisions have been adopted, in other member states. If we ask people, "Have you been refused an emergency control certificate or been subject to court disqualification?", they will have to answer the questions honestly; after all, we rely on them to answer honestly the questions that are put to them when they first apply for a provisional licence or when they are over 70 and have to give a declaration of medical competence to drive.

Mr. Kenneth Carlisle: It may help my hon. Friend to know that the whole question of how restrictions on driving licences—endorsements—are treated as between common market countries is under consideration. We are trying to find a way in which to address the point that has been raised.

Mr. Bottomley: I accept the Minister's remarks and, in accordance with my earlier approach, I shall seek to withdraw the amendment rather than continuing with the debate that the subject clearly deserves. It might lead to a further eruption from the hon. Member for Hammersmith if we did what the House is supposed to do, which is to rectify what is wrong.

Mr. Thurnham: I do not know what has come over the hon. Member for Hammersmith (Mr. Soley), who conducted himself so well when he introduced his Bill and took it into Committee. Today, he has come here to disrupt proceedings on the Bill before us, and I am baffled why he should do that. If it results in anything, it will result

in there being less time for us to debate his Bill. He has not been here to hear our extremely useful debate. We have agreed—I use the word loosely, Madam Deputy Speaker——

Madam Deputy Speaker: Order. It is all too loose. The hon. Gentleman must look at the amendment under consideration and address himself to that.

Mr. Thurnham: I am delighted to speak to amendments Nos. 12 and 13, which stand in my name and the names of my hon. Friends the Members for Eltham (Mr. Bottomley) and for Worcester (Mr. Luff). Those amendments raise the important question of the relationship between Britain and the European Community, which we have debated at enormous length in recent months. I am not quite clear whether the qualification to which we have referred, which would enable disabled people to become driving instructors, will enable them to do that job throughout the European Community. The amendment should therefore be looked at in both lights: disqualification elsewhere should be a barrier to someone's carrying on here as though nothing had happened, but, equally, the opportunities that my hon. Friend's excellent Bill has provided for people to earn a livelihood in this country should automatically enable them also to earn their living in other member states.

Mr. Heald: One of my concerns about the amendment is that the whole question of road traffic control and the regulation of driving licences has traditionally been dealt with by this House and this Parliament, and not by Europe. I am concerned that the approach that is suggested runs contrary to the principle of subsidiarity because it allows matters within the competence of this House to be dealt with on a Europewide basis. It is wrong for a party that is fighting hard for subsidiarity to suggest that we should consider the matter on a Europewide basis.

Mr. Thurnham *rose*——

Mr. Peter Bottomley *rose*——

Madam Deputy Speaker: Order. We cannot have one intervention on another.

Mr. Thurnham: Thank you, Madam Deputy Speaker. I was a little uncertain about how to cope with both points.

I should like to think that we would have an open situation. If someone is qualified to earn a living in a certain way in this country, that person may expect to be able to earn a living in the same way in other member states in the Community. If someone is a qualified driving instructor in another member state, one would hope that that person would be able to earn a living here.

Although we must consider the issue in terms of subsidiarity, I do not believe that it should be too great a problem. However, I am concerned about the fact that, in many areas, we are much more open than other countries in the Community. Someone can earn a living in this country as an electrician without having to be on a register of electricians. However, if that person goes to France or Germany, he may not be able to trade as an electrician unless he can enter his name on a register.

While an individual from another member state may come to this country and trade without restrictions, some restrictions apply in other member states. I hope that the whole matter can be opened and simplified.

Mr. Heald: Will my hon. Friend give way?

Mr. Thurnham: I wanted to cope with a point from my hon. Friend the Member for Eltham (Mr. Bottomley).

Mr. Peter Bottomley: On the grounds of subsidiarity, it is ludicrous to require someone like my hon. Friend the Member for Hertfordshire, North (Mr. Heald) to take a French driving test before he takes his car through France and, the minute he reaches Italy, require him to take an Italian driving test. It must make sense to have common recognition. It is important to see how far we can remove barriers. If someone wants to teach in different European Community countries, it is as important to have common recognition of a qualification as it is to have common recognition of a disqualification.

Mr. Thurnham: I could not agree more with my hon. Friend's excellent point. If my hon. Friend the Member for Exeter (Sir J. Hannam) responds to the debate, perhaps he will tell us the extent to which he feels that his initiative in this country will open up the situation throughout the Community as a whole.

Mr. Kenneth Carlisle: We have entered a wider field. It is sensible for the House to recognise that the Bill relates to existing legislation. It does not involve wider European issues. As my hon. Friend the Member for Eltham (Mr. Bottomley) said, it is sensible that there should be a degree of uniformity. That would be helpful and we are considering these matters in a wider context. However, the issues are not truly within the scope of the Bill.

Mr. Thurnham: I think that I have covered the points that I wanted to raise at this point and I am happy to leave the amendment as it is.

Mr. Peter Bottomley: I should like to force the amendment to a Division and take up another 20 minutes, but I will not do that. I hope that the hon. Member for Hammersmith (Mr. Soley) will stop provoking us from a sedentary position.

Madam Deputy Speaker: Is the hon. Gentleman seeking the leave of the House to withdraw the amendment?

Mr. Peter Bottomley: Yes, Madam Deputy Speaker.

Amendment, by leave, withdrawn.

Order for Third Reading read.

12.32 pm

Sir John Hannam: I beg to move, That the Bill be read the Third time.

I take this opportunity briefly to pay tribute to all those who have helped to make this Bill possible. We are talking about the removal of another piece of the wall of discrimination against disabled people. Although it will not benefit vast numbers of people, it is a very important step forward.

The barrier against the employment of disabled drivers has long frustrated people engaged in transport. In resolving that problem, I pay tribute to and welcome the support and assistance of my hon. Friend the Minister for Roads and Traffic and the staff of the Department of Transport disability unit who have been instrumental in bringing the various threads together to produce this legislation.

I am also extremely grateful for the support of all members of the all-party disablement group. Over the

[Sir John Hannam]

years, that group has secured a wide range of improvements for disabled people. The quiet, persistent determination of that all-party team has secured many of the steps forward that have been taken. I have no doubt that over the coming years, disabled driving instructors will join the staff of driving instruction schools across the country. I have no doubt that they will prove to be dedicated experts at their jobs, just as disabled workers have proved themselves to be in many other areas of employment.

As the Bill passes to another place, Lord Ashley, my co-chairman of the all-party group, will guide it expertly through its legislative stages there. Our debates this morning have examined in great detail many of the aspects of the Bill that we were unable to discuss on Second Reading due to the truncated debate that we had on that occasion and to the short Committee stage. The advice, opinions and constructive suggestions that have been given this morning through the various amendments that have been discussed will prove invaluable in ensuring that the Bill, when it finally goes through the other place, wil be in the exact form that we should all like to see. Therefore, I ask the House to approve the Third Reading.

12.34 pm

Mr. Soley: I congratulate the hon. Member for Exeter (Sir J. Hannam) on his good Bill. When we spoke about the matter some time ago, he knew that there was a danger that it could be talked out. I made it clear that I would not do anything of the sort because private Members' Bills need some protection. A review of the procedures of the House is long overdue to ensure that hon. Members who have a chance of getting Bills debated have the same sort of protection as Government Bills. We cannot talk out the European Communities (Amendment) Bill and we could not talk out the poll tax Bill. We should not be able to talk out Bills of this sort, and that is important.

At one stage, the hon. Gentleman seemed genuinely worried—I hate to see anyone suffering mental distress—that his hon. Friends would amend his Bill here. Clearly, they did not, and we knew that. I am grateful——

Mr. Peter Bottomley: On a point of order, Madam Deputy Speaker. In the absence of the hon. Member for Hamersmith (Mr. Soley)—undoubtedly, he was briefing the press at the time on what he thought was going on here—we almost carried an amendment which, I suspect, would probably have been accepted by my hon. Friend the Member for Exeter (Sir J. Hannam). The amendment not having been accepted—it was not possible to get it perfect—the hon. Member for Hammersmith should stop repeating things that he has already said which are wrong. They are matters of debate and matters of fact. When an hon. Member has been corrected, it would be a courtesy to the House not to repeat the same repetition on the same day. It would lead to a buzz on a radio programme, but not now.

Madam Deputy Speaker: That is not a point of order for the Chair, but it may well be a subject on which an hon. Member wishes to intervene. But let us be quite clear about the distinction between a point of order for the Chair and an hon. Member seeking to intervene to deal with what he thinks is an inaccuracy.

Mr. Soley: I am grateful, Madam Deputy Speaker. Obviously, I agree with your ruling. The point is that I simply said that amendments would be withdrawn—and they have been withdrawn. The issue is that when one seeks——

Mr. Luff *rose*——

Mr. Soley: I will give way in a moment. The hon. Member for Worcester (Mr. Luff) should stop panicking. *[Interruption.]* I have no need to panic. I am the last hon. Member who needs to panic. When attempts are made to alter a Bill by other methods, that can be applied to my Bill as well. I could make manuscript amendments. Conservative Members have tabled one or two amendments to my Bill which are useful. If they had discussed the matter with me, we could have amended this Bill in precisely the same way. But it is a red herring.

The important point is that Bills such as that of the hon. Member for Exeter are welcome; they should be allowed through. Generally speaking, the Government should stay out of such matters. I am grateful to the Government Whips for telling me that debate on my Bill will start at about 12.30. That is always an indication of some involvement of Government Whips. Given the letters that I have——

Madam Deputy Speaker: What does this have to do with the Third Reading of this Bill? I think that the answer is nothing at all.

Mr. Soley: I submit that it is marginally relevant. But I will leave it to one side and simply say that it is an advantage to be able to debate Bills properly. That is what we should do on all private Member's Bills, so that they have the considered and appropriate response, with genuine amendments of the sort that they may need from time to time. We should not bring the House into disrepute by using it in a way that people outside do not understand.

12.38 pm

Mr. Kenneth Carlisle: I have great pleasure in speaking in the Third Reading debate on this excellent Bill. I congratulate my hon. Friend the Member for Exeter (Sir J. Hannam) on the way in which he has taken it through the House. He answered debates with great clarity, conciseness and knowledge and he introduced a constructive Bill. We all know that over 20 years he has built up a substantial reputation for helping those with disabilities. During the passage of the Bill, he has reaffirmed in the most effective way his commitment to that excellent cause, so he deserves all our congratulations and our thanks.

I am delighted to confirm that the Government wholeheartedly support the Bill. I am glad that it has all-party support. We have had an excellent debate today. I am only sorry that the hon. Member for Hammersmith (Mr. Soley) came in at a late stage with some rather carping remarks which must cast doubt on his judgment in other matters.

I thank the hon. Members who have taken part in the debate today. We all know the record of my hon. Friend the Member for Eltham (Mr. Bottomley) as a progressive and effective roads Minister. He is always too modest about his achievements. My hon. Friend the Member for Bolton, North-East (Mr. Thurnham) has also worked long and effectively on the subject of disabilities. My hon.

Friend the Member for Worcester (Mr. Luff) gave detailed thought to many of the amendments and I thank him for that.

I also thank my hon. Friend the Member for Hertfordshire, North (Mr. Heald), who may not be a radical Turk, but who is certainly capable of clear and precise thinking. My hon. Friends the Members of Chesham and Amersham (Mrs. Gillan), for Hexham (Mr. Atkinson) and for Sutton and Cheam (Lady Olga Maitland) also contributed effectively to the debates, and I thank them for that.

I welcome the Bill because it not only provides employment for those who are disabled—those opportunities should increase as car technology develops—but increases the pool of driving instructors who are able and willing to teach other disabled people. It will give a significant boost to all efforts in that direction.

I am grateful for the interest shown in the Bill, as expressed by the amendments that were tabled. However, I am pleased that the Bill has not been amended today, although I take the point that we must examine the one particular area of specification. I know that my hon. Friend the Member for Exeter will do that and that some changes may take place.

In general, the Bill strikes the right balance. It removes an area of discrimination against disabled people. But also, most importantly, it does not threaten road safety interests, in which, of course, I am most interested. When the Bill is enacted, my right hon. Friend the Secretary of State for Transport will be pleased to make the order to bring the legislation into effect and to make the necessary regulations under the legislation, such as those that prescribe the detailed nature of the emergency control assessment.

The emergency control assessment and the certificate that follows it are at the heart of the Bill because they provide the safety aspect and a statement that someone who is disabled is capable of keeping absolute control of the car. In that respect, I, too, pay my respects to the Mobility, Advice and Vehicle Information Service at Crowthorne, where much of the work and help will be undertaken.

We have heard about the mobility roadshow. The next one will take place later this summer. The work done at the roadshow helps to provide advice to disabled people every day of every week of the year. It has some standard production cars fitted with a wide range of equipment and adaptations. Someone who is disabled can go and find out the exact car to meet his or her wishes. Currently MAVIS assesses more than 400 people every year, so it is at the centre of what we seek to achieve. We are all grateful for its work and we congratulate it on its constructive efforts.

In conclusion, I congratulate my hon. Friend the Member for Exeter on his achievement. It is no less than we would expect from a man of his quality, but this is a happy day on which the Bill has every prospect of entering the statute book.

12.43 pm

Ms Walley: There is no doubt that far more needs to be done to improve the civil rights of disabled people. Important advances need to be made. None the less, we have here a Bill which will bring about some real and much needed improvements for disabled people. It has been adequately steered through its proceedings so far.

I do not wish to detain the House further. We have other important business before us which desperately needs to be debated, as my hon. Friend the Member for Hammersmith (Mr. Soley) has rightly pointed out.

We believe that the Bill offers significant improvements for disabled people who wish to become driving instructors and we look forward to its enactment. I congratulate the hon. Member for Exeter (Sir J. Hannam) on the Bill.

12.44 pm

Mr. Peter Bottomley: The hon. Member for Stoke-on-Trent, North (Ms. Walley) spoke for the House and I support what she said. I congratulate my hon. Friend the Member for Exeter (Sir J. Hannam) on his part in the long-term coalition of interests that has overcome apathy, ignorance and barriers.

The Bill will not affect many people, but it will set them free and give them a chance to earn a living at what they want to do. That chance is as important as providing such people with more opportunities to park a car, which is the merit of the orange badge scheme. The Bill has the same purpose as the register of the disabled has in providing employment opportunities; more needs to be done, however, to adapt that scheme or to draw more people's attention to it.

The Bill must be judged in the context of the work of the disabled persons transport advisory committee, which was driven forward by Department of Transport's disability unit. It is an alliance of people who are unwilling to tolerate injustice in terms of civil rights or the idea of passing by on the other side.

Mobility is a key part of people's lives. It needs to be a matter for legislation where appropriate and debates on the detail of the legislation can be as important as detailed debates on legislation in other areas.

There is a need for a coherent approach, because journeys on the railways, buses and on foot are just as important as those in cars. As long as the House has Members who can reflect the interests of their constituents and sometimes of their families, I suspect that we can do nearly as much as the other place in carrying forward changes. Some changes are possible because of technological improvements or cost reductions. All are known to MAVIS at Crowthorne.

I endorse what my hon. Friend the Minister said and I pay tribute to him for the work that he has done. The fact that, every year, thousands of people will be able to get information and practical guidance on their capabilities from a central point to enable them to live a better life is a marvellous thing.

We have already mentioned the mobility roadshow and I believe that hon. Members should try to visit similar events in their own constituencies, because disabled drivers are often off on tours around the country. It is remarkable how those people, if given half a chance, take for granted what we take for granted. That is where the coherent approach shows its benefits.

More needs to be done, and the Bill is a step along the way. The House will be grateful to hon. Members of all parties for their help in bringing the Bill to the statute book.

12.47 pm

Mr. Peter Atkinson: I, too, offer my congratulations to my hon. Friend the Member for Exeter (Sir J. Hannam). The Bill will be warmly welcomed by many disabled people.

We have had a good debate and I hope that my hon. Friend the Member for Exeter does not believe that we have been picking over the bones unnecessarily. The Bill has had a swift passage and the Report stage has given us a great opportunity to obtain further clarification on a number of matters of particular concern.

I am glad to note that the Opposition Back Benches are now filling up, because I am sure that the hon. Member for Stoke-on-Trent, North (Ms Walley) felt rather lonely for most of the debate. I am grateful for her recent contributions because they showed a certain interest in the passage of the Bill, which was lacking before. We have not seen a Liberal Member today—no doubt they are all too busy at Newbury.

I echo what my hon. Friend the Member for Eltham (Mr. Bottomley) said about the Bill helping to enlarge the freedom of disabled people, which is most important. To enlarge the freedom of a vulnerable section of society makes the Bill worth while, unlike the Freedom and Responsibility of the Press Bill, which we are about to debate, which does just the opposite and is designed to censor the British press.

12.49 pm

Mr. Luff: Despite the provocation of the hon. Member for Hammersmith (Mr. Soley) I shall restrict my remarks in the interests of making progress with his Bill as well as the one that we are debating.

There are three reasons for welcoming the Bill. First, it takes a pragmatic approach to the problems of disabled people. Secondly, it will enhance the mobility of disabled people who otherwise might not take driving instruction, but will now feel encouraged to do so by the availability of a disabled person as an instructor. The third reason is the simple ground of justice.

As I think my hon. Friend the Member for Exeter (Sir J. Hannam) would admit, the most important single issue in the sphere of discrimination is the changing of attitudes. In that context, it is important to put on record the healthy and civilised attitude demonstrated by all the professionals involved in driving instruction. I pay tribute to the Motor Schools Association of Great Britain, the Driving Instructors Association and many individual driving schools such as the British School of Motoring and those in my constituency. I had intended to say more about their attitudes but, sadly, and in the interests of making progress with the Bill of the hon. Member for Hammersmith, I am unable to do so.

Mr. Soley: I could be struck by lightning.

Mr. Luff: Do not tempt me. I could say yet more about such schools; I have a lengthy list.

There are two reasons why I am grateful to you, Madam Deputy Speaker, for calling me to speak. First, it is important to put on record that disabled people who see the Bill passed through both Houses of Parliament should not rush to set up driving schools. It is a precarious business and, before they set up schools, they should ensure that there is a market in the district where they are thinking of establishing one. Schools are opening and closing with alarming regularity in my constituency.

I have a serious point to make to the Minister. I have been alarmed at the number of occasions on which general practitioners do not seem properly to have understood the implications of a disability on the qualification of an individual to hold an ordinary driving licence. I want to alert the Minister of the possibility of him and his officials in the relevant agency using disabled qualified driving instructors to provide a second opinion to the general practitioners' opinion for all those people who wish to drive but are disabled and need medical proof of their ability to drive before they can obtain a licence.

I commend the Bill to the House and I congratulate my hon. Friend the Member for Exeter on everything that he has done to enable it to come before us.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Freedom and Responsibility of the Press Bill

As amended (in the Standing Committee), considered.

New Clause 1

EDITORIAL GUIDELINES

'.—(1) Each newspaper shall make available for public inspection at its registered office a copy of any editorial or journalistic guidance provided for the use of its staff.

(2) Such guidance shall be open to inspection during the normal working hours of the company.'—*[Mr. Peter Bottomley.]*

Brought up, and read the First time.

12.53 pm

Mr. Peter Bottomley (Eltham): I beg to move, That the clause be read a Second time.

Mr. Peter Thurnham (Bolton, North-East): On a point of order, Madam Deputy Speaker. Early-day motion 1809, tabled by the hon. Member for Hammersmith (Mr. Soley), was mentioned earlier. The hon. Gentleman has just entered the Chamber and said that he was distressed as the movers of amendments to his Bill should have spoken to him before. I find that an amazing cheek as he had never mentioned anything to me about tabling his early-day motion, which is full of gross irregularities. The amendment tabled to it in the names of my hon. Friends helps to put the record right. But I have received representations from an enormous number of organisations and it is grossly wrong to suggest that I have been approached only by News International. The hon. Member for Hammersmith knows perfectly well that representations have been made from many organisations. I have offered to show him my files. I have in my hand representations from the Newspaper Publishers Association, which included eight newspaper groups. These groups include Associated Newspapers, Express Newspapers, News International, the Telegraph, the Observer, the Financial Times, the Guardian and Manchester Evening News, Mirror Group Newspapers and Newspaper Publishing.

Madam Deputy Speaker (Dame Janet Fookes): How does the hon. Gentleman's point relate to new clause 1, which is the subject of the present debate?

Mr. Thurnham: My point of order relates to the Bill and to the way in which the hon. Member for Hammersmith has tabled an early-day motion regarding my conduct. What it says is grossly wrong. I should like you, Madam Deputy Speaker, to be fully aware of its gross inaccuracies and to make it clear to the House that I do not consider myself to have been used by News International. I have taken advantage of all the representations sent to me. News International is only one of eight newspaper groups that have made representations to me through the Newspaper Publishers Association.

Mr. Clive Soley (Hammersmith): Further to that point of order, Madam Deputy Speaker. This is unfair to you, because it is not really a point of order for you; but if you are considering it as a point of order, you will bear in mind the fact that we are allowed to table early-day motions at the Table Office for consideration by the Speaker when hon. Members are named in them. In my EDM I merely regret what the hon. Member for Bolton, North-East has done. There is nothing morally wrong with it, as I have often said. Indeed, I said that in Committee. All that I am doing is regretting the hon. Gentleman's actions. It would be amazing if we did not regret such things.

Madam Deputy Speaker: I have heard enough to know that this is not strictly a point of order for me. If hon. Members want to raise the point in the course of the debate when it is germane to the new clause or amendment under discussion, I will allow that, but I shall listen with close attention and jump from a great height on anyone who speaks irrelevantly.

Mr. Peter Bottomley: I draw an analogy with "Erskine May", which provides guidance on what is acceptable behaviour in the House. "Erskine May" suggests that an hon. Member who intends to say something critical about another hon. Member gives him notice. I do not suggest that we go quite as far as that with journalism. I do not suggest that newspapers have to inform someone in advance if they intend to criticise him. But it is wise to follow that convention in the House.

If, say, the hon. Member for Hammersmith (Mr. Soley) wants to accuse my hon. Friend the Member for Bolton, North-East (Mr. Thurnham) of—to use his own strong word—colluding with a private sector body, I would regard it as right to follow the conventions and to ask my hon. Friend whether he minds and, even if he does mind, whether the statement is accurate. The fact that the hon. Gentleman failed to check the accuracy of his allegation puts him at grave risk of being caught by his own Bill—except that he is not an editor, proprietor or journalist.

It is not for me to criticise the selection of amendments, but I note that my proposal to call this the Press Control Bill was not accepted for discussion. For the purposes of the debate, however, let us call it that——

Mr. Soley: The clearest possible example of the sort of inaccuracy that the hon. Gentleman describes comes in the amendment in which he states that the National Union of Journalists opposes the Bill. It does not. Having considered the Bill more carefully—that is more than the hon. Gentleman has done—the NUJ is now in favour of it. so that inaccuracy can be corrected in precisely the way allowed for by my Bill. Matters of opinion cannot be—that is the difference.

Mr. Bottomley: The hon. Gentleman seems to be saying two things at once. Earlier, I said that I was not a good enough politician to face in two directions at once. The hon. Gentleman is going one better.

The press is as important to democracy as is the House of Commons; there is no dispute about that. In the House we have virtually no controls over what hon. Members say. We have virtually unlimited privilege. We can call someone a liar, a thief or a murderer. We can say that he holds unpleasant opinions. This power is seldom abused, for various reasons. A person who goes over the top too often gets disregarded. Some of us may be disregarded without having to do that, but it is an alternative way of reaching the shelf of bypassed Members. We have to face criticism and have our credibility tested.

My argument would be that a newspaper that too often wrongly uses whatever freedom it has will lose credibility, market share and influence. People contribute to newspapers for one of two reasons—they want either to

[Mr. Bottomley]

make money or to have influence. Often, what they want and what they get are not the same. Lord Beaverbrook was always after propaganda. I can think of few successful campaigns with which he was associated, but that did not stop him going on for decade after decade, recruiting journalists who were specialists in vituperation. It is a matter of congratulation for Michael Foot that he was recruited on those grounds, not because his views were the same as those of Lord Beaverbrook. In fact, they disagreed on almost everything except the fun of strong argument.

1 pm

There is no argument in favour of a newspaper going in for inaccuracies. It would be marvellous if they could be as accurate and discriminating in their political and social reporting as they are in their sports reporting. A newspaper that was wrong about who had won the boxing or the football match, or about the ratio of wickets to runs, would soon be laughed out of the news stands. People would no longer buy it. However, it would not look to newspapers to follow the standards set by Members of Parliament because we have had an example this morning —that of the hon. Member for Hammersmith—of an hon. Member returning to the Chamber and telling us what had gone on in his absence. Perhaps he, like me, should have been a journalist.

I should declare one or two interests. I earn occasional sums of money from writing—not normally very much, especially when my editor is Mr. Auberon Waugh. I have had my legal expenses paid by various parts of the media. I am grateful for that, but I hope that they do not make it necessary again. I am prepared to ring up the newspapers and criticise, as I did yesterday with *The Sun*. I asked to speak to the editor and I was told that Mr. Kelvin McKenzie was away on holiday. I thought that he never went on holiday, but I left my complaint with his secretary.

We can look for examples in large newspapers as well as small ones of articles giving misleading impressions. For example, *The Times* diary yesterday reproduced part of a story from the BBC staff magazine, which said that Mr. John Birt had a new bathroom at work. However, *Ariel* gave the explanation for that, which was that the plumbing throughout the building had been changed. For a newspaper to put in the joke element and hold someone up to scorn is fair game, but it would be better if it were to publish a correction. It would also have been better if *The Times* had bothered to put in a correction when it described Lord Runcie, when Archbishop of Canterbury, as not being able to make up his mind about the Falklands campaign. Lord Runcie was clear at the time, and in written publications afterwards, that he supported throwing the Argentine invasion forces out of the Falklands. In many sectors, one can provide examples where newspapers do not live up to the standards that they have set themselves.

Mr. Soley: I should like the hon. Gentleman to concentrate on more serious examples. Most of the less serious examples get resolved easily and, where they do not, there is no great problem. I am worried about stories like that which appeared in *The Sun* at the time of the tragic Jamie Bulger murder. The headline said, "Boy, 12 held for Jamie murder". The police said at the time, and it was in the story:

"Nobody in this police station is being held for Jamie's murder."

The story and headline lead to the harassment of the family of that boy, who were in no position to complain. It could have led to wrongful conviction, as it has in the case of many other stories. Can we focus on the more serious aspects? By trying to talk out the Bill, the hon. Gentleman is not only continuing his practice—he has voted against press freedom many times and I can give the examples if he likes—but denying families such as the one involved here the right to have stories corrected. In that case, the boy had never been held for murder.

Madam Deputy Speaker: Order. That was rather a long intervention.

Mr. Bottomley: It is not my purpose to justify mistakes, just as it is not my purpose to justify the mistakes that the hon. Gentleman made earlier. I would criticise the newspaper. If people argue that we must have a system that deals with newspapers in a way that is different from how it deals with others, so that they can never make mistakes, we should have a further debate on that.

The Parliamentary Under-Secretary of State for National Heritage (Mr. Robert Key): Is my hon. Friend aware that in the *Evening Standard*, which I gather is currently on the streets, there is a definitive report of our debate and its outcome? Apparently, we are in the middle of a furious Commons row.

Mr. Bottomley: Well! I think that it is a very good thing that newspaper journalists will not always reveal their sources. I shall not accuse anybody about where that report may have come from. I do not believe that it came from a Member of this House.

Mr. Soley: Before the hon. Gentleman leaves that point and turns to——

Madam Deputy Speaker: Order. Before we turn to anything, may I remind the hon. Member for Hammersmith (Mr. Soley) that this is not a Second Reading debate. We are debating a new clause. The hon. Gentleman must address himself strictly to the merits of the new clause.

Mr. Soley: I understand that ruling, Madam Deputy Speaker, and I anticipated it, to some extent, for I felt that we were going a bit wide. Nevertheless, I am all in favour of that. The hon. Member for Eltham (Mr. Bottomley) voted recently in favour of journalists being made to reveal their sources. That is one of the problems with the Prevention of Terrorism (Temporary Provisions) Act 1984 and why Channel 4 Box Productions ended up in court last year. The hon. Gentleman voted for it. He never spoke out against it at any stage.

Mr. Bottomley: I do not dispute that. That was not, I thought, what we were discussing. Can I just make one remark on what we were discussing—the standards that journalists should reach. The hon. Gentleman held up the front page of a small-sized newspaper. My criticism of newspapers, besides the specific point that the hon. Gentleman has fairly made, is that 240 two-year-olds die unnatural deaths each year, most of them predictable, most of them avoidable, and most of the means by which they die being given virtually no attention whatever. If I were to make a criticism of the media, it would be that they report unusual incidents, such as motorway fog crashes.

Under the guidelines, which I believe should be open to inspection and which is the subject of the new clause, the media should be asked to think about their role in trying to understand common incidents which lead to avoidable disadvantage, distress and handicap.

Each year, an average of seven people die in motorway fog crashes. Each day, an average of 14 people die in built-up areas. Which gets the attention? Which gets coverage on television or on the front page? It is the rare motorway fog crash. Which death of a two-year-old gets all the attention? It is the rare occasion, such as we have seen in the north-west, that grabs the headlines. What we do not hear about are the two-year-olds who die in, if I may describe it this way, packets of 16 or 20 each year in predictable ways.

It is not my purpose to stand here and point to all the problems with the media. There are problems with the media, but the House needs to understand that legislation is unlikely to be successful. If that course were pursued and people broke the legislation, there would be a growing demand, as I said when I ended my speech on Second Reading, for barbed wire around the pen.

I am holding the "Index on Censorship" to which the hon. Member for Hammersmith referred, as well as to the prevention of terrorism provisions and other measures. Some of them could be debated on their merits, but the general point that I make in the new clause is that we should ask proprietors, editors and those who control journalists and newspapers to tell us what standards they are after. I would not want such a provision to be incorporated in the Bill, because I do not want the Bill to be passed. My first words on Second Reading were that I did not want the Bill to get through. My aim is not to talk about it, but to destroy it. That follows the line I took when I voted against John Browne's privacy Bill—not because I do not believe in the right to privacy, but because I believe that legislation does not make all people perfect. It does not work.

So we come back to the question of what we would do. In this country, 30 per cent. of males aged 30 have already been convicted of a criminal offence for which they could have gone to gaol for six months or more. That number of people will be added to by journalists, sub-editors, editors, publishers and distributors. It is far better to ask ourselves what it is that we are trying to reduce. We are trying to reduce inaccuracy and unacceptable intrusions into privacy. We also have to decide what our approach will be to the casualties—those who carry the cost of the free press. To some extent, as I said at the TSB Forum on the power of the press yesterday—the hon. Member for Birmingham, Erdington (Mr. Corbett) was also present to hear the distinguished editor of the *Financial Times*, Richard Lambert, speak—we have to accept that trying to have the press with total accuracy is like trying to have war without casualties: it does not happen. We must ask ourselves how best we can reduce the number of casualties without circumscribing or curtailing the press too much.

I do not agree with all the criticisms that have been made of the new Press Complaints Commission; it has done a far better job than has been suggested. It would work better if we tackled the problem from the point of view of what the proprietor and editor are willing to tolerate and what standards the journalists are trying to maintain.

Let us consider the point of view of the proprietor. It is perfectly reasonable for the BBC to produce guidelines on news, current affairs, documentaries, magazine programmes, features and factual programmes. Newspapers should be encouraged to do the same. I pay tribute to the *South East London and Kentish Mercury Group*, which regularly prints corrections on page two. It clears up ambiguities and corrects omissions and no one thinks less of it for doing so. I also pay tribute to a journalist, Jerry Green, of the *Eltham and Sidcup News Shopper*. He is one of few journalists whom I know who has never got a thing wrong. He checks and double checks. His news sense may not always be the same as mine, but he uses information that is true and accurate and makes it clear when he is quoting an opinion. If that standard can be achieved by a journalist in my constituency, it is the standard that others should be aiming for. The disagreement between the hon. Member for Hammersmith and me is that he and the Select Committee on National Heritage believe that it is possible to sew up the process of news gathering, of news tasting and of news editing in such a way as to ensure that mistakes and deliberate actions do not happen. I do not think that it is like that.

Mr. Soley: I should hate the hon. Gentleman to address an argument that does not exist. I agree with him. I have been encouraging newspapers to run correction columns because it is not always possible to get things right. The first article of the code of the Press Complaints Commission calls for accuracy. It tells newspapers that they should make a correction and adjudicates on it. The argument is not whether inaccuracies appear, but how they are corrected and, above all, who adjudicates. Editors adjudicate on themselves: that is an issue which the hon. Gentleman must address.

Mr. Bottomley: I think that, in the main, editors should adjudicate on themselves and that the majority on the Press Complaints Commission should be editors because that would be the best way of exerting the most pressure.

I want to keep the attention of the House for a moment on the benefits of leaving responsibility where it is. I know that I have been affected by the relative success in reducing drinking and driving in Britain. That was socially acceptable; people often knew that it was wrong, but continued to do it or tolerated other people around them doing it. The incidence is still too high, but it has been reduced at the levels where it has the most consequences by more than two thirds in the past 15 years by social change —by what people are willing to accept. If people are willing to discuss the matter explictly and to involve editors, proprietors and journalists—although not particularly the NUJ because any self-respecting journalist would reject the decisions of its executive and most NUJ journalists do not know what is being decided in their name—and if the House can make it clear that the group that will be most concerned to protect the freedoms of the press are Members of Parliament and that the press will be the next keenest group, we shall get a long way further forward. By giving people responsibility and by talking about it openly, we can reduce most of the problems.

Proprietors should have a better reason than I have heard for not having a published code that they want people to follow. Editors should be pretty sure that their staff know, and are reminded of, the standards that the newspaper sets itself. Richard Lambert said that the *Financial Times* relies on its reputation for accuracy, and the paper gets upset when it gets anything wrong. The

[Mr. Bottomley]

Reader's Digest believes in not only accuracy but punctuation and getting everything right. It checks facts twice, which is one of the reasons why it is one of the most read and best selling periodicals in the country, but producing the *Reader's Digest* is a very different operation from producing a daily newspaper.

I think that the hon. Member for Hammersmith will confirm that the major problem is not with the local or regional press but with the national press. We should be clear that we are talking not only about small newspapers but about the broadsheets which have the same capacity to be inaccurate. Let us agree that we are talking mainly about inaccuracy or severe distortion. I am not concerned about newspapers being partial, biased or propagandist.

1.15 pm

Mr. Oliver Heald (Hertfordshire, North): The new clause refers to editorial or journalistic guidance. Prior to the Calcutt report on privacy, the whole debate was occasion by the incident with Gorden Kaye when someone from the *Sunday Sport* burst into his hospital bedroom and behaved appallingly. The editor later described it as a great old-fashioned scoop. Does the guidance referred to in the new clause include such incidents which are nothing to do with accuracy—I am sure it is accurate to say that a journalist from the paper behaved in that way—but simply involves appalling behaviour?

Mr. Bottomley: The BBC's guidance—I recommend that hon. Members and people outside read it, but not adopt it if they work in the media—makes it clear that there should be good reason, and that the matter should be referred upwards, if someone intends to break the normal guidelines.

There are difficulties in trying to legislate for some related issues because if people are seeking evidence of serious wrong-doing, they often have to work with secret microphones or to film secretly. I do not claim to have sufficient knowledge always to put the dividing line where it should be, but it is like telling the difference between an elephant and a hippopotamus: one can normally distinguish one from the other, and in the same way, one can usually tell whether something is acceptable or not. In matters about which a significant part of the general public disagrees with an editor or a proprietor, having a debate or argument makes sense.

I have twice tried, unsuccessfully, to put three other groups on the same basis as journalists. The first was political parties in respect of their advertising. The Advertising Standards Authority said that it was impossible to determine whether a political party's advertising is capable of being judged right or wrong and it is, therefore, not covered by its standards.

The second group was lawyers in court. With the exception of my hon. Friend the Member for Hertfordshire, North (Mr. Heald) and any other lawyers present, I believe that lawyers spend a lot of time putting ideas to people in such a way as to try to get them to agree to something that is not true. They say, "I put it to you . . ." when they know perfectly well that what they are about to say is highly unlikely or a contradiction of the truth, but they say it because they have been instructed to say it or have made it up themselves, and wish to test people's arguments. It is impractical to require lawyers in court always to avoid doing that. It sometimes means substituting their judgment for what they have been instructed, like the journalist who has written the story in the *Evening Standard* about our proceedings today.

The third group is Members of Parliament. It is not a serious suggestion, but it would be interesting to consider how we could live up to standards that many people require in terms of avoiding privacy disclosures or inaccuracy. How might we allow a member of the general public to say that, on Friday 23 April, Peter Bottomley said something that was ambiguous, damaging or wrong, or a combination of those things? It is not practical, so we come back to what is most likely to have an effect in the medium term.

It can be agreed that legislation will not always work. Even if we had legislation covering the limited question of how to enforce a judgment made by a Press Complaints Commission—let alone an authority—what happens if and when an editor disagrees?

I give as an example a hypothetical case of a journalist who, after someone has been convicted of an IRA murder, says that the person who has been convicted is innocent. That journalist would be flatly contradicting the judgment of the original court, of a jury, of the Court of Appeal and of the House of Lords. The fact that five, 10 or 15 years later it becomes clear that there has been a gross miscarriage of justice does not help anyone trying to make a decision about a complaint that might have been made about that report when it was first published.

We should be very careful about putting legislative requirements on the media. We could debate the many requirements that already exist. I am still waiting for a letter about the existing restrictions on the media. I forget whether it should be from my hon. Friend the Under-Secretary of State for National Heritage, from the Home Office or from my right hon. Friend the Chancellor of the Duchy of Lancaster who is responsible for the citizens charter. There are probably about 200 restrictions in one form or another——

Madam Deputy Speaker: Order I do not see how this relates to the new clause.

Mr. Bottomley: We are talking about whether it is possible for my proposal for having journalistic and editorial guidance to be a substitute for legislation. I do not intend to explain at length what is in my mind. As I understand it, we are discussing a Bill which would introduce legislative and statutory requirements. I propose a substitute for that. In doing so, I may occasionally stray towards the limits of order. I fully understand the guidance, correction and instructions from the Chair. I believe that it is better to concentrate on what proprietors, editors and journalists say are the standards to which they want to live up.

I go one stage further. Part of the instructions should be that when there is a significant ambiguity or inaccuracy, the periodical or newspaper concerned should say so at once. That would reduce any subsequent damages if there were a case for defamation or for libel. I suspect that that could deal with one or two cases that may yet come to court. In the case in which I was involved, if the editor had said straight away, "We did not mean to say that and we now understand that it was wrong", that would have been a standard met by the media which would have got rid of the need to employ lawyers.

The purpose of our debate today is not to reduce the costs of accuracy to newspapers. It is probably to raise the costs to them of accuracy. We are talking about newspapers, unless they are like the *Sunday Sport* which is losing circulation fast, with 70,000 copies out of circulation during the past year, and which will disappear from news stands relatively soon. We are talking about newspapers that class themselves as newspapers. If we ask how many times *The Sun*, to pick one example, is being sued for libel now compared with the figure for five or 10 years ago, the answer is very seldom.

Mr. Robin Corbett (Birmingham, Erdington): That is no measure.

Mr. Bottomley: The hon. Gentleman says that that is no measure. I believe that it is relevant.

Mr. Corbett: I say that it is no measure because many people who feel wronged and damaged by the antics of the sewer *Sun* cannot meet the legal bills involved in taking the paper on. *The Sun* well knows that, which is why it abuses its position.

Mr. Bottomley: That is not relevant to my remark that fewer people are suing *The Sun*. I suspect that if Lord McGregor were speaking in this debate, he would say that the Press Complaints Commission is getting fewer complaints from ordinary people. That is one of the reasonable tests of whether the pressures are working.

Lady Olga Maitland (Sutton and Cheam): Is my hon. Friend aware that the editor of *The Daily Star* has said that as a result of peer pressure within the Press Complaints Commission, he has now disciplined his newspaper so that there are fewer complaints than there were before? Self-regulation is taking effect.

Mr. Bottomley: That is the case. I do not want to take up too much time as we lost so much time with points of order from the hon. Member for Hammersmith during our debate on the Road Traffic (Driving Instruction by Disabled Persons) Bill.

If we get rid of the idea that comprehensive legislation will bring a comprehensive solution, we can engage in debate about the standards to which proprietors, editors and journalists hold themselves. I recommend the method of criticising the BBC, for example, and saying, "What you did in the 'Real Lives' programme was not in accordance with your own guidelines." The BBC would then have to say that it did not want to pay attention to its guidelines, that the guidelines were wrong or that it got it wrong. I think that there is a far more effective way of proceeding.

The hon. Member for Hammersmith has rightly raised questions at his own press conferences and hearings, and I congratulate him on that. Some of the cases have come up again in the Select Committee on National Heritage. Where there are problems, they need attention; they do not necessarily need legislation. In so many areas, we have gone from having our awareness raised, to saying, "They should not do it", to legislating. The third stage ought to involve those concerned saying, "I should not do it." The fourth stage should be, "I intend not to do it"; and the last should be, "We don't get things wrong and when we do we are very angry about it; we say so and put it right"—which some editors already can say. That is what we are trying to achieve.

What John Browne proposed was wrong and would not have worked. What the hon. Member for Clydebank and Milngavie (Mr. Worthington) proposed in his Right of Reply Bill would not have worked, and the present Bill would not work. My new clause would work, but I do not believe that it needs a Bill to go with it. It should be a requirement that people in the media place upon themselves, and I hope that that is what they will do.

Mr. Soley: I am in some difficulty, because the hon. Member for Eltham (Mr. Bottomley) went rather wide. I shall attempt to explain what I think that the hon. Gentleman is trying to do by means of the new clause. I shall address the points he made as briefly as possible to allow other hon. Members to have their say, although I do not think that time should trouble us too much, given that hon. Members took so much time on the previous Bill with the deliberate intention of talking my Bill out.

Mr. Heald: Will the hon. Gentleman give way?

Mr. Soley: Yes, but let me just say that I have that from Conservative Members——

Madam Deputy Speaker: Order. We have gone through all this before. We have had quite enough of it. Perhaps the hon. Member for Hammersmith will address himself to the new clause.

Mr. Soley: I shall be delighted to, Madam Deputy Speaker, but in that case I shall not be able to give way to the hon. Member for Hertfordshire, North (Mr. Heald).

Madam Deputy Speaker: The hon. Gentleman is under no obligation to give way.

Mr. Soley: In that case, Madam Deputy Speaker, I shall refuse—rather reluctantly, because I always prefer to take interventions.

I will give the hon. Member for Eltham credit on one issue and one issue only: he comes to the debate with a genuine belief in press freedom. I must say, however, that he is one of the most confused speakers on the subject that I have ever heard. I have to say to him, too, that his voting record on press freedom is bad. I have checked how he has voted on press freedom in the past. He voted against the defence of press freedom on a number of critical issues, including the issues that he raised just now when he referred to the ability of journalists to protect their sources. The journalist who was fined £75,000 last year was told in court that, if it happened again—that is, if he protected his sources again—he would face much more serious consequences. The hon. Member for Eltham never spoke out against that; he voted for it. He voted for the Official Secrets Act 1989 and for the Police and Criminal Evidence Act 1984, which allow the police to confiscate journalists' materials. He voted for all those measures, yet he talks about being in favour of press freedom.

Let me make it clear to the hon. Gentleman what the debate is about. It is not about whether the British press needs more regulation. I restate my view, which I have expressed many times, that the British press is over-regulated in the wrong way and for the wrong reasons. We actually inhibit good investigative journalists, yet we allow individuals to be abused. The headline in *The Sun*—

"Boy 12 is held for Jamie Murder"—

is but one example. I have already made the point that we should be looking not at the trivial cases to which the hon.

[Mr. Soley]

Member for Eltham referred but at those much more critical cases. We are talking about a family whose son was taken to the police station to be questioned as a possible witness. Even *The Sun* quoted the police correctly as saying,

"We do not hold the murderer in this police station".

However, as hon. Members can see for themselves, the headline was:

"Boy 12 is held for Jamie Murder."

The hon. Member for Eltham claims that it is not a matter of who is doing the best thing, the worst thing or how to improve matters. He is saying that the people concerned, and that 12-year-old, have no rights. I believe that they have rights. We could extend those rights by saying that they could sue for libel. However, we were talking about a family which was in no position to complain effectively——

Lady Olga Maitland: Will the hon. Gentleman give way?

1.30 pm

Mr. Soley: If the hon. Lady will give me time to finish, I will give way. It is very important that she hears the argument through.

The family to which I referred was very vulnerable not least because it had no stable accommodation. How is that family supposed to sue for libel when it will not be able to obtain legal aid as it is being moved onto other accommodation? How can that family go to the Press Complaints Commission when the complaint must be put in writing? Can I take the matter up for them? No, I cannot because I am a third party. No one else can take the matter up on their behalf—other than perhaps a lawyer if the family situation is stable enough and it has the necessary income, which it does not.

The amazing thing about the story——

Lady Olga Maitland: Will the hon. Gentleman give way now?

Mr. Soley: I will give way to the hon. Lady when I have completed this point.

According to the new clause, all these issues should be a matter of guidance for editors. There is no problem about that. That is happening now.

Lady Olga Maitland: Give way.

Mr. Soley: I will give way in just a moment. The hon. Lady should be patient. Conservative Members are terribly impatient today.

I am grateful to the people in News International who officially and unofficially have kept me well informed about the views of News International—*[Interruption.]* Conservative Members would probably like me to be taken to court for not revealing my sources. The hon. Member for Eltham would certainly like that as he supported the legislation to allow that.

In a news release headed

"News International Supports Press Self-Regulation"

News International states that editors

"today made a further commitment to self-regulation of the press by their decision to incorporate, or continue to incorporate the Press Complaints Commission's new code of conduct into the journalists' handbook of each title."

That is something similar to what the hon. Member for Eltham seeks to achieve in the new clause. The news release continues:

"Compliance with the code will be a condition of appointment, and breach of the code will be a disciplinary matter."

That news release is dated 27 January 1993. However, the article to which I referred appeared in *The Sun* on 17 February. Has the editor been disciplined? Has he been fired? Has he even been told off? Has he put it right? No, he has not. Despite the editor's code, he published the article. However, the family concerned has lost all its rights. The child involved could, as in many of the cases in recent years—and this is one reason why I introduced the Bill—have been wrongfully convicted. We do not have the right to put innocent people in prison in the name of press freedom.

Lady Olga Maitland: The hon. Gentleman appears to be making enormously sweeping statements. With regard to the headline in the newspaper to which the hon. Gentleman referred, how does he know for a fact that the family made a complaint? Does he know for a fact that the family wrote to the Press Complaints Commission?

Mr. Soley: If the hon. Lady considers the family's background she will see that I used my words cautiously. I do not wish to label the family and I would certainly not say about it the kind of things that *The Sun* said. I am satisfied that the family is not in a position to pursue a complaint.

The issue is very important. If we reach the appropriate point in the debate, I could mention other examples—if I were to quote them now you would rightly rule me out of order Madam Deputy Speaker—of the way in which the Press Complaints Commission is totally inadequate to help people who are not well equipped, for whatever reason, to make formal written complaints of the type required by the PCC, and who do not have the safeguard of a legal person or adviser to help them. Many people are in that position.

If the hon. Member for Sutton and Cheam (Lady Olga Maitland) would like to pursue the matter with me afterwards, I will explain the problem in much more detail. However, I repeat: have some sensitivity for the family involved; look at the original story. If the hon. Lady has any sensitivity, she might begin to understand why I am confident that the family could not pursue the matter on its own. That is the point.

Let us be clear about what the hon. Gentleman seeks to do in his amendment:

"Each newspaper will make available for public inspection at its registered office a copy of any editorial or journalistic guidance provided for the use of its staff . . . Such guidance shall be open to inspection during normal working hours of the company."

That is perfectly reasonable. It is right that newspapers should be encouraged to do it. But it should not be a matter for legislation. The hon. Gentleman is determined to put that provision in the Bill. I am not too worried about it. I would not lose any sleep if it were included. But it is not the appropriate way to do it. The hon. Gentleman, in his muddled thinking on the matter, does not understand the dangers in this.

My Bill focuses on accuracy and does not fine newspapers—all the suggestions by the ombudsman, David Calcutt and so on include fining newspapers—because, if we go down that road, we restrict press freedom

because the threat of the fine can worry genuine and good investigative journalists. We must make the newspaper put right what it has got wrong.

I entirely agree with the hon. Gentleman when he says that newspapers have good practices. As he said, there are many such practices, especially in local newspapers. Newspapers run columns for corrections and outline editorial policy. That is good: it must be encouraged. Indeed, I am pleased that it is happening more often as a result of my campaign. That is part of what I am about. It is one of the reasons why I can say that, win or lose today, the fight will go on. More importantly, it has already achieved a great deal, and I am determined not to let go of it for that reason.

The press will not be allowed to continue getting away with the disgraceful lies which rip away the life of a family, as in the case of the headline I referred to earlier, and at the same time create a situation in which people can face wrongful conviction. Dealing again with the hon. Gentleman's amendment, we must remember that having guidance is not enough. The case of the Taylor sisters is going before the courts on appeal partly on the basis of press reporting.

Unlike the National Union of Journalists which did a U-turn on the matter, the hon. Gentleman has not thought the matter through. We must have something that stops such disgraceful lies being told. The answer is not to fine or punish in some way: it is simply to say that if the newspapers get it wrong, they must put it right. People say to me, as the hon. Gentleman did, that we cannot have accuracy because it is someone else's mind, but I did not invent the idea of adjudicating on accuracy. The editors and proprietors invented it: they put it in the code of the Press Complaints Commission. If they cannot be accurate, they should take it out of the code. But it is there. My only argument then is if they say that it can be done, if they give adjudication the credence of being article 1 in their code —not way down the list—it should be seen to be independent.

The hon. Gentleman should know from his good work in the alcohol and driving field, that it would be unfair if, when he went to court and gave his evidence, the police gave their evidence against him and then took off their helmets, climbed into the judge's box, put on a wig and said that they would now adjudicate. The hon. Gentleman would say that that was unfair. I am simply saying that if the editors adjudicate on their own errors, can we be surprised if people do not have confidence in the system? If the editors had adjudicated on the story I referred to, could we have confidence in it? I have told the editors many times that it does not matter if they give the right ruling: their problem is that they do not have credibility because they are not seen as independent. That is the reason why I want to set up a body which has some independence and, above all, involves working journalists but not so many editors. If such a body is dominated by editors, it is dominated by people who have moved away from the journalistic world into the managerial world. That is important because they then also have an interest in circulation.

The hon. Member for Eltham made the important point that a paper can lose readers if it gets it wrong. That is why—he may already know the explanation, I do not know—local papers tend to be better than national papers. They are much closer to their community. The national papers do not care so much.

The Sun got it badly wrong on Hillsborough and burned its fingers. So no one in Merseyside buys *The Sun* now. That is the only example of which I am aware of a national paper losing readers. We have a duty to protect the rights of people such as the 12-year-old child and his family to whom I referred and other people like them. Unless Conservative Members address that issue seriously, we shall continue to lose press freedom in Britain. They should remember that we have been warned by the International Press Institute that we are losing press freedom as a result of some of the acts to which I have referred. At the same time, abuses will continue.

Therefore, the argument is not that an amendment such as that be included in my Bill; it is that such an amendment should be included in any code of practice whether drawn up by my body or any other body. But that is not an alternative.

Mr. Peter Atkinson (Hexham): The hon. Gentleman said that no one in Merseyside bought *The Sun*. If I could show him on a future occasion that that was untrue and people in Merseyside bought *The Sun*, would he publish an apology and correct his statement?

Mr. Soley: The hon. Gentleman makes the mistake of thinking that just because I say something which is not technically 100 per cent. true, we must immediately——

Mr. Peter Atkinson: That is not the point.

Mr. Soley: The hon. Gentleman obviously thinks that. I ask him to hear me through. I have been over the ground many times. There are two answers. First, the hon. Gentleman is technically right. Of course, someone on Merseyside buys *The Sun*. The difference is that my words do not go through the letterboxes of millions of people. They may go out through the media. I can be challenged on them.

The problem with newspapers is that they stay in print and are referred to and no one can answer them back. No one came forward and said that the 12-year-old to whom I referred was not being held for murder. But the hon. Member for Hexham (Mr. Atkinson) stood up and said, "You are not right." That is what the Bill is about. The argument is not merely between the two sides of the House. One of my hon. Friends could have picked me up on what I said. People can correct us here in the House. Inasmuch as people outside hear what goes on in the House, they can hear the correction if another hon. Member makes it. They cannot hear the correction of what the newspaper said about the 12-year-old child.

I am simply providing a mechanism which operates for people such as the family to which I referred regardless of the fact that they cannot operate the existing system.

Mr. Peter Atkinson: My point may have been trivial but the hon. Gentleman seeks to force on the press precisely such trivial detail. My point illustrates that absolutely.

Mr. Soley: The hon. Gentleman has not thought it through. Accuracy is the first article in the Press Complaints Commission code. I did not put it in. I did not say, "I think I will do accuracy. No one has ever heard of it before, so I shall invent it." I knew that the article was in the code. The Press Complaints Commission adjudicates on it. Am I right? It adjudicates whether the matter is trivial or not. The hon. Gentleman does not deny it.

[Mr. Soley]

If the commission adjudicates, the argument is not whether we can have accuracy or even whether we should want it. It is about who adjudicates. That is what the hon. Gentleman must address. I am offering a method of getting it right. The method has been well tried. The BBC and the independent television and radio companies operate according to such a code. No one goes round the world—the hon. Member for Eltham ought to consider this point—saying that the BBC and the independent television and radio companies do not have a high standard of accuracy. No one says that they do not do good investigative journalism or that they are not fair, decent or good. People have a high regard for the British electronic media. Sadly, and undeservedly for some parts of it, the British press has a poor reputation.

When I go abroad, people say, "We envy you the BBC and ITV, but how on earth have you ended up with the tabloid press? We do not have such a press." They are right.

Lady Olga Maitland: I am not sure that I go along with the hon. Gentleman's interpretation that the electronic media has the same validity and basis as the press. Television stations, unlike newspapers, are governed by a franchise. That discipline is almost written into their being.

1.45 pm

Mr. Soley: It is interesting to note the evidence that was given to my Committee by investigative journalists who were opposed to my Bill, who had worked in television and the press. One was asked why inaccurate reporting was not a problem in the electronic media and he said that there was a culture of accuracy in the BBC. The hon. Lady should note that.

Those in the electronic media tend to check their stories much more carefully than certain sections of the press. The good newspapers do the same, but some newspapers do not. The problem for all newspapers is that they still have not learnt that people have the basic right to expect their news to be reported accurately or, if Conservative Members prefer the language of Baroness Thatcher, that people have customer rights.

When one buys a newspaper it should, perhaps unusually or surprisingly if it is part of the tabloid press, contain some news. If one wants to call a publication something else, that is fine, but a newspaper should contain news, not disinformation. No one is disputing the fact that newspapers can get things wrong sometimes, but there should be a mechanism to put that right. Newspapers should not be fined or closed down, but that is what will happen if we follow Sir David Calcutt's recommendations about ombudsmen and others.

Mr. Peter Bottomley: I agree with much of what the hon. Gentleman has said, but television news has fewer problems because it deals with fewer stories and it uses fewer words. Television does not have to compete for attention on the news stand and therefore inaccurate reporting is inherently less of a problem for the electronic media.

Mr. Soley: That is right. I may be asked for my opinion on camera and I am responsible for what I say. That does not mean that the television station has to correct me if I am wrong; it is simply reporting me and if I get it wrong it is my responsibility. The hon. Member for Eltham, however, should not underestimate the culture of accuracy in the electronic media. The difficulty is in creating that same culture in the press. We are trying to do it in the wrong way.

The hon. Member for Eltham, who moved the new clause, will vote for privacy legislation when it comes before the House. We will then be left with yet another restriction on press freedom, which will not work particularly well. That legislation will not protect the rich and the powerful as much as some people fear because there will be a public interest let-out clause. It will protect some people, however, and I am not against the principle behind privacy legislation. I will not, however, vote for legislation of the type that I fear unless it is matched by a freedom of information Act or a press freedom Act. That is what the National Heritage Select Committee has recommended.

I suspect that hon. Members will vote for privacy legislation as blindly as they voted for the Police and Criminal Evidence Act 1984, the prevention of terrorism Acts, the Official Secrets Act 1989 and all the other Acts that have restricted press freedom. They will troop through the Lobby, but they will then ask why we have lost press freedom. We will have done so because they are blind to the problem—too much regulation of the wrong type that does not solve the problems I have highlighted.

If the hon. Member for Eltham agrees with me about that he should rethink his opposition to my Bill so that rights are given to people such as the 12-year-old kid in Liverpool and others who have suffered wrongful conviction—I have many other examples in my files. Hon. Members should consider such serious cases and recognise that I am not arguing about whether one can adjudicate on accuracy; I am simply arguing about who does it and how. That is what the argument should be about and that is why individual members of the Government have said to me, "You are right. This is not about privacy, but about accuracy. That is what matters." The new clause is not very helpful and should not be included in the legislation, but if the House agrees to, I shall not object as it will not detract from the Bill.

Mr. Thurnham: I hope that the hon. Member for Hammersmith (Mr. Soley) feels that we are having a useful debate—we certainly did earlier. I am not sure whether it could be described as a furious row, but the temperature has risen a little. One or two Opposition Members are now present. There are no Liberals present and only four or five Labour Members.

I am grateful that the hon. Member for Hampstead and Highgate (Ms Jackson) is present as it allows me to remind her of what she said in Standing Committee. She quoted some examples and said that she would come back to me with accurate information. I know that we are all busy in the House, but I do not believe that I have received that information. If I have and I have omitted to read it, I apologise, but I do not believe that the hon. Lady has come back with the accurate information that she promised on 3 March, as recorded at column 27 of the report of Standing Committee F.

Ms Glenda Jackson (Hampstead and Highgate): I apologise to the hon. Gentleman if I left him with a misunderstanding. I thought that the issue had been adequately covered by my hon. Friend the Member for

Birmingham, Erdington (Mr. Corbett), when he said that there could be no third-party intervention in the case to which the hon. Gentleman referred. If the hon. Gentleman is anxious for that information I shall make my best efforts and present it to him.

Mr. Thurnham *rose*——

Madam Deputy Speaker: Before the hon. Member for Bolton, North-East (Mr. Thurnham) continues his speech, will he explain how what he has already said relates to new clause 1?

Mr. Thurnham: It relates to new clause 1 and the need for accuracy, a code of conduct and the ability of the public to inspect, at registered offices, a copy of any editorial or journalistic guidance provided for the use of staff. It must have accuracy as its first aim, as the hon. Member for Hammersmith stressed.

I was in two minds about new clause 1 when I saw how it was drafted, because I feel that it is up to each organisation to decide how it wants to run things. Rather than have the sort of Bill that the hon. Gentleman has proposed, I would be happier to settle for the new clause. We now have the Select Committee report, which was not available when we had our debates in Standing Committee. It contains the proposal that there should be an ombudsman who, no doubt, would want to look at the editorial journalistic guidance provided to staff.

The issue at the heart of the new clause is accuracy. The hon. Member for Hammersmith quoted *The Sun* on the tragedy of the Jamie murder. He was right to say that *The Sun* was proved to be inaccurate. However, the most important aspect of that tragic murder was that, despite the fact that there were videos of the two children who were involved in the abduction, it was a week before they were identified. The community and the rest of the country were concerned that it took so long for the police to identify the children who have now been arrested. It was the delay of a week that was so serious and it was important that everyone was alerted to the case. Although the headline was proved to be wrong, it was right for the newspaper to highlight the case and the anxieties arising from it. The hon. Member for Hammersmith placed great stress on the fact that the family was wronged. I do not have the advantage of having the article in front of me, but I do not believe that it named the family.

Mr. Soley: It gave the address. The hon. Gentleman seems to be saying that the fact that the article was wrong was a minor point. As I said in my opening comments, the story accurately said that the police were not holding the murderer in their cells. That fact was placed way down at the bottom of the story. The police had tried to head off the story at that stage. The headline, however, was damning. I know that the hon. Gentleman has an affinity for News International, but even he cannot defend that. It is indefensible.

Mr. Thurnham: I was not going to return to the question of alleged collusion. It is, of course, absolute nonsense. I was amazed to hear the hon. Gentleman talking about his links with News International; he said that it had kept him fully informed. So if there has been any collusion it appears to have been on his part.

I think that the hon. Gentleman introduced the Bill for purely political reasons. He thinks that News International puts out a political line not in agreement with his own, so he singles it out for attack. He has singled out *The Sun* for attack, but it was right to highlight these issues even if it made mistakes. As my hon. Friend the Member for Eltham (Mr. Bottomley) said, there will be casualties. It is impossible to have news reporting on the scale that we have enjoyed without some errors at some stages of the proceedings.

I commend my hon. Friend the Member for Eltham for allowing me to debate these issues. He himself has been badly wronged by the press. I have complained to the Press Complaints Commission about the way in which he was treated in one national newspaper. He seems to be able to look back on it all with remarkable good humour, but he was badly wronged. I believe that he got some sort of settlement and I hope that there will be no repetition of what happened.

I have had occasion to complain to the paper in question about another issue as well, but it seems to have improved since then. Ultimately, such matters are for the editor's judgment and that of the people who buy the papers——

Madam Deputy Speaker: Order. I have been following the hon. Gentleman's argument as best I can. It seems to have become a general debate on the press, whereas it should be about the new clause under consideration.

Mr. Thurnham: I apologise. I was just trying to answer some points made earlier. If I have strayed further than I should have, I am happy to desist and let others make their own points.

I am not entirely sure what is the best way to improve standards in the press, but I am certain that we do not want a statutory so-called independent press authority, as proposed by the hon. Member for Hammersmith. If we had a Bill that consisted solely of new clause 1, that might be the solution. We wait to hear more of the Government's proposals for necessary changes. I hope to hear the Minister comment on the suggested ombudsman. If an ombudsman were in place, new clause 1 could feature prominently in any legislation on this subject.

Lady Olga Maitland: I support new clause 1. As a practising journalist for 25 years I have always believed that self-regulation regulates the press most effectively.

I am a member of the NUJ. I am not employed by News International. I was reared in the great editorial tradition of Beaverbrook on the *Sunday Express*, under Sir John Junor. He controlled the newspaper with tight discipline and strict standards of the sort reflected in the guidelines proposed in the new clause. In the news room we were almost terrorised by the guidelines that he imposed. We could not quote someone without precisely identifying him; we had to be precise about our sources of information when explaining ourselves to the news editor; we could not fly a kite in the hope that we would get away with it.

Above all, we had to check, check and check again. We should be concerned about the kind of behaviour that has been pointed up. I sympathise with the hon. Member for Hammersmith in his frustration over the way in which the press has got out of control in some sectors. However, the Bill is a knee-jerk reaction, whereas new clause 1 would satisfactorily remedy the defects with which we are faced. The difficulties under which the press is operating—together with the rather tacky sales war between newspapers, which seems to override sober judgment on

[Lady Olga Maitland]

what it is suitable to print—is not helped by a knee-jerk response to that material. The main point of new clause 1 is that self-regulation would put that situation into order.

2 pm

What would come out of the Bill if it ever received Royal Assent—mercifully, it will not—is a charter to muzzle or gag the press. That fits poorly on a tremendous democratic tradition. We have to take into account not only the desire to punish the wrongdoer, but the importance of ensuring that the press, in the name of democracy, is able to expose wrong, to challenge and, by being unfettered, to speak up without fear or favour to bring wrongs to public light. I am sorry that the press was fettered when it tried to expose Robert Maxwell. It was a scandal and a tragedy that he used all the weapons at his command to gag the press.

Mr. Ken Livingstone (Brent, East): Was the hon. Lady equally disturbed when the press was fettered—in particular, the *New Statesman*—when it tried to report the Zircon affair and the Government of the day sent in police to smash down the journalist's door and seize all his notes?

Madam Deputy Speaker: Order. Before the hon. Lady continues, let me make the point that we are not having a general debate on the issue of press freedom or the curtailment of the press. We are looking, precisely, at a new clause.

Lady Olga Maitland: Thank you Madam Deputy Speaker. I shall return to the main point of new clause 1, which would require newspapers to provide guidelines.

Self-regulation would achieve more than would an independent press authority, set up, not as independent in the way suggested by the hon. Member for Hammersmith, but by the Government of the day, who might not be as scrupulous as the Government whom we are used to. As such a press authority would be seriously flawed, I could not possibly accept it. New clause 1 would redress the problems.

A press authority such as the one proposed would be, de facto, judge and jury. It could become an unguided missile. It could wield its powers on the basis of loosely defined duties, rather like a quasi-judicial quango. Should a Government body enforce on newspapers what they should or should not publish? It is up to newspapers to retain the powers that they already have.They are already responding to their peer group and public pressure to get their act in order. It rather reminds me of the dark days of *Pravda*, the Soviet truth newspaper, which was anything but.

Mr. Livingstone: It had a code of guidance.

Lady Olga Maitland: We are talking not just about accuracy, but about what is truth. Philosophers have been foxed about that since time began. That could give rise to a great deal of work for lawyers. An independent press authority would hardly inspire trust and confidence in newspaper, if it tried to be a conciliator, particularly if the newspaper knew that later the authority would adjudicate upon the complaint.

We would be aiming for the sky if we set up an independent press authority. We should seek the best and the highest standards, but I do not believe that the hon. Member for Hammersmith is going the right way about trying to impose accuracy. The IPA would become a draconian body——

Mr. Oliver Heald (Hertfordshire, North): Does my hon. Friend believe that the words of the new clause

"any editorial or journalistic guidance"

cover issues relating just to accuracy, or does she believe that they go wider and cover what happened in the Gorden Kaye case or in the Lady Green case, who was confronted with a prostitute in order that there could be a gimmicky story? Would that, in my hon. Friend's view, also be covered?

Lady Olga Maitland: I agree with my hon. Friend that those words should go wider than just editorial guidance on content and should include behaviour. Behaviour includes intrusion, invasiveness, snooping, photography and the bugging of telephone lines. None of those matters, regrettably, is covered by the proposed IPA.

Mr. Livingstone: Would the hon. Lady extend the code so that if a paper were approached with false information about a public figure, in order to get into circulation a damaging story about that person, it would refer the details of the attempted smear to the police? I think of the instance in 1983 when an official from Conservative central office took the *Sunday Mirror* journalist, Trudie Practor, out to lunch and assured her that I had been at a party where I had been sodomised by six men in succession. There was no truth in that, but it suggests a link between the Tory party and some of the worst excesses of the gutter press.

Lady Olga Maitland: I believe that all complaints should be addressed to the Press Complaints Commission. The hon. Gentleman's case would have been no better served had he been able to go to the independent press authority.

The IPA would place emphasis on factual accuracy. The guidelines in new clause 1 are capable of dealing with that. Interestingly, Donald Trelford said that he could perfectly well put his house in order. He also made the point to the National Heritage Select Committee that it would be undesirable for people appointed by the Government to decide what is true.

I recall that on Second Reading the distinguished hon. Member for Linlithgow (Mr. Dalyell)—not someone with whom I agree in general—asked how one can define accuracy and said that one person's perception of fact is very different from another's. In this regard, some of us believe that the hon. Gentleman's Bill would provide a lucrative income for lawyers and that it would be a nightmare for editors. There is no evidence that the IPA would resolve any of the difficulties. That is why I return to new clause 1 which, I believe, would serve the public far better. The hon. Member for Linlithgow also asked whether we are going down the road of state-appointed press policemen. That is an important point.

Madam Deputy Speaker: Order. It may be important, but I am not sure that it is relevant to this new clause.

Lady Olga Maitland: I am referring to the fact that the IPA is a substitute for what I call the guidance in new clause 1. It is suggested that the IPA could deal with propaganda, but there is no evidence that it could deal with propaganda any more effectively than new clause 1.

On accuracy, will politicians be able to use the IPA to beat each other? They would be quite capable of seeking phoney corrections if the opportunities presented themselves. How would the IPA deal with a psychopath such as Saddam Hussein, or one of the Serb warlords who, hand on heart, claim that they have been misinterpreted? There is no evidence that the IPA would do anything other than try to muzzle on the one hand and to make instant adjudications and decisions on the other, which would not improve the standards of the press. I do not believe that the IPA is any closer to searching for the real truth.

Taken to the extreme, the IPA could become a nightmare body for vexatious or trivial complaints. I know that the hon. Member for Hammersmith is trying to address that in the Bill, but the reality is that human nature will leap on the bandwagon and turn the IPA into a nightmare of no benefit to the public—a bottomless pit of investigation, setting one party against another.

One man's accuracy is another man's opinion. I agree that sloppy reporting must be tackled, but we must be careful. In any case, sloppy reporting could be dealt with under the guidelines proposed by new clause 1. It does not need the kind of authority that has been suggested.

Mr. Corbett: The hon. Lady said that accuracy is virtually impossible to define. Why did the journalists and distinguished former journalists who make up the bulk of the membership of the Press Complaints Commission go to so much trouble to include that obligation of accuracy at the start of the code of practice?

Lady Olga Maitland: Because it is extremely important. I do not see what is so surprising about that. One difficulty that new clause 1 has to face is interpretation. I am worried that the IPA could reach an instant decision, against which there is no appeal by any newspaper editor, who is then forced to publish an apology. That would lead to muzzling and gagging, which is unworthy of the great traditions of the country. Outside bodies of the nature that is proposed are unnecessary when a perfectly satisfactory framework already exists. The Press Complaints Commission may sometimes be criticised for being a rather toothless lion, but that toothless lion is well aware of the criticism. It should be beefed up. Legislation and more ideas will be proposed to achieve that.

But there is already a framework and sometimes such over-reaction does not serve us well. The IPA tries to please all and in the end pleases nobody at all. High standards, ethics and professionalism are important, but the mechanics are already present in new clause 1 satisfactorily to serve the public without the draconian elements that are being proposed by the hon. Member for Hammersmith.

Mr. Key: I am grateful for a few minutes in which to try to persuade my hon. Friend the Member for Eltham (Mr. Bottomley) to withdraw his new clause 1. It requires that newspapers should make available to the public copies of any editorial or journalistic guidance issued to its staff. New clause 1 would be acceptable only if it were amended to make it clear that editorial or journalistic guidance was limited to guidance on the observing of ethical and professional standards by journalists. It is not at all clear —to me, at least—what editorial or journalistic guidance means.

Our approach to press regulation takes as its starting point public concern over the years about irresponsible behaviour by the press and the efforts that the press has made to regulate itself. We considered whether those efforts have been successful. Our response has generally been to accept the conclusions of the 1990 privacy committee and of the 1993 review of press self-regulation by Sir David Calcutt that the Press Council and its successor body, the Press Complaints Commission, have not been effective regulators of the press. They have not been effective, especially in the critical matter of protecting people from unwarranted intrusion into their privacy.

We are also considering carefully the wide-ranging recommendations of the Select Committee on National Heritage in its report on privacy and media intrusion, a valuable although complex contribution. The recommendations include, of course, proposals for a statutory press ombudsman and a protection of privacy Bill as well as a range of other proposals on matters beyond the responsibilities of my Department.

2.15 pm

No doubt the newspaper industry will be paying careful attention to the many recommendations for improved self-regulation which the Committee made to it. We shall make our response to the Select Committee in the usual way. We hope at the same time to announce our final views on Sir David Calcutt's recommendation for a tribunal as well as to report progress on the Calcutt recommendations for protection of privacy, which we have already accepted.

Mr. Peter Bottomley: I have a suspicion that the Minister's speech is not likely to be one of the longer ones, so I should like to ask a question. He says that things are not right, but does he agree that they are less bad than they were, or does he believe that there is as much offensive misbehaviour and misreporting by the press as there was, say, four or five years ago?

Mr. Key: I take the long view. Rather than looking back only three or four years, I take as my starting point the 17th century, and I shall explain why in a moment. It is true that anyone in political or public life cannot begin to correct all the inaccuracies affecting our everyday working life. If we did, we should spend all our working life writing letters to editors rather than getting on with the job. I think that my hon. Friend and I both accept that. I suspect that there has been a cooling of the temperature in the past month or two, no doubt as the press realises that it is under the microscope.

As I said, we shall make our responses known. We have made known our objections to the Bill from the outset and have made it clear that we do not wish it to progress without radical amendment. The Bill would introduce statutory control of newspaper content for the first time in peace time since the 17th century. It cannot be passed without the most detailed consideration of the intended and unintended effects of its various provisions.

Mr. Soley: I must correct the Minister because what he says is not so. Many laws already restrict the content of newspapers: there are court restrictions on reporting and restrictions on local authority matters. Indeed, in some cases, permissive measures control on a statutory basis what the press can do. There are many such examples dating from about the 1880s.

Mr. Key: Having read carefully the history of press freedom in this country, I stand by my statement that there has not been an attempt such as this in many hundreds of years so it is essential that we probe the matter carefully.

Some of the amendments go some way to curing the defects in the Bill but, even if all the amendments were adopted, it would still be very different from anything that the Government would wish to put before the House. I hope that the House will not proceed with the Bill, but will instead give the Government time to make and implement proposals that we consider necessary to ensure the proper balance between press freedom and the rights of the individual.

The new clause would be acceptable only if it were amended to make it very clear that editorial or journalistic guidance was limited to guidance on the observing of professional and ethical standards by journalists. I hope that my hon. Friend the Member for Eltham (Mr. Bottomley) is convinced that he should withdraw the new clause.

Mr. Corbett: There is no need for the new clause moved by the hon. Member for Eltham (Mr. Bottomley). As members of the National Union of Journalists, the hon. Member for Sutton and Cheam (Lady Olga Maitland) and I are, by virtue of our membership, bound by that union's code of ethics. In the absence of anything else on a professional basis, as practitioners of the black art of journalism from time to time we have a duty laid on us through that membership to keep to the code of ethics, irrespective of what view an editor or a proprietor takes towards it.

We have the Press Complaints Commission. As the Minister has just made clear, it is a fairly friendless little animal. No one, including members of the commission, believes that it has done an effective job. After that, we begin to get into the area of disagreements. None the less, the commission is there. It has a code which it drew up after reviewing the practices put in place by the Press Council which it followed. I find it impossible to think of circumstances in which a newspaper—or its staff—needs to do any more than to subscribe to the terms of the code. I have quarrels with some of the language of the code, but that is not the point. It is there and it obliges proprietors, editors and journalists to adhere to its terms. The new clause is redundant.

The Minister said that the Bill was about control over the content of newspapers. The Bill proposes nothing of the sort. There is a whole raft of legal and other constraints on what newspapers may print. It is worse than that. I know that some of my hon. Friends have taken a great deal of interest in a little body called the D-notice committee. That committee is worse than censorship because it is self-censorship. It is editors volunteering to gag themselves. When some retired admiral up the road gets wind of the fact that a newspaper has got hold of a particular story, he phones up the editor and says, "Look here, old boy, if you run that, we shall clap you in irons. Come and have a gin and tonic." Even now, there is a review of the way in which the D-notice committee works. Part of the case put by my hon. Friend the Member for Hammersmith (Mr. Soley)—I am wholly with him on this—is that if we are looking to the current breed of newspaper owners and editors properly to safeguard press freedom, we are wasting our time.

Mr. John Whittingdale (Colchester, South and Maldon): I attended the Second Reading debate and I have read carefully through the report of the Committee stage, although this is my first opportunity to speak on the Bill. I agree that the hon. Member for Hammersmith (Mr. Soley) has identified matters that are of great public concern at present. If this debate has achieved anything, it has given Ministers a chance to hear the views of hon. Members. However, that is the only respect in which I welcome the Bill. I voted against it on Second Reading and I continue to oppose it.

My disagreement stems from almost the first word of the title. The Bill is supposed to promote press freedom, yet it is opposed by almost every newspaper in the country, and by organisations including the Guild of British Newspaper Editors, the Newspaper Society and the Newspaper Publishers Association. All my local editors and their journalists have been on to me to say that they are bitterly opposed to the Bill. The Bill is closer to the title "Press Control Bill" proposed by my hon. Friend the Member for Eltham (Mr. Bottomley).

I accept that there are many occasions on which the press has behaved very badly. The hon. Member for Hammersmith has identified cases in Committee and today in which I would not seek to defend the behaviour of the press. I go further and accept that the press requires regulation. For extreme cases, the libel laws exist, but that is not sufficient. There will be cases in which people cannot afford to take legal action and they need a body to which they can go to make their complaint.

Mr. Soley: The hon. Gentleman is getting confused. The libel laws restrict press freedom. That is why Maxwell could not be investigated. [HON. MEMBERS: "Come on."] It is one of the major reasons. Maxwell used the libel laws to try to prevent investigative journalism and, to some considerable extent—one can argue to what extent—he was successful. I am saying that the libel laws need to be restricted, not expanded. We need to ensure that people can get things corrected without the threat of large libel settlements against the press—a threat which does not encourage press freedom.

Mr. Whittingdale: I agree with the hon. Gentleman to some extent, although I do not want to become involved in a great discussion about the libel laws——

Madam Deputy Speaker: I hope that the hon. Gentleman will not, because we are debating new clause 1, not the whole Bill.

Mr. Whittingdale: I accept your ruling, Madam Deputy Speaker.

New clause 1—and most of the Bill—is about accuracy. The libel laws prevent people from printing things that are not true. I accept that there needs to be another body. But I differ with the hon. Member for Hammersmith over the nature of that body. I will never support a body that is appointed by the Government to control what the press can print. I know that the hon. Gentleman made some amendments in Committee and that that body would not now be directly appointed. Nevertheless, if the body that appointed the members of the independent press authority were appointed by a member of the Cabinet, as proposed in the Bill, the authority would still be, in essence, a Government-appointed body.

I support the new clause because it would marginally improve the Bill, which I continue to believe is a very bad Bill. It seems to me to be only common sense that editors should make widely available the code of conduct and guidelines that they give their journalists to follow in practising their skills. I welcome the fact that some newspapers have already incorporated the Press Complaints Commission code of conduct into their journalists' contracts.

I should like newspapers to go further still. When I was a parliamentary candidate, I had a piece written about me in one of my local newspapers. I was pleasantly surprised to receive from that newspaper, about 10 days later, a questionnaire asking me whether I was satisfied with the article, whether I felt that it had covered all of the points fully, whether it contained any inaccurate statements and whether the headline sufficiently covered the gist of the story. [HON. MEMBERS: "What was the paper?"] It was the Colchester *Evening Gazette*, produced by Essex County Newspapers, to which I pay tribute for following that practice. I asked the editor whether it was his usual practice and he said yes—that the questionnaire was sent to anyone about whom his journalists wrote.

That is exactly the kind of approach that we should be encouraging. It is self-regulation at its best. I understand that other local newspapers in my area do exactly the same. I hope that more newspapers will follow that example because I am convinced that self-regulation is the way to proceed.

The hon. Member for Hammersmith has commented that the Press Complaints Commission has few friends. I have my own criticism of the Press Complaints Commission. I note the hon. Gentleman's comments about the 12-year-old child whose family was not able to complain to the commission. I suspect that the hon. Gentleman has identified an area in which the commission needs to look again at people's ability to complain to it. I do not, for instance, believe that it is necessarily right that third parties should be prevented from complaining to the commission, and I hope that the commission will consider ways in which it can tighten up the arrangements. I repeat that I cannot accept that a statutory body appointed by the Government is the right way to proceed.

Mr. Peter Atkinson: Like my hon. Friend the Member for Colchester, South and Maldon (Mr. Whittingdale), I attended the Second Reading debate but was not called —perhaps because the hon. Member for Hammersmith (Mr. Soley) spoke for so long. I have a couple of minutes now in which to add my objections to those voiced about the Bill.

Madam Deputy Speaker: Order. That is not the purpose of this debate.

Mr. Soley: Thank you, Madam Deputy Speaker.

Mr. Peter Atkinson: I thought that I might be hauled up for saying that, Madam Deputy Speaker.

Of course I am talking about new clause 1. Given the chance, I would oppose the new clause not because I do not think it is sensible and an acceptable contribution to helping newspapers on the course of self regulation, but because I believe that it is unnecessary and bureaucratic.

Newspapers should be responsible for their own accuracy and self regulation should continue. I was interested in the comments of my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland). She referred to the sign that used to hang in the newsroom of the *Daily Express* and the *Sunday Express* where I also worked for some time. One big sign read, "make it fast" and the sign below read, "make it accurate." Some wag removed the first "c" of "accurate" to make it read, "a curate". Hon. Members will recall that *The Sunday Express* had a great penchant for the lives of clergymen.

It being half-past Two o'clock, further consideration of the Bill stood adjourned.

Bill, as amended (in the Standing Committee), to be further considered upon Friday 2 July.

Remaining Private Members' Bills

MERCHANT SHIPPING (REGISTRATION ETC.) BILL

As amended (in the Standing Committee), considered; read the Third time, and passed.

SEXUAL OFFENCES (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 30 April.

CIVIL RIGHTS (DISABLED PERSONS) BILL *[LORDS]*

Order for Second Reading read.

Hon. Members: Object.

Madam Deputy Speaker (Dame Janet Fookes): Second Reading what day?

Mr. Alfred Morris (Manchester, Wythenshawe): In view of the objection of the hon. Member for Leeds, North-East (Mr. Kirkhope) from a sedentary position, 7 May.
Second Reading deferred till Friday 7 May.

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL

Order read for resuming adjourned debate on Second Reading [12 February].

Hon. Members: Object.

Madam Deputy Speaker: Second Reading what day?

Mr. Harry Barnes (Derbyshire, North-East): On a point of order, Madam Deputy Speaker. During the Second Reading——

Madam Deputy Speaker: Order. The hon. Gentleman cannot raise that now. I simply need to know when the debate is to be resumed.
Debate further adjourned till Friday 30 April.

DECLARATION OF WAR (REQUIREMENT FOR PARLIAMENTARY APPROVAL) BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 30 April.

HOMICIDE (DEFENCE OF PROVOCATION) BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 30 April.

PENSIONS BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 30 April.

MARITIME SAFETY BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 30 April.

JUSTICE BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 30 April.

EMPLOYMENT PROTECTION (PARENTAL LEAVE) BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 30 April.

REGULATION OF WHEEL-CLAMPING BILL

Order for Second Reading read.

Madam Deputy Speaker: Not printed.
Second Reading deferred till Friday 30 April.

NATIONAL SCHOOL HEALTH SERVICE BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 30 April.

CHRONICALLY SICK AND DISABLED PERSONS (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 30 April.

WEDDINGS BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 30 April.

HARE COURSING BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 30 April.

EUROPEAN UNION (PUBLIC INFORMATION) BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 30 April.

HUMAN FERTILISATION (CHOICE) BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 30 April.

Ms Glenda Jackson (Hampstead and Highgate): On a point of order, Madam Deputy Speaker. Is it acceptable to the House that after seven hours of debate and cross-party support, the Civil Rights (Disabled Persons) Bill has been objected to yet again by a Government Whip who entered the Chamber at the end of this morning's debate, on a day when the Bill to enable disabled people to be driving instructors has been passed? That cannot be acceptable to the House and it is certainly not acceptable to the thousands of disabled people who are being denied their civil rights.

Madam Deputy Speaker: It is perfectly in order for the Government to object. If the hon. Lady wants to take up the principles behind the objection, perhaps she should take the matter to the Select Committee on Procedure or use some other means.

House of Commons Members' Fund

2.34 pm

Mr. Alfred Morris (Manchester, Wythenshawe): I beg to move,

That, in pursance of the provisions of section 3 of the House of Commons Members' Fund Act 1948 and of section 2 of the House of Commons Members' Fund and Parliamentary Pensions Act 1981, the maximum annual amounts of the periodical payments which may be made out of the House of Commons Members' Fund under the House of Commons Members' Fund Act 1939, as amended, and the annual rate of any payments made under section 1 of the said Act of 1981 shall be varied as from 1st April 1993, as follows:

(a) for paragraph 1 of Schedule 1 to the said Act of 1939, as amended, there shall be substituted the following paragraph:

'1. The annual amount of any periodical payment made to any person by virtue of his past membership of the House of Commons shall not exceed £3,491 or such sum as, in the opinion of the Trustees, will bring his income up to £6,419 per annum, whichever is the less:

Provided that if, having regard to length of service and need, the Trustees think fit, they may make a larger payment not exceeding £6,721 or such sum as, in their opinion, will bring his income up to £9,649 per annum, whichever is the less':

(b) for paragraph 2 of that Schedule there shall be substituted the following paragraph:

'2. The annual amount of any periodical payment to any person by virtue of her being a widow of a past Member of the House of Commons shall not exceed £2,182 or such sum as, in the opinion of the Trustees, will bring her income up to £5,110 per annum, whichever is the less:

Provided that if, having regard to her husband's length of service or to her need, the Trustees think fit, they may make a larger payment not exceeding £4,201 or such sum as, in the opinion of the Trustees, will bring her income up to £7,129 per annum, whichever is the less':

(c) in paragraph 2A of that Schedule for the words 'the annual amount of any periodical payment' to the end of the paragraph, there shall be substituted the words:

'the annual amount of any periodical payment made to any such widower shall not exceed £2,182 or such sum as, in the opinion of the Trustees, will bring his income up to £5,110 per annum, whichever is the less:

Provided that if, having regard to his wife's length of service or to his need, the Trustees think fit, they may make a larger payment not exceeding £4,201 or such sum as, in the opinion of the Trustees, will bring his income up to £7,129 per annum, whichever is the less':

(d) in section 2( ) of the said Act of 1981, for the words from the beginning to the end of paragraph (b) there shall be substituted the words:

'the annual rate of any payments made under section 1 shall be—

(a) £2,033 if the payments are made to a past Member; and

(b) £1,271 if the payments are made to the widow or widower of a past Member.'

The motions on the Order Paper are in the names of right hon. and hon. Members on both sides of the Chamber who share with me the responsibility, as Managing Trustees, of administering the House of Commons Members' Fund.

There are two motions to consider. The first provides for an increase in the present levels of all grants and payments which may be made under the Members' Fund

[Mr. Alfred Morris]

legislation. These were last revised in April 1992 by approval of the motions I brought to the House in July 1992. We now propose to increase the grants and payments with effect from 1 April 1993 by 3·6 per cent. which is in line with the increases approved for public service and state retirement pensions which took effect recently.

The main beneficiaries of the first motion are elderly former Members or their surviving spouses, the majority of whom, unlike present Members of the House, have no entitlement to benefit under the Parliamentary Contributory Pension Fund. Many of them are now over 80 years of age and some are in their 90s. Last year, the trustees were able, with the approval of the House, to increase the awards payable to surviving spouses from one half to five-eighths of the principal award payable to the former Member.

The provisions for which we seek approval can be briefly summarised. Sub-paragraph (a) deals with the provisions for grants to ex-Members who served in the House for 10 years and whose income is below prescribed limits. It is proposed to increase the basic annual grant to £3,491, subject to an income limit, including the grant, of £6,419. In the case of ex-Members with longer service, the grant may be increased to a maximum of £6,721, subject to an income limit of £9,649 per annum. The widows and widowers of these ex-Members are covered by sub-paragraphs (b) and (c) of the motion. It is proposed to increase their basic annual grant to £2,182, subject to an income limit, including the grant, of £5,110. Similarly, in the case of widows and widowers of ex-Members who had longer service, the grant may be increased to a maximum of £4,201, subject to an income limit of £7,129 per annum.

Sub-paragraph (d) refers to the "as of right" payments from the Members' fund to ex-Members who had 10 years' service before October 1964, and to their widows and widowers; their awards are not subject to any income limits. We propose to increase these annual payments to £2,033 for ex-Members and £1,271 for widows and widowers.

Under the terms of the governing legislation, the House of Commons may by resolution direct that, in any year, the whole or any part of the amount contributed by Members from their salaries shall be appropriated, together with the whole or any part of the Treasury contribution, currently £215,000, for the purpose of providing funds for the Trustees to make discretionary awards to ex-Members and their dependants, having regard to their individual circumstances. The second motion gives effect to this appropriation and will enable the Trustees to continue some 141 discretionary awards to ex-Members and their dependants.

I am most appreciative of the help of right hon. and hon. Members who have brought to the attention of the Managing Trustees information on the needs of the former Members and their dependants over the past year. I hope very much that we shall continue to receive this useful assistance from our parliamentary colleagues in tracing former Members or their surviving dependants who may require help from the fund. As I have said in previous years, Members are likely to find considerable help from members of their constituency parties or associations who have long memories and have kept in contact with the families of those who formerly served the constituency. The cause is worth while and the help we receive is invaluable to the Trustees in making best use of the resources available to us.

I commend the motions to the House and am sure that they will have the support of all right hon. and hon. Members. In doing so, I want again most warmly to thank——

Mr. Alan Williams (Swansea, West): I do not want to interrupt the thanks with which we all wish to associate ourselves, but does my right hon. Friend recollect that he expressed the view that it would be wrong if the dependants of deceased Members suffered loss of lump sums or benefits as a result of the freezing of Members' salaries? It was suggested by the Leader of the House that the fund of which my right hon. Friend is chair should step in and close that gap. My right hon. Friend pointed out that the gap was the problem because no one knew what it was. He has asked the Leader of the House whether he could tell him what the notional salary would be, so that he could consider whether he could close the gap between the actual and the notional in benefit terms. Has the Leader of the House of Commons given my right hon. Friend the information that he requires?

Mr. Morris: My right hon. Friend has raised an important point. When I spoke in the debate on the freezing of Members' salaries, I did so, as Chairman of the Managing Trustees of the Parliamentary Contributory Pension Fund, to express my concern about its possible life-long effect for dependants of any Member who might die during the period of the freeze. I was then speaking hypothetically, but now, as my right hon. Friend knows, very sadly we have an actual case following the untimely death of our respected former colleague Judith Chaplin.

It may help my right hon. Friend to know that I have written to the Leader of the House about the action open to the Managing Trustees of the Members' Fund. Of course, before we can use the fund to meet the shortfall in that case, we need to know what the parliamentary salary would now be if the freeze had not been imposed. I have asked the Leader of the House for that information and am awaiting his reply so that the Managing Trustees of the Members' Fund can act as quickly and helpfully as possible.

I want again most warmly to thank Tony Lewis, Michael Fletcher, David Allen, and their colleagues in the Fees Office, for their unfailing care in assisting beneficiaries of the fund. I hear very often how deeply their work is appreciated by the needful people whom the fund exists to help and, as Chairman of the Managing Trustees, I witness the commitment and concern they devote, far beyond the calls of duty, in service to our former colleagues, their widows and other dependants. They deserve the gratitude of this House as a whole.

Question put and agreed to.

Resolved,

That, in pursuance of the provisions of section 3 of the House of Commons Members' Fund Act 1948 and of section 2 of the House of Commons Members' Fund and Parliamentary Pensions Act 1981, the maximum annual amounts of the periodical payments which may be made out of the House of Commons Members' Fund under the House of Commons Members' Fund Act 1939, as amended, and the annual rate of any payments made under section 1 of the said Act of 1981 shall be varied as from 1st April 1993, as follows:

(a) for paragraph 1 of Schedule 1 to the said Act of 1939, as amended, there shall be substituted the following paragraph:

'1. The annual amount of any periodical payment made to any person by virtue of his past membership of the House of Commons shall not exceed £3,491 or such sum as, in the opinion of the Trustees, will bring his income up to £6,419 per annum, whichever is the less:

Provided that if, having regard to length of service and need, the Trustees think fit, they may make a larger payment not exceeding £6,721 or such sum as, in their opinion, will bring his income up to £9,649 per annum, whichever is the less':

(b) for paragraph 2 of that Schedule there shall be substituted the following paragraph:

'2. The annual amount of any periodical payment to any person by virtue of her being a widow of a past Member of the House of Commons shall not exceed £2,182 or such sum as, in the opinion of the Trustees, will bring her income up to £5,110 per annum, whichever is the less:

Provided that if, having regard to her husband's length of service or to her need, the Trustees think fit, they may make a larger payment not exceeding £4,201 or such sum as, in the opinion of the Trustees, will bring her income up to £7,129 per annum, whichever is the less':

(c) in paragraph 2A of that Schedule for the words 'the annual amount of any periodical payment' to the end of the paragraph, there shall be substituted the words:

'the annual amount of any periodical payment made to any such widower shall not exceed £2,182 or such sum as, in the opinion of the Trustees, will bring his income up to £5,110 per annum, whichever is the less:

Provided that if, having regard to his wife's length of service or to his need, the Trustees think fit, they may make a larger payment not exceeding £4,201 or such sum as, in the opinion of the Trustees, will bring his income up to £7,129 per annum, whichever is the less':

(d) in section 2(1) of the said Act of 1981, for the words from the beginning to the end of paragraph (b) there shall be substituted the words:

'the annual rate of any payments made under section 1 shall be—

(a) £2,033 if the payments are made to a past Member; and

(b) £1,271 if the payments are made to the widow or widower of a past Member.'.

HOUSE OF COMMONS MEMBERS' FUND

Resolved,

That the whole or any part of the sums deducted or set aside in the current year from the salaries of Members of Parliament under section 1 of the House of Commons Members' Fund Act 1939, and the whole or any part of the contribution determined by the Treasury for the current year under section 1 of the House of Commons Members' Fund Act 1957, as amended by the House of Commons Members' Fund and Parliamentary Pensions Act 1981, be appropriated for the purposes of section 4 of the House of Commons Members' Fund Act 1948, as amended by section 12 of the Parliamentary Pensions Etc. Act 1984, and section 7 of the Ministerial and other Pensions and Salaries Act 1991.—*[Mr. Alfred Morris.]*

NATIONAL HEALTH SERVICE

Resolved,

That the Order [31st March], That the National Health Service (Determination of Regions) Amendment Order 1993, (S.I., 1993, No. 571) be referred to a Standing Committee on Statutory Instruments, &c., be discharged.—*[Mr. Kirkhope.]*

Resolved,

That the Order [31st March], That the National Health Service (District Health Authorities) Order 1993, (S.I., 1993, No. 572) be referred to a Standing Committee on Statutory Instruments, &c., be discharged.—*[Mr. Kirkhope.]*

Resolved,

That the Order [31st March], That the National Health Service (Determination of Districts) Order 1993, (S.I., 1993, No. 574) be referred to a Standing Committee on Statutory Instruments, &c., be discharged.—*[Mr. Kirkhope.]*

Dioxins (Derbyshire)

Motions made, and Question proposed, That this House do now adjourn.—*[Mr. Kirkhope.]*

2.43 pm

Mr. Harry Barnes (Derbyshire, North-East): My hon. Friend the Member for Bolsover (Mr. Skinner) is a great authority on dioxins in Derbyshire, but he is unable to be here because he is attending the funeral of his mother-in-law. Similarly, my right hon. Friend the Member for Chesterfield (Mr. Benn) would be present but for a prior commitment in Copenhagen. Bolsover, Chesterfield and north-east Derbyshire are linked because pollution knows no boundaries and certainly no constituency ones. We share a common problem.

For the people of Staveley the fact that they have pollution problems comes as little surprise. In the past, smoke belching out of factories and old-fashioned muck and dirt produced the problem, but now pollution is often caused by chemicals, new techniques and the unknown. The people of Staveley live with, and often live by, the operations of local industries. They need those industries to continue because their livelihoods depend on them.

Why are we focusing on Derbyshire? It goes back to the Coalite fire at Bolsover in 1968 when the chemical, 245T, was burnt at levels inappropriate for materials that produce dioxins. As a consequence of the fire, the area was subject to investigations by the Ministry of Agriculture, Fisheries and Food. Subsequent surveys were conducted on a grid basis by MAFF in the south of Scotland, England and Wales. It later decided that it should study specific areas and it focused on the northern end of Derbyshire where farms, factories and people are in close proximity to each other.

In the 1990-91 MAFF investigation it was discovered that there were unacceptable levels of dioxins in milk produced by two farms and those supplies were prevented from entering the food chain. As a consequence of that decision, further investigations took place within three miles of the Coalite fire. One particular investigation was held on 23 February 1993 and it was discovered that Stanton plc of Staveley was a potential source of a different mixture of dioxin.

What is a dioxin? It is not easy to discover or to explain in layman's terms and perhaps the Minister will say something about it. I understand that it is a core element with two aspects, hence the use of "di" in the first part of the word, one of which is oxygen, which obviously makes up the rest of the word, "oxin". Other chemicals adhere to the combination of carbons and oxygen. The particular make-up of those chemicals decides whether a dioxin is potentially toxic. It is argued that just 17 out of 210 dioxins are a cause for concern, but that does not mean that the others do not need to be investigated.

Dioxins have a particular characteristic; they do not saturate. One part of the element that makes up a dioxin does not help to dissolve another element of it. It therefore takes an exceptionally long time for a dioxin to disappear. If a problem arises with the toxic nature of a dioxin, it is liable to be a long-term one.

Although there are natural or fairly common types of dioxin in advanced society, the source of the problem is often associated with combustion and various chemical processes, which throw dioxins into the air. Subsequently, those dioxins may be washed from the land into rivers, the pollution of which is another problem which needs to be investigated. Experts, technicians and certainly Government officials tend to argue that the problem mainly involves farming and occurs when dioxins move into the food chain, particularly if they get into the grass and herbage eaten by other animals. Dioxins can get into milk in that way.

It is only considered a problem for humans who breathe it in when there are excessively high levels of dioxin such as that unleashed in Vietnam to destroy foliage. A bad case also occurred in Seveso in Italy in 1976. One example that occurred in this country which was not as serious as that in Italy took place at the Coalite factory in Bolsover in 1968. There are fears that excessive levels of dioxin caused skin disease, cancers and problems in human reproduction. Unfortunately, not enough is known about it. The literature in this country tends to show that there is nothing to worry about in the levels of dioxin that occur here. But evidence coming from America and the Environmental Protection Agency there suggests that there could be other considerations. Certainly organisations such as Greenpeace and Friends of the Earth stress the problems and are not convinced by the lack of information.

Due to the discovery of dioxins in soil and herbage, eight farms in Staveley are having their milk tested. In theory, the production could be stopped from entering the human food chain at those eight farms. The Government have currently adopted a polluter-pays policy. I accept that polluters must pay, but the problem is that the aggrieved party has to take action against the polluter. That policy is causing difficulties for the three farmers affected in the Bolsover district, who are acting through the National Farmers Union.

Her Majesty's inspectorate of pollution states that Stanton may be the polluter, although—in mitigation—there may be difficulties in fully establishing who is responsible. I am not attacking Stanton, which has introduced new procedures. It is proud of its gas cleaner plant and states that legislation on the stocks will require other companies to adopt some of the techniques that it now uses.

However, Stanton is part of a multinational company. Its headquarters are located at Saint Gobain in France, and there are 338 subsidiary and ancillary companies involved in 30 different countries. Therefore, the NFU faces difficulty in finding the resources needed to take the matter to court. It would be helpful if the law could be changed so that it was the same as that in Holland, where the Government have to pay compensation, then decide who they will take to court as the polluter.

There are other worries besides dioxins in the Staveley district. One of the farmers has reported high levels of sulphur molybdenum and fluoride in the herbage and silage, and 25 per cent. of his calves born since 1971 have had eye defects. I visited his farm last July when a calf was born blind.

I subsequently wrote to the Minister of Agriculture, Fisheries and Food on 10 July 1992, raising the issue of dioxins. The reply was sent on 7 August, by Earl Howe:

"It is not appropriate to draw a parallel with the case of dioxins in the Bolsover area."

Now I discover from a parliamentary answer that a high reading was taken near Hall lane in Staveley in early 1992. The pollution inspectorate took the reading from the soil. That information should have been given to MAFF. The

reply that I received last July should have admitted that there was some problem with dioxins in the area that needed looking at.

Now, almost a year later, we have the figures for 1993. I cannot believe that there have been no more readings during the past year, however. Certainly, MAFF and the Department of the Environment have been remiss if they have not carried out other investigations during the period.

The community in the area is also worried. A mass of medical evidence shows, for instance, that the incidence of asthma among young children in the Barrow Hill area is far greater than the expected average would be. So we need an investigation of the whole environment to tidy up the problem of dioxins and other pollutants.

We want industry, communities and farms to be able to live in comfort with each other. That can happen only if the Government apply rigorous standards and if they help firms when problems arise and need dealing with. I should like a full environmental survey of the north-eastern part of Derbyshire, in the areas affected by dioxins and other problems. We need to establish the post of Secretary of State for Environmental Protection, and an environmental protection agency, because a great many threads must be drawn together in this business. The DoE has an obvious interest, as have the pollution inspectorate and farmers. The Department of Health begins to be drawn into the picture; likewise the Department of Trade and Industry, to deal with the conditions of people at work. The National Rivers Authority must be involved because dioxins end up in rivers, as witness the high levels in the Doe Lea river. It runs along the border between north-east Derbyshire and Bolsover. District and county council planning departments, environmental health officers from the Chesterfield borough council, and North-East Derbyshire district council—all these should be involved, too; likewise environmental groups, local and national. Yorkshire Water, which is responsible for sewage, also has an interest.

It would be very difficult for any organisation that was not a central Government body charged with this particular task to draw all these threads together.

I am alarmed by the fact that the problem was dropped on the environmental health inspector from Chesterfield borough council, following only 24 hours' notice that an answer was to appear to a planted question in the House. I was not informed, although I did find out about it. I thought that it was about dioxins in Bolsover, because it never mentioned Staveley. Until its publication I knew nothing about dioxins in Staveley beyond the guesses that I had made based on the letter sent in July 1992.

The environmental protection legislation that we have places a great onus on borough or district councils, but I think that a Secretary of State should have far greater responsibility for these matters, not just a general overview.

In this connection, Staveley, Bolsover, north-eastern Derbyshire, is not a unique area. In many other parts of the country there is the combination of factories, incinerators, chemical works, population and farms. The problem is liable to exist on a much wider basis. It is almost an historic accident, to do with the Coalite problem of 1968, that the problem has been discovered in north-eastern Derbyshire.

We also require a public inquiry. Many of the authorities in the area have called for one, as has my hon. Friend the Member for Bolsover. There is no reason why the inquiry should not be combined, with different groups and bodies drawn together. People in the area have organised a call for one. I have here more than 2,000 signed letters asking that such action be taken, and there will be a petition to Parliament later, involving far more people within the Staveley area. The letter says:

"I the undersigned demand that John Major and the Tory Government undertake a public inquiry following the discovery of Dioxin in the Barrow Hill and Hollingwood areas. We further demand that the Department of Health undertake an extensive medical survey of the local residents."

The problem goes wider than the Barrow Hill and Hollingwood areas, although there is serious concentration there. Those actions—environmental protection inquiries, public inquiries and automatic compensation for the farmers from Government—need to be taken on board.

3.1 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Robin Squire): As is customary, I begin by congratulating the hon. Member for Derbyshire, North-East (Mr. Barnes) on securing the Adjournment debate. In the time available to me, I shall try to answer his points. As he would expect me to say, I will write to him on those points with which I cannot deal in the time available. I also recognise, as will the House, that unfortunate circumstances have deprived us of both the right hon. Member for Chesterfield (Mr. Benn) and the hon. Member for Bolsover (Mr. Skinner). I join the hon. Gentleman in sending our condolences to the hon. Member for Bolsover on his family loss.

I have noted the past interest of the House on the question of dioxins in Derbyshire and I am grateful to the hon. Gentleman for providing me with the opportunity to underline the continued concern of Her Majesty's Government to protect the health of our people and the state of the environment in the country, and in Derbyshire in particular, as highlighted in this debate.

Before I speak in some detail about the problems that have occurred in Derbyshire, to which the hon. Gentleman has drawn our attention, it may be helpful to describe the nature of dioxins, how they are formed, their transport through the environment and pathways for human exposure.

Dioxins is the generic name given to a number of closely related organic chemicals containing chlorine. They have no known uses and are not produced intentionally. They are, however, produced as unwanted by-products in some manufacturing processes and during incineration of chemicals and other wastes. The mechanisms by which dioxins are formed are not completely understood, but, in the case of combustion processes, important factors are believed to include the combustion conditions, the chlorine content of the material being burnt and the presence of suitable catalytic surfaces. Industrial processes known to have a significant potential for dioxin emissions are subject to strict control—notably under the Environmental Protection Act 1990.

Emission to air is the principal route for release of dioxins resulting in deposition on to soil, water and plants. Because of their physical properties, dioxins bind strongly to soil and since they are chemically stable, this makes

[Mr. Robin Squire]

them persistent in the environment. Dioxins are widely distributed in the environment, although at extremely low levels.

The main route by which the general population is exposed to dioxins is through food, largely milk, other dairy products and meat. Vegetables contribute much smaller amounts because uptake of dioxins through the roots of plants is almost negligible under normal circumstances. Grazing cattle take up dioxins from the soil and grass and because those substances are metabolised slowly, they are stored in the tissues and concentrated in the milk that cattle produce. For that reason, the most reliable means of assessing whether a health risk may be posed by food from a particular area is through milk sampling and I will describe in a moment the extensive testing that has been carried out on milk.

The Department of Health's advisory committee on the toxicity of chemicals in food, consumer products and the environment has endorsed a tolerable daily intake set by the World Health Organisation. For a person weighing 60 kg this level would be 600 picograms per day. A picogram is one millionth of one millionth of a gram—a very small quantity indeed.

The average dietary intake of dioxins in this country is estimated to be 125 picograms per day, which is very clearly safely below the accepted level. It is comparable with the esimated dietary intakes for other industrialised countries.

Let me now turn to the events in Derbyshire.

Mr. Barnes: Will the Minister give way?

Mr. Squire: Perhaps the hon. Gentleman will allow me to make some progress; if there is time, I will give way later.

My Department published a pollution paper on "Dioxins in the Environment" on 22 June 1989. The Government believed that it was the appropriate action to take, given the concern at that time about dioxins both in this country and overseas. The publication showed that while dioxins were found everywhere in the United Kingdom environment, the levels were very low and gave no cause for concern.

However, as the report concluded that food is the major exposure route for most people, the Ministry of Agriculture, Fisheries and Food carried out an extensive survey on dioxins in food to estimate the average daily intake. That provided us with the figures I mentioned earlier. As part of the survey, samples of milk were collected from both urban and rural areas of the United Kingdom, including 11 farms in Derbyshire. In March 1991, as the hon. Gentleman pointed out, two farms situated close to the Coalite chemicals plant near Bolsover were identified as producing milk with elevated levels of dioxin. Further investigations revealed that levels in meat from a third farm were considered unacceptably high. As a precautionary measure, an order was made under the Food and Environmental Protection Act 1985 to restrict movement of all products from the latter farm.

MAFF continued its investigations in the Bolsover area, including a comprehensive survey of milk from individual farms, and concluded, in published reports, that dioxin concentrations in milk and herbage were lower in the summer of 1992 than were levels during the same period in 1991, although there was no significant change in soil concentrations. By the autumn of 1992, concentrations of dioxins in milk and meat had fallen to levels which again made these foods safe for consumption. After publication of those results it was possible for MAFF to lift the Food and Environmental Protection Act order which had been put in place to restrict the activities of the farm closest to the Coalite chemicals incinerator. I will come to the incinerator in a moment. The milk marketing board was also reassured about the acceptability of milk produced on the other two affected farms and has confirmed that it is willing to accept milk from them.

At the same time as MAFF was undertaking its further investigations in the Bolsover area, work was being carried out by Her Majesty's inspectorate of pollution to try to identify the source of the dioxins. The Coalite chemicals works at Bolsover was known to incinerate chemicals containing chlorine. This works is subject to air pollution control by HMIP which, in August 1991, carried out a study on the incinerator and nearby smokeless fuels plant at the works.

The results, published in December 1991, showed the presence of dioxins in the emissions from the plants, particularly from the incinerator. The report recommended that an environmental survey should be carried out to obtain further information. In the meantime, Coalite closed down the incinerator for major refurbishment. Coalite has applied to HMIP for authorisation under the Environmental Protection Act 1990 to operate an incinerator on the site. The plant will be newly constructed and therefore fully subject to the Act's requirement to use best available techniques not entailing excessive cost. Following extensive public consultation, HMIP is carefully considering the application and, after incorporating appropriate conditions, is likely to issue an authorisation in May. Construction of the incinerator will not begin until an authorisation is granted, so start-up of the new plant is unlikely before the end of the year.

In February 1992, HMIP started a soil survey in the Bolsover area, covering relatively undisturbed land up to 5 km from the Coalite works. Data collected during that survey are currently being assessed within HMIP and a report describing the work and showing the extent, distribution and magnitude of dioxin contamination in surface soils in the area will be published as soon as that complex task has been completed. In November 1992, HMIP started a programme of air and rain water monitoring for dioxins in the Bolsover area, which will also be published and will provide a baseline for any future operation of the incinerator.

I mentioned that the soil survey extended up to 5 km around Bolsover. Elevated levels of dioxins were found in samples taken 4 km north-west of the Coalite plant near Staveley. Because soils vary and analysis of dioxins is difficult, investigations were started as soon as possible into the reliability of these findings. Samples of herbage were taken close to the original soil sampling point, which confirmed the anomalous finding. Because of the difference in dioxins between the samples from Staveley and those from the earlier Bolsover survey, the results of MAFF's 1991 milk sampling campaign were re-examined. Some samples from the Staveley area also showed this different pattern, while confirming that for the samples in question dioxin levels were within the normal 1991

background range found for dioxins in milk from farms in urban and industrial areas. Thus, the Staveley samples had not attracted any particular attention in 1991.

Those findings suggested that the dioxins with the different pattern had probably originated from another source near Staveley other than Bolsover. Further investigations by my Department detected dioxins in the cupola—a scrap melting device—of a local foundry, suggesting that it might be a possible source. The management of the foundry, which is owned by Stanton plc, has given the Department its full co-operation during the studies.

Foundries such as that at Staveley are required under the Environmental Protection Act 1990 to have an authorisation from the local authority to operate. All authorisations issued will contain conditions aimed at ensuring use of the best available techniques not entailing excessive cost to prevent emissions to air of specified substances—including dioxins—or, where this is not practicable, to minimise and render harmless such emissions. An application for authorisation has been received by the local authority, Chesterfield borough council. My Department informed the council as soon as the evidence of elevated dioxin levels was substantiated and the possible source identified. Close co-operation between my Department and the borough council has been maintained.

If the council believes that the foundry is giving rise to emissions of dioxins, it can be expected to include conditions in the authorisation aimed at tackling it. I cannot comment on the detail, because any views that I expressed might prejudice my right hon. and learned Friend the Secretary of State's decision should the company appeal to him against these conditions under the provisions of Environmental Protection Act.

Samples taken from the cupola at another foundry operated by Stantons at Stanton-by-Dale near Ilkeston, which for technical reasons associated with the detail of the process is subject to pollution control legislation administered by HMIP, showed that they also contain dioxins. Erewash district, the local council, and Stantons have been informed of the situation and HMIP and MAFF are urgently investigating the finding.

My right hon. and learned Friend the Secretary of State has just written to the right hon. Member for Chesterfield and to the hon. Member for Islington, South and Finsbury (Mr. Smith) inviting local councillors to meet representatives from HMIP to discuss the issues surrounding dioxins in the Bolsover and Staveley areas.

During the investigations, the Department has been working closely with officials from the Ministry of Agriculture, Fisheries and Food and the Department of Health. We have treated the matter very seriously and I can fully understand the real concerns that have been expressed by the local community about dioxin levels in its area. However, the results of surveys have revealed levels in milk which are only marginally greater than background. Recently, further milk samples have been taken in the Staveley area as a precautionary measure although there is no reason to believe that foodstuffs——

The motion having been made after half-past Two o'clock and the debate having continued for half an hour, MADAM DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at thirteen minutes past Three o'clock.

House of Commons

Monday 26 April 1993

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

SOCIAL SECURITY

Family Credit

1. **Mr. John Marshall:** To ask the Secretary of State for Social Security how many people are now receiving family credit.

The Parliamentary Under-Secretary of State for Social Security (Mr. Alistair Burt): At the end of October 1992, 450,000 families were receiving family credit.

Mr. Marshall: I thank my hon. Friend for that answer. Does he accept that it is probably now time for another publicity campaign on the merits of family credit? Does he agree that it is much better to help the low paid through family credit than to legislate for their unemployment through a national minimum wage, as the Labour party wishes to do?

Mr. Burt: Yes, I think that my hon. Friend is right on both counts. We take quite a lot of notice of the effect of advertising campaigns and some of those that we have run have been very successful. That is one of the reasons why the numbers have been boosted to their present level of 450,000.

On my hon. Friend's second point, I believe that family credit is a better scheme than the minimum wage. It is better targeted on those who need it most and there is no evidence to suggest that it costs jobs. Indeed, even under the Labour party's scheme as announced before the general election, family credit would still have been necessary with the minimum wage.

Mr. Olner: Does the Minister not realise that people want not low wages but proper wages for proper jobs? Does he not realise that family credit will have to be considerably extended when the Government bring into law the abolition of wages councils, which is a great time bomb ticking away for the low paid?

Mr. Burt: No, I do not accept that at all. There is no evidence to suggest that low wages are connected with family credit, which is available to workers who have a family and is, therefore, better directed. It is not aimed at all wage earners. Nor do I accept the hon. Gentleman's point about wages councils. The amount of money needed for family credit depends on the number of people in the family rather more than it depends on wages.

Mr. Spring: Will my hon. Friend confirm that in order to qualify for family credit the number of hours worked per week was recently reduced from 24 to 16? Does he agree that that will have the beneficial effect of spreading the benefit more widely to many more families?

Mr. Burt: Yes, I thank my hon. Friend for that intervention. The hours were reduced from 24 to 16, which has enabled a large number of extra people to obtain family credit. We estimate that some 60,000 people have now obtained family credit for that reason in the past year or so. That further emphasises our determination to help the low waged with an in-work benefit, because it is far better for people to be in work than not.

Pensions

2. **Mr. John D. Taylor:** To ask the Secretary of State for Social Security at what age retirement pensions are paid to men and women in each of the 12 Community countries.

The Parliamentary Under-Secretary of State for Social Security (Miss Ann Widdecombe): State retirement pension ages are as follows: in Denmark, from age 67 for men and women; in Spain, the Netherlands, Ireland and Luxembourg, from 65 for men and women, as it is also to be in Germany; in Portugal, from age 65 for men and 62 for women; and in Greece, from age 65 for men and 60 for women. In France and Belgium, the retirement pension may be paid from age 60 for men and women. In Italy, the ages are to be increased by five years to 65 for men and 60 for women. In the United Kingdom, the state retirement pension is paid from age 65 for men and 60 for women.

Mr. Taylor: Since the doctrine of infallibility has recently been accepted by some, will the Minister assure the House that it does not extend to her Department and that there is an open mind on the issue of pensions? Following the high-level review that took place at the weekend, and in view of her reply confirming that eight of the 12 Community countries now provide pensions at the same age for men and women, when will that be the basis on which pensions are paid to men and women in the United Kingdom?

Mr. Skinner: Where's your hat?

Miss Widdecombe: The hon. Gentleman, from the penitential and sedentary position of his fourth term in opposition, calls out a rather irrelevant remark.

Decisions in respect of state pension age will be announced in due course. No decision has so far been reached, and we have at present no plans whatever to change the basis on which the pension is paid.

Mrs. Angela Knight: But does my hon. Friend agree that as the number of people drawing pensions is likely to increase substantially very soon, while the number of those of working age who support them is likely to decrease, it makes sense to look at the possibility of equalising the pension age at 65? Does she further agree that many women would prefer to work until age 65, as I propose to do, rather than putting increasing financial burdens on their children, as would happen if we kept the retirement age for women at 60?

Miss Widdecombe: My hon. Friend is right about demographic trends. At the moment, there are some 3·4 people of working age for every one pensioner in Britain. Assuming that no changes were made, that ratio would

have decreased to 2·4 per pensioner by the year 2030. We shall obviously take that into account, as we shall take into account trends elsewhere in Europe and the world and potential costs or savings. Of course, women have different preferences and different plans for their retirement, and some would be happy to work for longer. All that I can say is that, as yet, no decision has been taken on the subject.

Mr. Winnick: Is the Minister aware of the growing concern—which has been increased by what happened at the weekend seminar—that the state retirement pension is no longer safe with the Government? Is it not the case that, to a large extent, what was decided at the seminar was war on the existing welfare state?

Miss Widdecombe: If there is one thing that I find disturbing about the Labour party, it is its willingness to play with the minds and the fears of the vulnerable and elderly. We made a clear statement in our manifesto, and we have made clear statements at the Dispatch Box time after time, that we have no plans—absolutely no plans—to abolish, to freeze or to means-test the pension. We have stood by that. The only plans to means-test the pension are those coming from the Opposition Benches. Not only do Opposition Members want to means-test the pension: they want to do it at the same time as discouraging the only alternative, which is private provision. The hon. Gentleman also has a considerable amount of penance to do for scaring the elderly totally unnecessarily.

Sir Donald Thompson: Will my hon. Friend consider reducing the pension age for men by one year every two or three years over the next 10 or 15 years and at the same time give men a chance to bolster the private part of their pension?

Miss Widdecombe: All options will be taken into account in considering what to do with state pensions. The Government have continually encouraged the provision of pension other than the state pension. As a result of that, 70 per cent. of people now retiring have an addition to their state pension—either from an occupational pension or from savings. That is a proud record to which the Opposition could never aspire and on which, what is more, they pour scorn: they want to keep people dependent on the state and do not want to encourage them to try for security in their retirement.

3. **Mr. Corbyn:** To ask the Secretary of State for Social Security what plans he has to link the state retirement pension to average earnings; and if he will make a statement.

The Secretary of State for Social Security (Mr. Peter Lilley): We have no plans to link the basic pension to average earnings.

Mr. Corbyn: Is the Secretary of State aware that in 1980 the Government broke the link between average earnings and the state old-age pension and established instead a link with a rejigged retail prices index, and that that has cost every pensioner more than £17 a week and has taken from pensioners more than £25 billion in the past 13 years? Will the right hon. Gentleman now come clean and stop ripping off pensioners? Can we now return to the system whereby the link was either with the RPI or with average earnings—whichever represented the larger increase—and will the right hon. Gentleman ensure that pensioners in our society, who pay for their old-age pension through taxation and national insurance, can be assured of a decent income in retirement and not have to depend on income support or be forced to take out private pension schemes, some of which are very unreliable indeed?

Mr. Lilley: The hon. Gentleman should address his questions to the Opposition Front Bench and not to me. In the first place, the Labour Government broke the link with earnings when they were in power. More recently, the Opposition Front-Bench spokesman on the subject said that even to hold the link between pensions and earnings at its present level would be very costly and would do nothing to tackle the problem of poverty among the elderly. For once, he is quite right: it would cost £8½ billion to do what the hon. Member for Islington, North (Mr. Corbyn) suggests and that would cost every working person in this country nearly £6 per week in increased contributions.

Mr. Congdon: Does my right hon. Friend agree that since many pensioners now retire with generous occupational pensions, it is better to target resources on those in greatest need than to spread them across the board?

Mr. Lilley: That is absolutely right and is, indeed, what we have been doing. My hon. Friend will know that over the past year we have been able to confirm an extra £500 million to poorer pensioners, largely through the increase in the pensioners' premium last October by £2 per week for a single person and £3 for a couple, over and above the increase in inflation. On top of that, pensioners have seen their purchasing power increase this month by an equivalent of a further £2·90 a week on top of inflation because of the extra £750 million that we have pumped into income-related benefits by not requiring anyone on those benefits to make the 20 per cent. contribution to local government taxation.

Dr. Reid: Will the Minister confirm that the figure of £8½ billion that he mentioned as the figure necessary to restore the link between pensions and earnings or prices—whichever is the higher—for every pensioner, for 365 days a year, is slightly less than what the Government spent on one day, on black Wednesday, as a result of their own economic folly? Is the Minister not ashamed of the fact that the most vulnerable section of the community—the people who created the wealth that he and his colleagues on the Conservative Benches are now ripping off—have been deprived of £17 a week by the Government? Will he now answer the question put to him by my hon. Friend the Member for Islington, North (Mr. Corbyn)?

Mr. Lilley: The figure that I quoted related directly to the point made by the hon. Member for Islington, North (Mr. Corbyn) and would be the cost of the proposal that he was advocating. It has nothing to do with the cost in relation to 16 September which, of course, would have been infinitely greater had we followed the advice of the Labour party and remained in the exchange rate mechanism.

Benefits

4. **Mr. Pickles:** To ask the Secretary of State for Social Security what plans he has to carry out a review of the scope for the replacement of all universal benefits by selective benefits.

Mr. Lilley: We are reviewing all aspects of social security expenditure.

Mr. Pickles: Will my right hon. Friend confirm that it is appropriate for some benefits, such as pensions, to remain universal? Will he confirm that since 1979, spending on pensions now totals about £35 billion? Does he recognise that if we change the way in which pensions are funded, as Opposition Members are advocating, the cost would be so prohibitive as to hasten the day when means tests are placed on pensioners, as the Opposition have also advocated? Will my right hon. Friend confirm that we have no intention of means testing the basic state pension?

Mr. Lilley: I can reassure my hon. Friend that we made a clear pledge at the election that we intend to keep the basic pension as the keystone of our policy for retired people and we have no intention of deviating from that pledge. However, my hon. Friend is quite right. Any Government committed—as were the previous Labour Government and as is the hon. Member for Islington, North (Mr. Corbyn)—to uprating pensions in line with earnings would very soon find that they had no money to pump into increased benefits for the least well-off pensioners, as we have done, and they would be forced to means-test pensions as Labour implicitly recognised when it set up the Social Justice Commission and said that it was to examine means-testing all universal benefits.

Mr. Kirkwood: Does the Secretary of State agree that it is inadvisable to hold weekend ministerial reviews entirely in secret as they lead to comment, some of which is wrong and some of which is speculative? Would he be prepared to place in the Library of the House the working documents used at the weekend, if not the ministerial advice? Would he also help to ease some of the confusion and concern that have surrounded the weekend meeting by saying clearly that the purpose of any ministerial review would be to make savings—not savings that would be taken out of the social security budget and returned to the Treasury, but savings that could be redeployed and used within the social security system in other ways?

Mr. Lilley: The Liberal party may try to formulate its policies by inviting the press to sit in on the discussions, but I do not think that that would be a sensible way to proceed. More publicity should be given to some of the Liberal party's policies, not least its clear policy to impose value added tax on heating—either on top of a carbon tax or unilaterally if it cannot get a carbon tax. The Liberal policy document, which is interestingly called, "Costing the Earth"—a fairly apt description of Liberal policy—makes it equally clear that the additional costs of heating for elderly people

"must not be achieved through granting exemptions to particular target groups; everyone must face the same incentives to use less and cleaner energy."

Mr. Nicholas Winterton: Does my right hon. Friend accept that child benefit is a universal benefit, and perhaps the most popular universal benefit in this country? While it may well go to a number of people who are very comfortably off, does he accept that overall it goes to the mother who benefits immensely, as does her child? Even if we were prepared to tax that benefit, therefore, its universality should not be ended.

Mr. Lilley: Again, my hon. Friend will know that there is a pledge in our manifesto—I am glad to know that it is one that he supports—that we would maintain the payment of child benefit normally to the mother and uprate it in line with inflation. Again, we have no intention of reneging on our pledges and I am sure that he will welcome that.

Mr. Dewar: Does the Secretary of State accept that there has been a lot of press briefing about what happened at Chevening at the weekend and that it would be helpful if he said a little about that? Is it true, for example, that a decision has been taken in principle that people on middle incomes and above are to be asked to opt out of the basic retirement pension and, ultimately, from sickness and unemployment benefit? As the Government are committed to increasing national insurance contributions by 1 per cent. next year, is it not true that if the Treasury loses the contributions of people who opt out of the basic state retirement pension but still has the responsibility of paying pensions to those in retirement, that is a recipe for further increased taxation? If those policies are in contemplation —never mind the working papers—will the Secretary of State at least guarantee that he will make an early statement and produce a consultation document so that people know what is in store for them?

Mr. Lilley: We have given no press briefing, as the hon. Member suggests, on what was discussed at Chevening. He underestimates the media's imaginative capacities, as they are able to comment without such briefing, using their imagination. Such comments largely tell us what the people who make them are thinking. If the hon. Member is thinking such thoughts, I congratulate him on his courage and suggest that he should feed them to his Social Justice Commission. In the course of our long-term review, we shall consider all the options that will meet the objectives that I spelt out to the Select Committee on Social Security, one of which is to focus benefits increasingly on those in need. However, we also want to ensure that people have greater control over their resources and greater ability to tailor their provision to their needs, and that is alien to the whole Labour party tradition.

Pensions

5. **Mr. Brandreth:** To ask the Secretary of State for Social Security what is the current state pension age in *(a)* Sweden and *(b)* the United Kingdom.

Miss Widdecombe: A rise in state pension age in Sweden, to 66 from the current 65 for both men and women, will be phased in rapidly by 1998. State pension age in the United Kingdom is currently 65 for men and 60 for women.

Mr. Brandreth: I thank my hon. Friend for that reply. Will she confirm that the position in Sweden is typical of that in most European countries? Does she agree that for

the United Kingdom to fall into line we would be well advised to equalise pension ages in this country over a period of time?

Miss Widdecombe: As I said in reply to an earlier question, many countries in Europe are now following the path of either raising the state pension age or examining their pension system. I cannot say what our final decision will be on this score, but I will, as my hon. Friend suggests, take into account both European and world trends in reaching it.

Mr. Skinner: Will the Minister confirm that about two months ago I sent her a couple of letters from constituents of mine? Both letters were from women who were in work. To the one who had a year left to work, the reply was, "Don't worry—we will not introduce a 65 or 67 retiring age for women". To the one who had four years left to work, the answer was a little more ambiguous. It is fairly clear that it is part of the Government's agenda to raise the retirement age for women to either 65 or 67. That is a scandal at a time when the Government are spending £27 billion to keep 3 million people out of work, and they have just handed back more than £20 billion to the richest 1 per cent. of tax payers. Instead of attacking pensioners, they should be attacking the wealthy in Britain. What does the Minister have against women?

Miss Widdecombe: Unfortunately for the hon. Gentleman, my memory of the two letters in question is good. To the first lady, I said that she could be completely reassured; to the second lady, I also said that she could be reassured. Therefore, I did not make any difference between the two ladies.

As for what I have against women, the answer is nothing at all: I want to see them well protected and well looked after, which is why I am so happy that more women than ever before are taking advantage of occupational pensions and thus advancing their situation in retirement. If the hon. Member for Bolsover (Mr. Skinner) wants to quote letters to his constituents from me, I suggest that he reads them first.

6. **Mr. Ian Taylor:** To ask the Secretary of State for Social Security what comparative study has been made of the principal factors underlying the setting of the level of pensions in EC countries.

Miss Widdecombe: A number of studies comparing levels of pensions in EC countries have been carried out. One recent comparative exercise based on data provided by Watsons independent actuaries looked at the incomes of pensioners in six EC countries. It is available in the Library.

Mr. Taylor: Is my hon. Friend aware that the United Kingdom spends 8·4 per cent. of gross domestic product on pensions, which is third in the European Community, beaten only by Denmark and France? Given that the cost of living in the United Kingdom compares favourably with those countries, pensioners here do very well. Will my hon. Friend go further and examine closely the trends in the Community? Earnings-related pensions paid by the state do not make sense, given that they penalise those on the lowest earnings. What we need in the Community are portable pensions, occupational pensions and more encouragement to the private sector to help individuals to protect themselves, given the burden that will depend heavily on those of working age with the demographic trend and the increase in the number of people over 80.

Miss Widdecombe: My hon. Friend is absolutely right. I am becoming tired of wholly fallacious comparisons between pensions in the United Kingdom and the rest of Europe which take no account of the fact that in some countries the pensions are earnings related and not basic pensions at all and that many citizens in those countries are drawing a pension below the figures quoted.

I am also always amazed that the figures quoted are at exchange rates, rather than taking into account the cost of living. For example, I often hear about the wonderful pensions in Denmark and Sweden, completely ignoring the fact that people have to be 67 and 66 to get them and that the basket of goods costs 40 per cent. more and 55 per cent. more respectively.

Mr. Redmond: Will the Minister have urgent discussions with the President of the Board of Trade in view of the underlying threat to pensions if she allows him to get away with putting his sticky fingers on the pension funds, which would have grave implications for her Department?

Miss Widdecombe: The President of the Board of Trade has his sticky fingers on nothing whatever. There is no proposal that would mean that pensioners in pension funds transferring from the public to the private sector would not have their interests fully taken care of. That has been made clear by a number of Departments involved. Once again, I must say with regret—as I said earlier to the hon. Member for Walsall, North (Mr. Winnick)—that the hon. Member for Don Valley (Mr. Redmond) is scaremongering and the people whom he is frightening are vulnerable.

Fraud

7. **Mr. Trend:** To ask the Secretary of State for Social Security what further action his Department is taking to reduce fraud.

Mr. Lilley: In this financial year, I am introducing financial incentives to encourage local authorities to fight housing benefit and council tax benefit fraud. I am also allocating additional resources to allow the Benefits Agency to deploy more specially trained investigators and to make greater use of new information technology to identify false claims.

Mr. Trend: Does my right hon. Friend agree that every pound lost to fraud means less for those in real need? Does he agree that the Government have a moral commitment to pursue vigorously fraud and abuse, which hurts the very people whom the social security system is designed to help?

Mr. Lilley: I agree entirely with my hon. Friend. It is important that we strive as much as possible to prevent fraud. That is why I set a target last year for the Benefits Agency to identify and stop some £500 million of fraud. I am glad to say that provisional figures suggest that we shall have exceeded that target. In the current year, for both the Benefits Agency and local councils handling housing and council tax benefit, we are setting a combined target of identifying and stopping almost £1 billion of fraud. It is no surprise that, as a result, I was able to

confirm an extra £1 billion for those on the lowest incomes through the income-related benefits. If we do not take tough action on fraud, we cannot ensure that the money is channelled back to the people to whom Parliament intended it to go.

Mr. Frank Field: As one of the Members who have pressurised this lethargic Government to take action against fraud, may I ask the Secretary of State to accept that there are two abuses of the social security system? There are those who claim benefits to which they are not entitled and there is the even greater number of people who do not claim benefits to which they are entitled. Does the Secretary of State give equal time to those who are eligible but do not claim? Will he outline to the House which major new initiatives he has taken to ensure that some of the poorest in our society claim the benefits that are due to them?

Mr. Lilley: I have to acknowledge that the hon. Gentleman takes an even-handed view and recognises the importance of tackling fraud and I pay tribute to him for that. But I agree that we must also ensure that those who are entitled to benefits and are ignorant of their entitlement get to know about them. In the next few days I shall make a further announcement about measures that we are taking, especially on family credit, which is one of the most important benefits in helping people off permanent reliance on benefit and into work. We shall encourage people to claim family credit and improve the advertising so that they do so.

Mr. Streeter: Does my right hon. Friend agree that far too much taxpayers' money is spent not only on those who claim fraudulently, but on supporting people who lead grossly irresponsible lives and do not deserve to be supported by the rest of us? Is his Department also examining that aspect?

Mr. Lilley: I recognise that people feel that benefit has a moral dimension and are reluctant to see some of the payments that we make. But, above all, we have to give priority to children. That sometimes means helping children in family circumstances of which hon. Members may not approve. The rights of the child have to come first, even though we naturally want to ensure that we do nothing to undermine the strength of the family, the right to which is, of course, the greatest right that a child has.

Students

8. **Mr. Hain:** To ask the Secretary of State for Social Security if he has any plans to alter the regulations covering entitlement to benefits of students and their parents.

Mr. Burt: No. We believe that students should look to the education system, not the social security system, for their maintenance.

Mr. Hain: May I remind the Minister of the case of Miss Kerry Rees of Neath, whose parents are on invalidity benefit and lost more than £33 in child benefit and income support when she turned 19 a few weeks ago? Is the Minister proud of the fact that Kerry has had to abandon her two-year course at Neath college, just three months before she was due to complete it, and sign on the dole because her parents could not afford to maintain her? It is disgraceful. It is no good passing the buck to the education authority and saying that it should pay a discretionary award, because the Government have cut West Glamorgan education authority's budget by more than £6 million. Surely the Government should abandon such oppressive regulations and allow many thousands of lower-income students like Kerry to claim benefit and continue in higher and further education.

Mr. Burt: I am grateful to the hon. Gentleman for giving me notice of this particular case, on which we have corresponded. When I wrote to him I mentioned that two possible sources of funds might have helped his constituent, one being the local authority, which has no limit placed on the discretionary amount that it can spend on a particular award and which could have covered this case from the resources it might have. Secondly, the hon. Gentleman's constituent could have had access to further education access fund, which are specifically available to help those who might in other circumstances have their access to education removed.

Value Added Tax (Fuel)

9. **Mr. Welsh:** To ask the Secretary of State for Social Security what representations he has received on the impact on benefit claimants arising from the imposition of VAT on domestic fuel and power; and if he will make a statement.

11. **Mr. O'Hara:** To ask the Secretary of State for Social Security how much he estimates it will cost his Department in the relevant upratings of benefits to take account of the incremental imposition of VAT on domestic fuel.

The Minister for Social Security and Disabled People (Mr. Nicholas Scott): We have received a number of representations from a range of organisations and individuals, including hon. Members. My right hon. Friend the Chancellor of the Exchequer announced in his speech that extra help will be given to poorer pensioners and others on low incomes. We will be announcing the precise details and costs of this help in the autumn.

Mr. Welsh: Does the Minister understand the anger felt at the imposition of VAT on domestic fuel bills and on the standing charges for gas and electricity, especially by people in Scotland, where, by definition, the colder climate means higher fuel bills? It has been estimated that the VAT will place an extra financial burden of £133 on families in Scotland. Does the right hon. Gentleman accept that such taxation on domestic fuel will hit the poorest in our society, especially pensioners and those receiving social security benefits? Has he demanded that the Chancellor should abolish this measure? If not, why not?

Mr. Scott: My right hon. Friend the Chancellor has explained why he felt it necessary to introduce this measure. It is now common internationally for indirect taxes to be levied on the cost of fuel. The most important thing for the House to bear in mind is that both my right hon. Friend the Prime Minister and my right hon. Friend the Chancellor have undertaken that the poorer people in our society will be protected from the impact of the increases.

Mr. O'Hara: Is the Minister aware that many pensioners, including those who frequently come to my advice surgeries in despair, receive electricity bills in which the standing charge is the most significant item on the bill? A bill of £24 may be made up, half and half, of the standing charge and the units consumed and it is very common to receive a bill of £36, of which £24 is for the fuel consumed. Does the right hon. Gentleman agree that the imposition of 17·5 per cent. VAT on such bills represents an increase of between 25 and 35 per cent. in the cost of actual fuel consumed? Those pensioners are frightened to consume that fuel. Can the right hon. Gentleman assure those pensioners that they will be adequately protected by the uprating of benefits that he will announce shortly?

Mr. Scott: The price of fuel has been falling in recent years. The Government have already given substantial amounts of extra help to poorer pensioners and others on low income. As I have already said, the Government have a clear commitment to ensure that those on lower incomes will be protected from the introduction of VAT on fuel.

Mr. Sims: But is my right hon. Friend aware that there is concern about this tax among some of my constituents, who find that income from the modest savings that they have made during their working lives, when added to their pension, brings them just above the income support level? They still find it difficult to make ends meet and their sense of grievance is added to when others in similar circumstances, but who made no such special provision, are entitled to income support and a number of other benefits which flow from that. Is my right hon. Friend really satisfied with the present level at which one becomes eligible for income support and the structure of benefits associated with it?

Mr. Scott: This is not the first time that we have heard about the problem faced by the group that my hon. Friend has identified. One reason why we will consider carefully between now and the autumn the precise form of protection to be introduced is to determine which groups, either on income support or any income-related benefit, should be protected as a result of the introduction of VAT on fuel.

Mr. Bradley: May I press the Minister a little further on the extra compensation that the Government are considering? Will he guarantee today that the extra compensation will not be limited to those on means-tested benefits? He will be aware that many of those on means-tested benefits will not claim such compensation and so will get no extra help with the VAT imposition. Many people on non-means-tested benefits, such as elderly people on retirement pensions, disabled people, people with carers, the unemployed and those on low incomes, will get no extra help with the imposition of VAT unless the compensation scheme extends to non-means-tested benefits. Will the Minister give that guarantee today or, better still, will he urge the Chancellor of the Exchequer to scrap the plans altogether?

Mr. Scott: I say no to both points made by the hon. Gentleman at the end of his remarks. Full details of the extra help to be made available will be given in the autumn, based on the latest information then available to the Government and to the House. We shall announce then a coherent and integrated set of measures rather than a one-off, isolated measure. I reiterate the commitment made by my right hon. Friend the Chancellor and by my right hon. Friend the Secretary of State that the extra help will be given to those who need it most.

ATTORNEY-GENERAL

Obscene Publications

29. **Mr. Nicholas Winterton:** To ask the Attorney-General what recent discussions the Crown prosecution service has had with the obscene publications squad of the Metropolitan police on its prosecutions policy in relation to the Obscene Publications Act 1959 and related legislation.

The Attorney-General (Sir Nicholas Lyell): The obscene publications squad of the Metropolitan police works closely with the Crown prosecution service. They have discussed many specific cases in recent months.

Mr. Winterton: I am grateful to my right hon. and learned Friend for that response. He was one of the 300 Members of Parliament who attended the recent exhibition in the Palace at which the vile and offensive material was displayed for all to see. My right hon. and learned Friend has implied that the Crown prosecution service is unlikely to be successful in prosecuting those who make that material available. Will he agree with me and, I think, with the House that at present our law is wholly inadequate? It is a charter for such offensive material. Will he take steps to amend the law as soon as possible to prevent this vile, offensive and disgraceful material from being made available?

The Attorney-General: I recognise my hon. Friend's frustration in respect of one or two categories of this material, especially computer-created child pornography. However, he will not overlook the fact that, for example, in 1991, the latest year for which I have figures, the Metropolitan police seized no fewer than 19,000 items and brought cases on 363 occasions under the Obscene Publications Act 1959, 40 occasions under the Protection of Children Act 1978 and 53 occasions under the Criminal Justice Act 1988.

Mr. Fraser: The Attorney-General may know that I also went to the exhibition organised by the hon. Member for Congleton (Mrs. Winterton). Although I take a fairly relaxed view about many of these matters, I was shocked by the use of new technology, of satellite broadcasting and of computer design to create a new, high-tech and obnoxious market in exploitation, especially of children and women. Much of that material is in the public domain; it is not for private consumption. I know that this is not the direct responsibility of the Attorney-General, but I wonder whether his advice to the Home Secretary will be that the law on these matters needs to be brought up to date in accordance with technology. There is clearly a deficiency in the powers to arrest people found in possession of documents and pictures in relation to the distribution of child pornography.

The Attorney-General: I well understand the hon. Gentleman's points and I will refer them to the Home Secretary. The computerised matters with which he dealt are under close scrutiny.

Information Technology

30. **Mr. Congdon:** To ask the Attorney-General what contribution has been made by the Crown prosecution service and the Serious Fraud Office through the use of information technology for the better presentation of cases to juries.

The Solicitor-General (Sir Derek Spencer): Information technology has been used in a number of factually complex fraud cases to speed up the presentation of evidence and to illustrate it in a clearer and more understandable form.

Mr. Congdon: I thank my hon. and learned Friend for that helpful reply. Do the initial findings show that juries have found this information technology useful?

The Solicitor-General: Independent consultants who have been spoken to by the Crown prosecution service confirm that juries have found information technology of great assistance in following the details of cases. It has been used with success in the Barlow Clowes and Eagle Trust cases and it is currently being used in the Nissan prosecution. Its graphics are very good and it is good for showing invoice and payment trails and information of that sort.

Mr. Miller: I am sure that the whole House will welcome any improvements in the Crown prosecution service, given the difficulties that it faces. Can the Minister confirm whether information technology is being used by the CPS more locally to investigate whether there are connections between complaints raised with the service, even though those complaints may seem small—because collectively they may amount to a large complaint about a person or organisation? I am being careful in my choice of words because I am referring to a particular case, but is the Minister aware of such use of information technology; if not, will he encourage the service to use it?

The Solicitor-General: Yes, information technology is used in out-of-court inquiries as well as in the presentation of evidence in court. When pursuing inquiries it is useful to bring together a wide range of information to see what factors there are in common.

Right to Silence

31. **Mr. Bennett:** To ask the Attorney-General if he will make a further statement about the right to silence.

The Attorney-General: The report of the royal commission is expected within a few months. The ability of the court to draw inferences from silence will no doubt form part of its careful scrutiny.

Mr. Bennett: Does the Attorney-General accept that this is extremely dangerous? The royal commission was set up because of the misuse of confessions and how they are extracted and to increase the pressure on defendants to say something could be extremely dangerous. Would not it be far better to take up the evidence in today's report that the police should be much better trained in the questions that they ask, so as to ensure that we get justice, than to remove the right to silence?

The Attorney-General: I do not think that the one is exclusive of the other. Today's report, which is a matter for my right hon. and learned Friend the Home Secretary, has its merits. Many of us have heard senior policemen say much the same.

In respect of the right to silence, I would just add that there is a widespread feeling that it is right not only that the prosecution should clarify the issues at the outset of the case, but that the defence should do so, too. If that is what is required and the defence fails to do so, there has to be some comment. The fair and balanced way in which this was achieved in the recent case of Murray, showing how any inroads into the so-called rights of silence should be treated, may provide a useful model.

Dame Elaine Kellett-Bowman: Does my right hon. and learned Friend accept that it is quite intolerable, when children have been abused or even murdered, that both persons responsible should get off scot free by remaining silent?

The Attorney-General: I certainly accept, understand and share my hon. Friend's frustration when a lack of evidence causes that to happen. It is partly a question of investigation, but it is essential in the most horrible and serious cases not merely that people be brought to justice, but that, if they are, we can be satisfied that we really have the guilty person.

Mr. Maclennan: Does the Attorney-General accept that the lack of a right of silence would contradict the presumption of innocence that is the bedrock of our criminal justice system? Although I do not expect him to comment in full on the research report No. 16 published by the royal commission today, will he at least draw attention to the quite unexpected finding in it—that the right to silence needs to be strengthened to protect those who are charged?

The Attorney-General: With respect to the hon. Gentleman, I think that there is some confusion in his question. When we talk about the so-called right to silence, we are really discussing whether there should be a right to comment in the event that someone, after due warning, has chosen not to speak. That is entirely different from reversing the burden of proof.

Sir Thomas Arnold: Does my right hon. and learned Friend agree that there is a particular problem in respect of fraud cases with section 2 of the Criminal Justice Act 1987?

The Attorney-General: Society has decided through Parliament that in relation to very serious frauds people should be asked questions and should be criminally liable if they refuse to answer them. From the experience of recent years, I am quite satisfied that that is an important right which society should give to the investigator, and it has played an important part in ensuring that guilty fraudsters are brought to justice.

OVERSEAS DEVELOPMENT

Non-governmental Organisations

36. **Mr. Thurnham:** To ask the Secretary of State for Foreign and Commonwealth Affairs what co-operation is undertaken between the ODA and British non-governmental organisations operating in developing countries.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Mark Lennox-Boyd): The main forms of co-operation undertaken between the ODA and British non-governmental organisations are in long-term development, disaster and refugee relief, food aid, and the volunteer programme. In 1991-92, the ODA spent over £123 million in support of these activities.

Mr. Thurnham: Will my hon. Friend join me in congratulating Oxfam and many other British charities on their excellent work overseas? Will he confirm that the Government will continue to work with those charities in supporting their emergency and long-term development work?

Mr. Lennox-Boyd: Yes. I recognise that the NGOs play a critical role in emergency relief and in the development process. The ODA's confidence in that role is reflected by the fact that in about two years provision has doubled from £65 million to the £123 million that I mentioned.

Dr. Kim Howells: Will the Minister ensure that money given by the Government to workers in the field gets directly to them and does not disappear into the various sinks of corruption which all too often constitute central government in some of the countries that receive the aid?

Mr. Lennox-Boyd: One of the advantages of disbursement through NGOs is that they can monitor the situation. We find that that is an immensely successful way of disbursing aid effectively.

British Goods

38. **Mr. Nicholas Winterton:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to ensure that where British aid is used by a foreign country for the purchase of imported goods, those contracts are placed with British companies.

Mr. Lennox-Boyd: Goods imported under British bilateral aid are for the most part supplied from Britain.

Mr. Winterton: Does my hon. Friend accept that many companies that support the objectives of the Manufacturing and Construction Industries Alliance, which has been formed by hon. Members from all parties, industrialists and trade unionists, have greatly benefited from what I would describe as aid-linked export projects? Does he also accept that the more that British industry, whether consultants, manufacturing or construction, benefits from the money that the United Kingdom gives to overseas aid, the more overseas aid will be supported because people will realise that there is a continuing benefit to the United Kingdom from the aid that my hon. Friend's Department gives to needy countries?

Mr. Lennox-Boyd: I agree with my hon. Friend. The more that British people appreciate the benefits that accrue to British industry, the more generous they will be with aid. In multilateral aid terms, the latest estimate is that for every £1 in United Kingdom contributions we gain £1·20 in orders. We do extremely well because of the reasons that my hon. Friend has given. About 70 per cent. of our bilateral aid is tied.

European Commission

39. **Mr. Enright:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions are currently in progress between the Council of Ministers and the European Commission on the reorganisation of the Commission's services for dealing with aid matters; and if he will make a statement.

Mr. Lennox-Boyd: The reorganisation of the Commission's services dealing with aid matters is an internal matter for the European Commission.

Mr. Enright: The Minister will, nevertheless, be aware that the renovation of buildings and the integration of services have had an effect on the morale of some staff working for the Commission. It is crucial that the Council of Ministers, as well as Parliament, monitors what is happening to make sure that it is effective and, above all, integrated properly. Will he give us an assurance that that will happen?

Mr. Lennox-Boyd: I am aware of what the hon. Gentleman is speaking about and I know that he speaks with expertise, having worked for the European Community in those sectors. I appreciate that directorates general I and VIII are under the same Commissioner's responsibility and I agree that it is appropriate that the Council of Ministers, Members of this Parliament and other national Parliaments and Members of the European Parliament should monitor the acts of the European Commission in its expenditure.

Mr. Robert Hughes: Is the Minister aware that the Commission's aid policy must be governed by foreign policy? Is he also aware of the desperate need for humanitarian aid in Angola and that the delivery of such aid has been frustrated by the incapacity and unwillingness of Mr. Savimbi of UNITA to accept the Bicesse accords and the writ of the United Nations?

Mr. Lennox-Boyd: I appreciate the hon. Gentleman's point. Sometimes it is impossible to deliver aid to areas in great humanitarian need, because of the political problems and the failure of political leaders, who could influence the situation, to take appropriate action.

Mr. Lidington: Will my hon. Friend assure the House that Her Majesty's Government will continue to criticise constructively the Commission's aid programme, to make sure that both donor and recipient countries get the best possible value for every pound or ecu that is spent?

Mr. Lennox-Boyd: Yes. During the British presidency, important work was undertaken on development co-operation in the European Community. In particular, the Development Council adopted a declaration on aspects of development co-operation policy to the year 2000 and established work programmes to examine our existing policy and to improve the effectiveness of European Community expenditure money through better co-ordination between nation states and the Commission.

Mr. Worthington: The Minister should be more forthright. Is not he aware that there is widespread criticism of the policy of the existing Development Commissioner, who is losing the confidence of Europe over the distribution of aid? Should not the Minister be making it clear, as more and more of our aid is being

distributed through Europe, that we expect the same quality of distribution of aid by the EC as we would expect from our own Departments?

Mr. Lennox-Boyd: It would not be right for me to endorse the hon. Gentleman's remarks in public, but we take every opportunity to press the European Community on where we feel that improvements in policy could be made. For example, we have expressed our concern about the European Community humanitarian office and we have debated the matter. We are concerned that it has a narrow definition of emergency relief and we are concerned about several aspects of its implementation.

Western Sahara

41. **Mr. Corbyn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what aid has been given to refugees from the western Sahara; and if he will make a statement.

Mr. Lennox-Boyd: The United Nations High Commissioner for Refugees has a $3·5 million programme for Saharawi refugees in Algeria; food aid is provided additionally by the World Food Programme at a cost of $2·5 million.

Mr. Corbyn: Is not it a tragedy that the Saharawi people have had to spend nearly 20 years living in refugee camps in exile in Algeria? Is not it high time that a referendum was held so that the people of western Sahara can decide their own future? Will the Minister undertake to put pressure on the Government of Morocco to persuade them to cease their silly games over the make-up of the electoral roll under which the referendum can be held, so that the United Nations can supervise a referendum that can decide on the peaceful future of western Sahara and allow those poor unfortunate people stuck in refugee camps to return to their homes?

Mr. Lennox-Boyd: As the hon. Gentleman is aware, the Government have adopted a policy of strict neutrality between all the parties. However, I very much agree that the referendum is the way forward and, therefore, essential. As the hon. Gentleman will also be aware, Security Council resolution 809, which was adopted unanimously on 2 March, invited the Secretary-General to intensify efforts to resolve the problems of, in particular, voter eligibility, so that the referendum could take place. It must take place.

Sir David Steel: Can the Minister give the House an undertaking that British personnel who are assisting United Nations operations in the western Sahara will not be withdrawn pending the forthcoming visit of the United Nations special representative?

Mr. Lennox-Boyd: The position with MINURSO—the United Nations mission for the referendum—to which we have attached 15 military observers at a cost of £4·75 million annually, is that we have agreed to extend current deployment until September.

Points of Order

3.30 pm

Rev. Martin Smyth (Belfast, South): On a point of order, Madam Speaker. Have you had a request to allow a Government statement to the House on the apparent change of Government policy as enunciated by the Prime Minister—that this House has sovereignty over the four areas of the United Kingdom—to that which appears in a German magazine and attributed to the Secretary of State for Northern Ireland, which suggests there will be a change of sovereignty in Northern Ireland? What message does that contain for the murderers of David Martin and the bombers of Bishopsgate?

Madam Speaker: I have not had a request from a Minister to make a statement today.

Mr. Derek Enright (Hemsworth): On a point of order, Madam Speaker. Is it not an insult to this House that, in debating overseas development and asking questions of Ministers, we have but 10 minutes occasionally and then get only an understudy, not the real thing? Have the Government proposed to do something about that?

Madam Speaker: Any Minister from the Foreign and Commonwealth Office is welcome here to answer questions on overseas development. If the hon. Gentleman wants further time for questions, he must pursue that with his own party through the usual channels and the Leader of the House.

Statutory Instruments, &c

Madam Speaker: With permission, I shall put together the motions relating to statutory instruments.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(3) (Standing Committees on Statutory Instruments, &c.).

JUDGES

That the draft Maximum Number of Judges (No. 2) Order 1993 be referred to a Standing Committee on Statutory Instruments, &c.

MARINE POLLUTION

That the draft Merchant Shipping (Prevention of Pollution by Garbage) (Amendment) Order 1993 be referred to a Standing Committee on Statutory Instruments, &c.

That the draft Merchant Shipping (Prevention of Oil Pollution) (Amendment) Order 1993 be referred to a Standing Committee on Statutory Instruments, &c.

FOREIGN SATELLITE BROADCASTING

That the Foreign Satellite Service Proscription Order 1993 (S.I., 1993, No. 1024) be referred to a Standing Committee on Statutory Instruments, &c.

FURNITURE AND FURNISHINGS (FIRE SAFETY)

That the Furniture and Furnishings (Fire) (Safety) (Amendment) Regulations 1993 (S.I., 1993, No. 207) be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Arbuthnot.]*

Question agreed to.

Orders of the Day

Finance (No. 2) Bill

Order for Second Reading read.

Madam Speaker: Before I call the Minister, I ask right hon. and hon. Members for short speeches. There is a great deal of interest in the debate, but I simply appeal for voluntary restraint on the length of speeches.

3.32 pm

The Chief Secretary to the Treasury (Mr. Michael Portillo): I beg to move, That the Bill be now read a Second time.

I welcome this opportunity to commend the Finance Bill to the House. My right hon. Friend the Chancellor's Budget judgment this year was exceptionally difficult. He had to avoid putting the recovery in jeopardy; he needed to tackle the level of Government borrowing; and, above all, he had to frame a Budget that would promote confidence. He made exactly the right judgment, and the measures in the Bill achieve those aims.

Business optimism since the Budget has been demonstrated to be at the highest level since April 1988—so says the Confederation of British Industry, and so says 3i in a survey published today. Activity is rising in all sectors, according to Dun and Bradstreet and also the Association of British Chambers of Commerce.

Retail sales in the first three months of this year were up 3·3 per cent. on a year earlier; they are now at record levels. Car production is up 8 per cent. in a year and car registrations up 12·75 per cent. Production in our factories is rising, while industrial production in Japan, Germany and France is falling. Output across the whole economy in Britain is up 0·6 per cent. on last year, and in the non-oil economy up 0·6 per cent. in the first quarter. The economy has now been growing for three successive quarters.

Business surveys now show better export prospects and improved competitiveness in the home market. Exports to non-EC countries are up 12 per cent. on last year. The level of the pound may be part of that, but the real key to competitiveness lies elsewhere. During the recession, companies have improved their productivity through better management and by getting to grips with quality control.

The Labour party would have us believe that British manufacturing industry is dead. Far from it. Last year, it exported £87 billion-worth of goods—more than £1,500 for every man, woman and child in this country, which is higher than the figure for Japan.

Manufacturing exports are at record levels, and manufactured export volumes are forecast to grow 7½ per cent. in the year ahead, in 1993. That will give Britain a rising share of world trade in manufactures, after years in which that level fell.

Unit wage costs recently rose sharply in Germany and Japan, by about 9 per cent. in each case—but in the United Kingdom they are down 2 per cent. on a year ago, which is the biggest fall since records began. This country now has that genuine competitive edge. It has nothing to do with the currency, but is an underlying improvement in our competitiveness vis-a-vis the performance of other countries.

Mr. Nicholas Winterton (Macclesfield): Like my right hon. Friend, I warmly welcome the improvement in the economic indicators, but will he direct his attention to the huge and growing deficit in United Kingdom manufactures? What do the Government intend to do about that, because manufacturing industry produces the only form of non-inflationary growth in this country? Will my right hon. Friend also confirm that the Government have no intention of returning to the exchange rate mechanism in the foreseeable future?

Mr. Portillo: My hon. Friend intervenes at the very point in my speech that will deal with his question. British industry's competitiveness is most important—for example, in the energy supplies that it buys. I hope that we will have my hon. Friend's support when we do things that may be difficult and unpopular, but which are absolutely essential in maintaining competitive energy supplies to our manufacturing industry. That point is not one on which we have always had my hon. Friend's support.

Mr. Dennis Skinner (Bolsover): If everything in the garden is rosy, as the Minister says, will he give an assurance that unemployment will fall below 3 million at the end of this calendar year?

Mr. Portillo: Only Labour's spokesman is foolish enough to try to make predictions about unemployment. The hon. Member for Dunfermline, East (Mr. Brown) makes such predictions and falls flat on his face. I shall point out how he has done so recently. The Government do not make forecasts of unemployment, but we are very pleased at the recent figures recorded. I shall come to a possible explanation.

Manufacturing output is at its highest level for more than two years, and manufacturing productivity is at its highest level ever, and is growing faster than at any time in six years. Manufacturing is not only alive and well but performing vigorously.

Sustaining our competitive advantage will depend on controlling costs, and on controlling wage costs in particular. It is good news that earnings growth is at its lowest level for a quarter of a century. Wage restraint will help our businesses to compete. It will assist the creation of new jobs too, and it may be no coincidence—here I take up the question asked by the hon. Member for Bolsover (Mr. Skinner)—that lower earnings growth has been followed by two months of falling unemployment.

The hon. Member for Peckham (Ms Harman) is always calling on the Government for a jobs package. She ought to call on her trade union friends to work towards achieving higher employment and not just higher wages, as they so often do. I give the hon. Lady marks over and above the hon. Member for Dunfermline, East, because, in the light of increasingly good economic news, that hon. Gentleman has been swerving like a weathercock in a stiff breeze—from lugubrious and grudging through to churlish, and finally coming to rest at despondent. The hon. Gentleman cannot see a good economic indicator without wishing to talk it down. Perhaps he has a good future in air traffic control—"Labour control to the British economy: change your indicators, you are coming in too high." That is the attitude of the hon. Member for Dunfermline, East.

We know that some economic indicators tend to lag behind the economy; we know that housing and unemployment are the last indicators that tend to turn—they are known in the jargon as "lagging indicators"—but the last thing of all that turns is the despondency of the hon. Member for Dunfermline, East. He is the economy's most lagging indicator of all. His motto is "A sound bite a day keeps confidence at bay."

The hon. Gentleman's last effort was a real gem. Last week, he could not wait for the unemployment figures to be announced. He put out a press release in advance, crossed his fingers and hoped for the worst. He said that the news would herald a summer jobs crisis. The good news on unemployment, when it came through, must have been a crushing disappointment for him.

My right hon. Friend the Chancellor of the Exchequer recently said that his song was Edith Piaf's "I have no regrets." I think the hon. Member for Dunfermline, East's song should be Ricky Nelson's "Fools rush in, where wise men fear to tread."

The hon. Member for Dunfermline, East is going to face a summer jobs crisis, because he is under threat from the hon. Member for Sedgefield (Mr. Blair)—the man with the golden smile. It is not the golden smile that the hon. Member for Dunfermline, East has to watch out for; it is the golden elbow—and I think that that is coming very soon.

I want to be fair to the hon. Member for Dunfermline, East, because he is not the only one in the Labour party who is a member of the posse of gloom merchants.

Mr. John Townend (Bridlington): There is more than one?

Mr. Portillo: There is more than one. There are also the hon. Member for Livingston (Mr. Cook), the hon. Member for Glasgow, Garscadden (Mr. Dewar) with his long, lugubrious face, and the right hon. and learned Member for Monklands, East (Mr. Smith). They are the four horsemen of the apocalypse: death, disease, disaster and Dunfermline.

Dame Elaine Kellett-Bowman (Lancaster): This is a repetition of exactly what happened last month, when the whole centre page of one of our local papers, the *Lancashire Evening Post* contained a statement from local trade unionists heralding disastrous job figures when they had improved vastly. The article was published before the figures.

Mr. Portillo: My hon. Friend is absolutely right. Mr. Bill Jordan, the leader of the Amalgamated Engineering and Electrical Union, has now put matters right. He said that a poll of his members had shown that eight out of 10 firms have full order books and that only one in five companies are still making redundancies. So the trade unions have spoken, even if the Labour party finds it difficult to admit what conditions we are now operating in.

The Labour party insists on talking Britain down, but I am pleased to report that no one out there is listening to the Labour party. Britain remains a very attractive location for inward investment. The United Kingdom attracts one third of all the investment that comes into the European Community; that is twice the amount that goes to France, and France is our nearest rival.

The Budget and the Finance Bill are designed to protect incentives. We retain the lowest corporation tax of any developed country and a top rate of income tax of 40 per

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cent., which is much lower than in Italy, Germany, France and even the United States. That is one of the things that make us such an attractive place for investment.

Mr. Peter Hain (Neath): Will the right hon. Gentleman give way?

Mr. Barry Jones (Alyn and Deeside): Will the Chief Secretary give way?

Mr. Portillo: No, I want to finish.

The Bill removes obstacles to inward investment by tackling some of the problems that foreign companies have faced with advance corporation tax, by reforming the taxation of foreign exchange gains and losses, and by putting in place the biggest ever deregulatory package for small businesses. Remember that the social chapter will apply to others, but not to us. My right hon. Friend the Prime Minister has said that they can have the social chapter; we will have the jobs.

Mr. A. J. Beith (Berwick-upon-Tweed): Given all these things, what is it that has happened since the Red Book, which was published before the general election, that explains the Government's growth forecast being so much lower for the next four years than it was when forecasts were made before the general election? Before the general election, we had forecasts of 3·25 and 3·75 per cent. growth over the next couple of years. All the forecasts are now below 2 per cent. What has happened to make the situation so much worse?

Mr. Portillo: The right hon. Gentleman knows that, across the world, the recession has gone on for longer than people hoped. The right hon. Gentleman also knows that, every time we have a meeting of the Organisation for Economic Co-operation and Development or G7 Ministers, we are all in the business of revising down the forecasts that had been made collectively across the world of the rate at which recovery would occur, so there is no mystery about this, particularly for the right hon. Gentleman, who follows these matters closely.

Mr. Hain: We have had a list of sound bites from the Chief Secretary and a Pinocchio impression, but could we have some serious economics? I put it to him that, if any of the factors that he has quoted approvingly are valid, they are due to the 18 per cent. devaluation since last September. Why, therefore, are the Government deliberately encouraging an appreciation of the pound by about 5 per cent.? Surely the policy and the priority should be low interest rates, but interest rates are still very high in real terms, and are crippling prospects of long-term sustainable industrial recovery.

Mr. Portillo: Pinocchio's nose grew with telling untruths. We have had a lot of untruths from the Labour party and the Liberal Democrats. I shall be coming to them shortly. In framing his joke, the hon. Gentleman has not been listening carefully to my speech. All right, we have a lower exchange rate, which is helpful to competitiveness in the short run, but I have been pointing to an underlying change in the competitiveness of this country. I have been talking about a change in our unit wages costs vis-a-vis other countries. Perhaps the hon. Gentleman needs a moment longer to reflect upon what I know is an unfamiliar concept, but one which, when he has absorbed it, he will realise is extremely important in explaining our recovery.

Two of the foundations for recovery have been in place for some time. They are low inflation and low interest rates, but after this recession what Britain needs is rising confidence, and rising confidence has been enhanced by the Chancellor's clear medium-term economic policies. He has set all his policies in a medium-term framework.

First, the Chancellor set out a clear monetary policy—a target for underlying inflation of 1 to 4 per cent., and a set of indicators that he will consider when deciding on interest rate policy. Secondly, in the autumn statement, he established a public spending policy for the medium term. Over time, the Government's spending will grow less than the trend growth in the economy. We have published fixed spending ceilings, above which we will not go. Thirdly, the Budget set out a strategy for tackling the deficit in the coming years.

The form that this Finance Bill takes underlines the Government's medium-term strategy for the economy, because, unusually, this Bill sets out tax rates not just for this year but for the years ahead. Contrast these clear statements with what we have heard from the Opposition. Before the election, they had a policy for everything, and usually two policies for everything. Since the election, they have entered a policy void. The hon. Member for Dagenham (Mr. Gould)—remember him? I might say, my hon. Friend the Member for Dagenham—puts it very well. Of the Labour party, he says:

> "We appear not to have an independent view on the level of public spending or borrowing, or where interest rates should be, or the importance or otherwise of monetary policy, or how the exchange rate should be managed."

What a condemnation of the Labour party. I want to make it clear that this is not something I picked up from the hon. Member for Dagenham over lunch in the Churchill Room. This is something that he has stated publicly—writing in *The Mail on Sunday*, no less.

The hon. Member for Peckham is shadow Chief Secretary. She has held her job almost as long as I have held mine. I have to badger Ministers all the time about controlling spending. That does not make me a very popular chap. It is probably for that reason that I have to look to people on the other side of the House to have lunch with. But what about the hon. Member for Peckham, who is in the equivalent position?

I cannot remember a single subject upon which the hon. Lady has called for restraint. All her comments have been to the effect that more money is needed for health, education, overseas aid and everything under the sun. Like the other megastar whom she most closely resembles—I am of course referring to Miss Joan Collins—she likes to have the most expensive of everything and, like so many of Joan Collins' screen roles, she just cannot say no. On the subject of what our tunes are today, I suggest that her tune is "I'm Just a Girl Who Can't Say No", from the musical "Oklahoma".

If public spending is too high, it weighs on the country's wealth-creating sector. We lose sight of that fact at our peril. This year, general Government expenditure is planned to be more than 45 per cent. of GDP. Government spending is likely to rise by 19·5 per cent. in real terms between 1988-89 and 1993-94. Central Government debt interest payments are projected to rise by nearly 9 per cent.

a year in real terms between now and 1996-97. On their own, they will add nearly 1 per cent. to the proportion of national income which is taken by public spending.

On 8 February, I announced to the House a programme of fundamental public expenditure reviews. During this Parliament, that process will consider every Government programme, reassessing spending commitments against the needs of the 1990s and the century ahead. I have agreed demanding agendas with the Secretaries of State for Social Security, for Health and for Education, and with the Home Secretary, and work is now under way on that. We have chosen those programmes because they are among the biggest. What is loose change in those programmes is, or can be, more than the entire budget for some other programmes.

Social security is a prime example. It accounts for £80 billion a year, one third of all public spending. Every working person in this country contributes £10 daily to cover the costs of social security. Every year, the amount we spend on social security increases. Since 1978-79, leaving aside unemployment, the programme has grown by more than 3 per cent. a year in real terms. In last year's public spending round, we added £3·9 billion to the DSS programme—that is what we added for one year—and it is a striking thought that that increase in social security spending is nearly twice the total annual investment in national roads, even though investment in national roads is at a record level.

Looking to the future, the prospects are also very difficult. Demographic pressures are against us, and they will add £250 million a year on their own. Items which a few years ago were insignificant have swollen to massive proportions. Back in 1978-79, help with mortgage interest rates through income support was £10 million. Today it is more than £1 billion. The number of people claiming invalidity benefit has doubled over the last year, while the nation has become healthier over the past 10 years. The number of single parents has also doubled. There are now 1,300,000 single parents bringing up more than 2 million children. All too many of those families depend on income support, and the numbers seem set to keep rising.

Mr. Malcolm Wicks (Croydon, North-West) *rose*——

Mr. Portillo: Let me say a little more.

The Opposition recognise the problems, and the fact that great difficulties are posed by some of the trends. The Opposition have set up a social justice commission to put some of the issues in the spotlight while apparently leaving the shadow Chief Secretary in the dark.

"We must be prepared to examine in an open-minded way some of the fundamental features of our approach. What is the right balance between universal and selective benefits?" That question, those words and those sentiments are not mine; they are the words and the question of the right hon. and learned Member for Monklands, East.

Mr. Wicks: The Minister said that 70 per cent. of one-parent families in Britain depended on state social security. Does he recognise that, in Sweden, for example, 70 or 80 per cent. of single parents are in employment and standing on their own two feet? Does that not imply that what is needed is a package consisting of jobs, training, education and child care to enable one-parent families to be independent, which is good for the economy and good for those families? Will the right hon. Gentleman draw on those lessons for the United Kingdom?

Mr. Portillo: I note that the Swedish economy had been in tremendous difficulty recently, and that Swedish interest rates have made ours look like a Sunday picnic. Our own rate of employment is second in the EC after Denmark. The participation of our labour force in employment is very high. I recognise the hon. Gentleman's argument, but there are clearly counter-arguments to be advanced.

Public expenditure control is necessary and is in place but, in present circumstances, our commitment to sound public finances requires us to raise revenue, too. We shall do so in the way that least affects the recovery or incentives, in a way that spreads the burden fairly and in ways that accord with our long-established principles. Over time, we have shifted the tax burden away from direct taxes, which blunt incentives, to indirect taxes, which do not. We also prefer to broaden the tax base rather than increase rates of tax.

The Prime Minister signed the Rio convention on climate change last June. We are determined to meet our environmental commitments, along with others, and return carbon dioxide emissions to 1990 levels by the year 2000. If we sign up to commitments, we mean it and we meet them. VAT on domestic fuel and power will contribute significantly to the achievement of our Rio target. The Opposition parties argued last year that the Rio convention did not go far enough, yet now they are unwilling to face up to the consequences of curbing pollution. Their reaction has been as predictable as it is depressing.

It is quite clear that the Labour party was itself planning such a change. It has issued statements about green taxes and has written policy documents about taxing fuel. It has omitted any reference to fuel and power when talking about our zero rates, and has quite explicitly said that VAT should be increased on things that damage the environment. One does not need to be Inspector Morse to work out that that means VAT on domestic fuel and power.

Today, however, I want to take issue with the Liberal Democrats in particular. In the Newbury by-election campaign, they have pledged themselves to scrapping the extension of VAT, and have sought to make that the centrepiece of their campaign. The right hon. Member for Yeovil (Mr. Ashdown) tells us that he believes in a new kind of politics. In what he has called the "Newbury declaration"—if anyone can imagine anything so pompous—he explained that politicians should look to "long-term gain" not "short-term calculation", and that politics

"ought to be about telling people the truth".

So have the Liberal Democrats been telling people the truth? Listen to what they said in "Costing the Earth", a federal green paper issued in 1991:

"Liberal Democrats advocate as a first priority the imposition of a tax on energy . . . the UK is unusual amongst EC Members in not applying even standard rates of VAT onto domestic fuels . . . if it proved completely impossible to persuade our international partners to adopt energy taxes . . . we would nevertheless press forward . . . for example, by ending the anomalous zero rate of VAT on fuel."

Mr. Beith: Will the Chief Secretary give way?

Mr. Portillo: I will give the right hon. Gentleman his moment.

The "Newbury declaration" of the right hon. Member for Yeovil is not only pompous: it is sanctimonious humbug. Liberal Democrats are wedded to short-term

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calculation and do not give a damn about "long-term gains". So far from believing that politics ought to be about telling people the truth, for a few extra by-election votes the Liberal Democrats would sell their grannies.

Mr. Beith: The Minister will acknowledge that that green paper did not become party policy. Instead, we took up the suggestion, which the Minister is resisting, that energy taxes should be related to pollution and resource depletion effects like a European carbon tax. That is the sensible way to proceed: not to visit a tax at the same level on wind power as is visited on nuclear power.

Mr. Portillo: The right hon. Gentleman's integrity and that of his party are not improved by wriggling. It is perfectly clear what the Liberal Democrats were saying then and it is perfectly clear what they are saying now, and it is perfectly clear that there is a huge gap between the two.

Mr. Robert Hughes (Aberdeen, North): Now that Inspector Clouseau has had his fun with the Liberal party, perhaps the Minister can tell us why, if the VAT on domestic fuel was related to Rio and global warming, the total sum generated is not going into energy conservation in the home?

Mr. Portillo: The hon. Gentleman misses the point. Putting VAT on domestic fuel and power will reduce our carbon dioxide emissions by 3·5 per cent. and, with our other measures, that takes us two thirds of the way towards fulfilling our Rio convention commitment. That is how it operates, and it achieves exactly that effect. The hon. Member for Aberdeen, North (Mr. Hughes) knows perfectly well that we are talking about a Budget in which revenue has to be generated. We have the honesty to talk about generating revenue, while the Labour party does not.

In contrast to what we have heard from the Liberal Democrats, the truth is that independent experts, such as the Institute for Fiscal Studies, have confirmed that this Budget will impose a roughly equivalent extra financial burden on those in all income brackets in our society.

The action that we propose on the married couple's allowance, on dividends and on car taxation ensure that the better-off pay their fair share. The truth is that any increase in domestic energy prices feeds through automatically in the normal uprating of all benefits, including retirement pensions, and we have promised to provide extra help on top of that for people who will face the most difficulty in meeting their higher fuel bills. That special assistance to those on income support and other income-related benefits will be available before the new bills come in.

The truth is that the Government can be proud of their record of help for the neediest people. Last October, we boosted the weekly income support rates for pensioners by £2 for a single pensioner and by £3 for a pensioner couple. This month, everyone on income support has benefited by between £1·40 and £2·80 per week because they no longer have to make any contribution to local taxation. What is more, this month all major benefits—not just income-related benefits—have risen by 3·6 per cent., which is nearly twice the current rate of inflation.

Mrs. Barbara Roche (Hornsey and Wood Green): Will the Minister give way?

Mr. Portillo: No, I will not.

Following privatisation, everyone has benefited from falling fuel prices. Domestic gas prices have dropped by 9 per cent. in real terms over the past five years, and domestic electricity prices are actually being cut in price terms this year.

Under the previous Labour Government, electricity prices rose by 30 per cent. in real terms. No special help was given to people on low incomes then. What is more, Conservative Members remember that the right hon. and learned Member for Monklands, East (Mr. Smith) was an Energy Minister in that Labour Government.

Mr. David Shaw (Dover): With regard to pensioners, does my right hon. Friend recall the position in 1976, when the International Monetary Fund had to be called in, the Christmas bonus could not be paid and Barbara Castle had to change the pension payment date—from April to April, to November to November—in order to lose 10 months of inflation and rob the pensioners? Is it not the Labour party which always has its stiletto knife in pensioners' backs?

Mr. Portillo: My hon. Friend is right in his recollection of history. In every election since 1979, the Labour party has made grandiose promises to pensioners, but pensioners have not believed them, because they remember that the Labour party tricked them when Labour was last in office, and they know that, when the Labour party offers them policies, they do not add up, and they have no expectation of those promises being fulfilled in future.

In recent weeks we have seen a string of very good economic figures. They have forced the hon. Member for Peckham to change her tune and to recognise that recovery may be under way. However, not being able to bear such good news, like all great stars she has taken out her handkerchief and spoken in tragic tones. Her performance has been very moving. She now directs our attention to the need for sustained recovery and for tackling the underlying weaknesses of the economy.

On the Government side of the House, Members have always been interested in sustained recovery and in building up the underlying strengths of our economy. My right hon. Friend the Chancellor of the Exchequer strengthened the car industry by abolishing car tax; it has responded with the best monthly production figures for 19 years.

The Chancellor gave unparalleled help to exporters in the Budget; exports to non-European Community 24countries are up 12 per cent. on last year. He took steps to help the housing market; prices are beginning to stabilise and even to rise a little.

The Opposition are not really interested in building up the underlying strengths of this economy. They oppose every policy that offers Britain a stronger future; they opposed every privatisation that turned loss-making corporations into profit-making businesses; they have fought every trade union law reform which has given us the best industrial relations record for 100 years; and they have let their union friends boycott every major training initiative. Now they refuse to condemn the teachers' boycott of testing in our schools, even though it is damaging our education and our economic prospects.

The British people will contrast that record of the Labour party with the courage shown by my right hon. Friend the Chancellor of the Exchequer. His tenacity has brought down inflation to its lowest level for a generation.

The evidence of economic recovery is growing, confidence is returning, Britain is on track. This Finance Bill will keep Britain on track, and I commend it to the House.

4.6 pm

Ms Harriet Harman (Peckham): The Bill arises from a Budget which breaks promises, hits hardest at the people who can least afford it and fails to do what is necessary to deal with the fundamental weakness of the economy and to set the country on course for sustainable economic growth.

At the heart of the Bill lies a fraud on the electorate. The Tory election campaign was centred on the pledge to cut taxes. The Prime Minister promised specifically and repeatedly that the Government would not put value added tax on gas and electricity—they would not and they had no need to—yet they are putting before the House a Finance Bill which means that for every £1 paid on heating bills they will take another 17·5p in tax, which will affect everyone. It will hit hardest at the poorest, as they spend a larger share of their incomes on heating bills, and the Government know it. It will hit hardest at the elderly, who spend more time at home and need to use more gas and electricity to stay warm, and the Government know that, too.

Not only have the Government broken their election promises, not only are they hitting the poor and the elderly hardest, but they add insult to injury by trying to justify the measure by claiming that it is environmental. When the Chief Secretary spoke in the Budget debate, he was slightly more honest, saying:

"Before the election we said that we had no plans to raise VAT, and that was the plain truth *[Interruption.]* Yes, it was. Last year, we were looking at a level of Government borrowing far lower than that we are facing today. We must take action to deal with the changed position."—[*Official Report*, 17 March 1993; Vol. 221, c. 300.]

So which is it? Is it what the Chief Secretary said on 17 March—that the Government have gone into the red—or is it a green measure, as he is trying to pretend today? We know that this is not a measure for the environment; it is intended to raise money. It is a measure not from a Government who have gone green but from a Government who have gone into the red.

Mr. John Butterfill (Bournemouth, West): Can the hon. Lady tell us what the Labour party did to help the elderly? When Labour was last in power, electricity prices rose by 30 per cent., and I do not recollect her protecting them at that time.

Ms Harman: Since the Conservative Government have been in power, our pensioners have fallen behind those in the rest of Europe. They have found that residential care services, domiciliary care services, home help and meals on wheels have been cut. They have found that the public transport services that they need to get round have been cut. I should like to know whether the hon. Member for Bournemouth, West (Mr. Butterfill) told those people whom he asked to vote for him at the general election that he would vote to increase VAT on their gas and electricity. I will give way for him to say what he put in his election address.

Mr. Butterfill: Will the hon. Lady answer my question?

Ms Harman: I have answered the hon. Gentleman's question. Not only will VAT be put on the cost of the fuel that is used; it will also be put on the standing charge. How on earth can it be an environmental measure to put VAT on a standing charge that, by definition, does not vary with the amount of fuel used? The Government came up with the answer that to have VAT on gas and electricity but not on the standing charge would lead to tax avoidance. Do Conservative Members really believe that, or is it simply another thing that they have taken to saying without even caring or knowing whether anyone believes them any more?

Mr. Stephen Milligan (Eastleigh): Can the hon. Lady tell us clearly what a Labour Government would do, in the remote possibility that they came to power? Would they repeal the tax? If so, how would they find the additional revenue?

Ms Harman: We will vote against the measure tonight. We will vote against putting VAT on gas and electricity. I challenge the hon. Gentleman: when he asked his constituents to vote for him, did he say that he would put 17·5 per cent. on their gas and electricity bills? Our principles are to be fair to pensioners and ensure that a Labour Government do not clobber them with the same economic mistakes as this Government have.

In the last general election, the candidate for Enfield, Southgate, Michael Portillo, said:

"Conservatives want to cut your taxes."

Can that be the same Michael Portillo who now, as the Chief Secretary to the Treasury, asks for £17 billion extra in taxes? Curiously, the Cabinet that has decided to put taxes up is full of right hon. Members who told their voters that they would put taxes down.

The Tory candidate for Rushcliffe, Kenneth Clarke, said in his election address:

"Only the Conservatives believe in keeping taxes down."

Did he mention that when the Cabinet considered the Budget? The Tory candidate for Edinburgh, Pentlands said:

"six reasons for voting conservative this time . . . (3) to stop your taxes going up".

Did he mention that in the Cabinet? The Tory candidate for Wirral, West, David Hunt, said:

"Ten reasons to vote Conservative . . . (1) keep taxes low".

Did he mention that when the Budget was considered by the Cabinet? The pledge was echoed by Tory candidates throughout the country.

Perhaps I can remind some of the hon. Members who will be voting tonight of what they said to their voters. The Conservative candidate for Richmond, Yorks said:

"Only the Conservatives can keep taxes down . . . A Conservative Government means lower taxation."

A Conservative Government has not meant lower taxation. The Tory candidate for Chichester, Anthony Nelson, said:

"A Conservative Government means lower taxation. I want to see taxation reduced further."

Those Tory Members and all the others who made the same promises now face a choice. They can either keep the clear promises they made to their voters or follow the discredited Ministers through the Lobby to put up taxes as

[Ms Harman]

the Government's panic response to the damage that they have done to the economy. If they vote with the Government, their constituents will know that they can never be trusted again. *[Interruption.]* Perhaps the hon. Member for Rutland and Melton (Mr. Duncan) can tell us what he said about keeping taxes down.

Mr. Alan Duncan (Rutland and Melton): The Labour junior Treasury spokesman in the other place said that VAT should be extended to all zero-rated goods. Does the hon. Lady agree with her Front-Bench spokesman in the other place?

Ms Harman: We are opposed to putting VAT on gas and electricity. The Government promised that they would not put VAT on gas and electricity—but they are doing exactly that.

The Finance Bill not only breaks election promises but fails to set the economy on course for sustained economic recovery. The Chief Secretary joked about that, but many people in Britain believe that the situation remains serious. Of course everyone hopes that there will be a recovery. Every sign of improvement is welcome, because the price that the country has paid for the Government's economic incompetence is high. During this recession, 1,347,000 more people lost their jobs. During this recession, 420,000 more young people joined the dole queue. Some 149,000 more businesses have failed and 188,000 more families have lost their homes through mortgage default.

Having failed to accept responsibility for the recession, the Government now try to take credit for the recovery. Every increase in unemployment is due, of course, to factors outside the Government's control. Every drop in unemployment is due to the Government's economic policies. Every business failure is due to factors outside the Government's control. But any increase in business confidence is due to the Government's economic policies.

The fall in retail sales was due to factors outside the Government's control. The increase in retail sales is now directly due to the Government's economic policy. No one who lost his job can blame the Government, but everyone who finds a job has the Government to thank. This is a Government who take credit for anything, but accept responsibility for nothing.

Mr. David Willetts (Havant): The hon. Lady referred a moment ago to the recovery. Does she accept that a recovery is under way?

Ms Harman: I very much hope that a recovery is under way. I very much hope that this unnecessarily long recession, caused by the Government's economic failures, is ending. But I want to be sure, and people in the country want to be sure, that never again do so many lose their jobs and so many businesses fail because the Government think that the economy is nothing to do with them.

The economy remains scarred by recession. Still 2,940,000 people have no job. Still more than 1·5 million people live in homes worth less than their mortgage.

Mrs. Ann Winterton (Congleton): If the hon. Lady agrees that, indeed, the recession appears to be ending and recovery is under way, how much of the start of that recovery does she put down to our coming out of the exchange rate mechanism? Is it her party's policy to return to the ERM in due course?

Ms Harman: We want to see stability for business in Britain as part of economic recovery. One of the things that business has lacked on exchange rates, interest rates or any other issue is certainty for the future. We believe that management and co-operation on exchange rates are part of that. But one of the problems with the ERM that the Government have failed to address is why our economy was so fundamentally weak that we had no chance of surviving at the rate at which we entered.

The economy has become seriously weakened. We have fallen behind the countries with which we have to compete. There was no recognition of that in the Chief Secretary's speech. British investment per manufacturing worker is half that of Germany and America and only one third that of Japan.

We have fallen behind on skills. Skill levels are 40 per cent. below those of our leading rivals. The skills gap is particularly serious in engineering, in which Germany and France continue to produce twice as many qualified people as we do. Our failure to invest in skills and industry shows in our failure to match our competitors on productivity. British productivity is now 30 per cent. below the Organisation for Economic Co-operation and Development average.

The Government's lack of attention to those economic fundamentals is reflected in a growing balance of payments problem. Despite the recession, we continue to import more than we export. The manufacturing deficit is set to rise. The balance of payments deficit will worsen in the next two years. The volume of imports is set to rise faster than exports. Government forecasts show that they expect consumer spending to lead the economy out of recession. But that will make the already serious balance of payments problems worse unless it is matched by investment in industry and skills.

Only the Government fail to recognise the deep problems that remain, problems which are evident to those who look at Britain from home and abroad, even if they are apparently undetectable to those who survey the scene from either No. 10 or No. 11 Downing street.

The Government must address the skills gap and the investment gap which are at the heart of our growing trade gap. Before the Government sound the trumpet to celebrate the end of the recession they should notice that the trumpet, too, is now made in Japan by Yamaha. That is why it remains vital that the Government should adopt the measures that the Labour party is proposing not only for an urgent employment programme, but for a boost to investment, starting with the phased release of the accumulated receipts from the sale of council houses.

The Government have been borrowing, and the cost of the recession and the weakening of our industries is revealed by public finances. They have borrowed not to train people or to equip them with new skills, but to keep them idle. For the first time since the systematic collection of statistics began, more public money is being borrowed than invested. The Government's approach to public spending is like running the bath taps with the plug out.

When the Prime Minister was Chief Secretary, he said that we would have a zero PSBR; he then said that he would not accept a PSBR of £25 billion, but now the Government forecast, and they hope to be able to keep to, a PSBR of double that at £50 billion.

Despite the £115 billion in oil revenues and the £62 billion in privatisation receipts, the Tories are set to push public borrowing to a record high. The quest to press on

with privatisation has now become a sick joke. Group 4 may need to change its name to Group 8 in recognition of the number of prisoners who have escaped. The Chief Secretary will remember that Margaret Thatcher promised that her plans for privatisation would set the people free. Group 4 has given a new and fresh meaning to that election slogan.

The privatisation receipts, in common with the oil receipts have not gone on investing in skills, industry and our social and economic fabric, but on financing the growing dole queue. The country has enormous strengths, but the Government's economic policy is eroding them systematically. It is not that the Government have an economic problem, but that the economy has a Government problem. It is not the Labour party which is talking Britain down, but the Conservatives who are holding it back.

At a time when unemployment remains at around 3 million, it is extraordinary that the Finance Bill contains a measure for the taxation of oil which, on the Chancellor's own assessment, will result in at least 10,000 job losses. The oil industry and independent forecasters estimate that the proposal will cause nearer 30,000 job losses. The change in the tax regime for North sea oil will result in a fall in exploration, and will therefore affect the future of the oil industry. The Government have introduced this change at a time when many other areas of the world have substantial oil reserves, sometimes greater than those in the North sea. The loss of incentives to continued exploration in United Kingdom waters may be highly damaging.

The measure in the Bill will benefit some operators in the oil industry, especially if they cut the amount of exploration they undertake, which many, faced with the proposed change, now plan to do. Operators in the mature fields will benefit from the reduction in, and eventual abolition of, the petroleum revenue tax. There is a real risk, however, that those operators, instead of investing their new profits in the North sea, will invest that money in other parts of the world. This may be an issue for Scotland and the oil industry, but it is also an important issue for the country. It poses a significant risk to the United Kingdom, not just in terms of immediate jobs losses, but in terms of the future of our energy resources.

As the economy struggles out of one of the deepest and longest recessions for 50 years, confidence may return to the high street, but public confidence will not return to the Chancellor and his Ministers. The Tories will not address the question of how to build a strong economy because, quite simply, they do not believe that that is an issue for government. They think that it can all be left to the market and that the economy has an inherent capacity to grow.

It is simply no longer possible to place any trust in what the Tories say either about the economy or about their plans for the economy. The Conservatives failed to forecast the recession and they denied its existence when it started. They underestimated its severity and length, and they overestimated how soon a recovery would begin. Every official forecast made by the Prime Minister and by the Chancellor has had to be revised downwards—except for the forecast for the PSBR, which has had to be doubled. The Chief Secretary has just said——

Several hon. Members *rose*——

Ms Harman: I have given way half a dozen times. I am not prepared to give way now, because many hon. Members want to speak in the debate.

The Chief Secretary said in a moment of seriousness that, when the Government signed up for commitments, they kept them. I thought that he must be about to make a joke, but I realised that he was trying to be serious. The Government said that they would maintain the value of the pound, but they devalued it. They said that the recession was ending in April 1992; it had another year to go. They said that they would not put VAT on gas and electricity. It is set to go up by 17·5 per cent. They said that they would not have a PSBR of more than £25 billion. It is to be double that. They said that they would cut taxes, but they are to raise them by £17 billion.

The Chief Secretary said that there would be £1·75 billion in extra investment for councils from the release of receipts from the sale of council houses and from other capital receipts. In the autumn statement debate, I challenged that figure, because councils told me that they expected not an increase but a drop in receipts, because they could no longer sell council houses. Yet the Chief Secretary and the Chancellor, when they clearly knew that councils would not have £1·75 billion to invest and to spend, kept giving that figure.

The Institute of Housing has carried out a survey which supports my findings. It concludes:

"Local authority building will be zero and only 400 additional homes will be built through housing associations. A modest increase in investment in 1993 will be paid for by cuts in 1994 and 1995."

Will the Chief Secretary now admit to the House that there was no £1·75 billion-worth of capital receipts available for council investment and that that figure was and is bogus? I shall give way to the Chief Secretary if he wants to admit that that figure is bogus. I see that he is staying in his seat.

The Government are now set to chop the welfare state. The increase in unemployment and the fall in receipts are used as the excuse not only to increase taxes, but to cut services. The election promises to protect services and benefits have also been forgotten. No Tory candidates and no Tory Members warned constituents that to vote Tory would mean chopping benefits and services. Of course, cutting the welfare state is not just an expedient caused by the Government's economic incompetence, but is the hidden agenda of the Tory right wing. It sees the increase in borrowing as a chance to take the axe to services in which it has never believed and to benefits on which it has never had to rely.

The Institute of Managers reports that, even at the bottom of the recession, directors have managed to award themselves a pay increase of 5·5 per cent., yet the Chief Secretary tells us—he told us this again today—that the key to a successful economy is low wages, not for directors, of course, but starting with a cut in the living standards of people working in the public sector.

Mrs. Angela Browning (Tiverton): Will the hon. Lady give way?

Ms Harman: I have given way about six times and I intend to press on.

As the Government cut the welfare state and push up fuel costs for the elderly, more people will turn to charities for help.

Mrs. Browning: Will the hon. Lady give way?

Ms Harman: I give way on condition that the hon. Lady tells the Chief Secretary to clean up his jokes about me.

Mrs. Browning: I thank the hon. Lady for giving way, and if I can help her in the matter of the Joan Collins jokes I will be pleased to discuss that in private with her after the debate.

I should like to take up the hon. Lady's point about pay increases. We are all aware of the need for pay restraint right across the public and private sectors, but the hon. Lady will recall that the House voted on Members' pay and that many hon. Members, particularly Conservative Members, voted for a zero increase. The same cannot be said for all her Back-Bench colleagues.

Ms Harman: The trouble is that the Conservative Members who voted for no pay increase for Members of Parliament did not vote for their pay as directors or as consultants to be frozen. The difference between us and the Conservatives is that we believe in a highly skilled, high technology, high investment economy—and high wages will be part of that. We do not think that we should have a low skill, low technology, low wage economy and then try to compete with the third world.

As the Government cut the welfare state and push up fuel costs for the elderly, more people will turn to charities for help. Last year the Cancer Relief Macmillan Fund gave out more than £3 million in patient grants, of which by far the largest category were grants for heating costs. But the charities to which the elderly and the ill turn will in future be less able to respond because the Government plan to take money off them by making them pay VAT on gas and electricity for the first time.

The Imperial Cancer Research Fund calculates that VAT on gas and electricity will mean that it has to pay extra tax of £170,000 a year; and the Charities Reform Group calculates that 11 national charities will have to give the Government more than £1 million more.

The measures in the Finance Bill to encourage more payroll giving and gift aid will go nowhere towards making up for the millions of pounds that the Government will take off the charities through VAT on fuel or to make up for the fall in private charitable giving that has been caused by the recession.

The Government cannot even get their alibi right. The Chancellor claims that the rosy 1992 Budget forecast for growth was blown off course because of problems in the world economy. The Red Book, however, shows that the one figure that the Government got right in 1992 was that for growth in the world economy, as Dr. John Wells of Cambridge university has pointed out. The problem had everything to do with misleading the electorate about the country's immediate economic prospects and the possibility that taxes would be raised.

The Government did not tell voters at the last election that they planned to put up taxes and put VAT on gas and electricity, because they knew that, if they told them, they would not be re-elected. Although most Tories are happy to cheat the people who elected them, some, at least, have a conscience. I was glad to see that the Conservative group on Dundee council was prepared to second a motion from the Labour leadership of that council. Although he had a heavy heart in doing so, the Tory leader of Dundee council said that he had come to the conclusion that to oppose the motion condemning the Government for putting VAT on gas and electricity would be to try to "defend the indefensible"; and that

"to impose it for environmental reasons, for controlling pollution, was to stand logic on its head."

Conservative candidates are asking for votes in the May council elections throughout England and Wales, but, before voting, people are entitled to know where those candidates stand. Do the Tory candidates, for instance, support the proposal to put VAT on gas and electricity? Perhaps the Chief Secretary can tell us, to help the voters of Newbury, whether, if the Tory candidate there were elected, he would vote for VAT on gas and electricity. Will Julian Davidson vote for that if he is elected? Can the Chief Secretary tell us? It would be very odd if he did not know whether a by-election candidate for his own party would vote with him on this matter if he were elected.

The Chief Secretary is not prepared to tell us whether his candidate in that by-election supports that key measure in the Budget. It is clear why he will not. If the candidate pledges to vote for the VAT extension, he has no chance of being elected, so he will refuse to say. The people of Newbury will know two things about him—that he plans to vote for VAT on gas and electricity and to conceal that fact from those he is asking to vote for him. In that respect, he is like other Tory Members. If any Tory Members have any integrity left, they will join us in the Lobby to vote against the Finance Bill and to keep their promises.

Mr. John Maxton (Glasgow, Cathcart): On a point of order, Mr. Deputy Speaker. What is the position about Second Reading of the Bill? Am I right in thinking that it is exempted business? Many hon. Members are rising to speak, and if it is exempted, the vote does not need to be at 10 o'clock but can be at whatever hour the House decides.

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): The hon. Gentleman is quite right on both points.

Mr. Nigel Forman (Carshalton and Wallington): On a point of order, Mr. Deputy Speaker. Do the rules of the House contain any guidance about how we are expected to deal with a shadow Chief Secretary to the Treasury who apparently aspires to the job, yet suggests that public expenditure is to be increased and taxation is to be resisted?

Mr. Deputy Speaker: That is not a matter for the Chair, as the hon. Gentleman well knows. His point is a sheer waste of the House's time.

4.36 pm

Mr. John Watts (Slough): The hon. Member for Peckham (Ms Harman) attacked the level of the borrowing requirement and some of the Budget measures that are designed to reduce it. In particular, she attacked VAT on domestic energy but did not mention her party's proposal to impose a levy on the profits of energy utilities and how that would assist consumers. She did not say whether, despite that levy, energy utilities would continue to pass to consumers the benefits from the lower costs that they have enjoyed in recent years.

The hon. Lady gave a grudging welcome to the encouraging signs of economic growth that have emerged in recent weeks, but criticised the Government for, she claimed, acknowledging the recovery too soon. She said that the Government had claimed that it had started last

summer, and that we had had to wait a year for it. My right hon. Friend the Chief Secretary explained that the GDP had grown in three quarters. I am a simple accountant and my mathematical ability may not be equal to that of the hon. Lady. However, it is clear that three quarters before the end of the last quarter would take us back to the beginning of the summer of last year. If recovery started last June, it is churlish of the hon. Lady to criticise the Government for a claim which, on her calculation, was perhaps three months premature.

Mr. Geoffrey Hoon (Ashfield): The hon. Gentleman is the Chairman of the Select Committee on the Treasury and Civil Service. Why did that Committee roundly condemn the Budget?

Mr. Watts: It would take me a long time to deal in detail with every part of the report that was published today. The hon. Gentleman is referring to the fourth-form abuse in the earlier paragraphs of the report. I understand the irresistible temptation that faced the Liberal and Labour members of the Committee to insert a few abusive and rude comments about the Chancellor, but they did little to enhance the work of the Committee, and they were not an intelligent commentary on the development of the economy. When I have dealt with another matter that has arisen in the debate, I shall deal with the central feature of that report and the matters that the Government will have to deal with in the years ahead.

Mr. Giles Radice (Durham, North): It would have helped the Select Committee even more if the Conservative Members who should have been there were actually there.

Mr. Watts: I plead not guilty, as I was there. As I have said on a number of occasions, I do not consider myself to be either a wet nurse or a Whip for one part of the Committee. My role as Chairman is to serve the whole Committee.

My right hon. Friend the Chief Secretary referred to a number of measures taken to assist the further development of industry and to a Liberal declaration in Newbury about VAT. In both references, he missed out one important measure in the Budget. He made no reference to the improvement in the VAT treatment of the racing industry, which is a feature of the Budget for an industry that is of importance to many parts of the country. I link it to the Liberal declaration in Newbury, because I have seen reported a scurrilous allegation from the Liberal candidate that the measure was designed for the by-election and for no other purpose.

It is important that the record is set straight. The last time that I saw our late colleague, Judith Chaplin, was when she and I went to see my right hon. Friend the Chancellor in the course of pre-Budget consultations. The matter that she discussed with the Chancellor, as she had done often before, was the need for some reform of VAT on the racing industry. Therefore, it cannot be true, and is not true, that the measure is included in the Budget as a by-election bribe. It is there, if anything, as a tribute to the assiduous way in which our late hon. Friend served the interests of her constituency with such vigour.

Mr. Portillo: My hon. Friend is right. Does he agree that, if it had been a by-election ploy, during the course of my speech I would have made quite a lot of that historically helpful measure?

Mr. Watts: My right hon. Friend makes his own point in a most powerful way. I thought it appropriate to mention the matter in order to put the record straight and, in particular to draw attention to the role of our late, lamented friend.

The Bill implements the revenue-raising side of the Chancellor's fiscal judgment. It is clear that the difficult judgment, as my right hon. Friend described it, that the Chancellor took was the right one. He was right to avoid premature increases in the burden of taxation, which might have jeopardised the recovery that we are all so glad to see is shown by recent evidence, even though the consequence is a £50 billion public sector borrowing requirement for the coming year. He was equally right, sensible and wise to recognise that the deficit is not a problem that can be ignored and neglected throughout the economic cycle. It poses a potential problem in the development of the economy in the years ahead.

Table 2B.5 of the Red Book shows that, in 1997-98, the PSBR is projected at £30 billion or 3·75 per cent. of GDP, based on the central growth assumption in the forecast. On a low growth assumption, that deficit could be as high as 5·25 per cent. of GDP and, even on the assumption of a high assumed level of growth in the forecast, it would still be 2·5 per cent. The Bill contains revenue-raising measures to take effect next year. Had they not been in place, all those forecast levels of deficit would have been another 1·5 per cent. worse. That underlines the importance of those measures in the Bill.

I am reminded of the comments of my right hon. Friend the Chancellor that the Budget cannot be an à la carte menu. We must look to the revenues that are needed to balance our national accounts. Even on the most favourable assumption that can be contained in the official forecasts, the deficit does not end at the end of the present economic cycle. It is clear that, unless recovery is both substantially stronger than expected, and sustained, further reductions in public expenditure or increases in taxes will be necessary.

Naturally, my clear preference is for reductions in spending so that we can have the opportunity of further reductions in the level of taxation. The Conservative party is the only party, in the House or outside it, committed to lower taxation as a policy objective. The records of the Labour party in office and, if one looks back far enough, of the Liberal party in office and in support of a minority Labour Government prove that to be the case. Therefore, I urge my right hon. Friend the Chief Secretary to proceed with vigour with the fundamental review of public expenditure that he has been charged to undertake. No part of public expenditure can be considered to be out of bounds.

We have to address a medium to long-term problem. Therefore, we should not be seeking short-term cuts of the sort that Labour Governments took in the mid to late-1970s, involving slashing the Government's capital programme and imposing cuts in pensioners' incomes—a fact to which my hon. Friend the Member for Dover (Mr. Shaw) referred earlier—and imposing on workers in the public service not merely pay restraints but reductions in real pay. We must not look for such a menu to meet our requirements. We must look at rather more fundamental changes, both in the scope of expenditure and in the structure of the public sector.

Ms Diane Abbott (Hackney, North and Stoke Newington): Is the hon. Gentleman aware that, when he calls for cuts in public expenditure, he is calling for a continuing downward spiral of low or slashed levels of public investment, leading to nothing happening about the unemployed and to continuing high levels of public expenditure on unemployment? Would it not be far better to invest in the economy, do something about the unemployed and help to cut the PSBR so that we would not have to continue to spend millions on maintaining a standing army of the unemployed?

Mr. Watts: I am grateful for the hon. Lady's support. I am sure that, had she been a Labour Member of Parliament in the 1970s, she would have opposed the slashing of the capital programme for roads, hospitals and schools which the Labour Government of the day undertook. That is what I had in mind when I referred to short-term measures almost always being the wrong decisions.

It would be surprising if my right hon. Friend the Chancellor, having taken such pains in his autumn statment to protect the major parts of the Government's capital expenditure programme, were to reverse that decision and make such short-term and ill-considered reductions in beneficial expenditure, rather than having the fundamental review of the role of the public sector that my right hon. Friend the Chief Secretary is undertaking.

It will build on the initiative announced by my right hon. Friend the Chancellor and my right hon. Friend the Chief Secretary, which is aimed at a substantial transfer of both responsibilities and risks from the public sector to the private sector. That will have beneficial effects on public finances. We are not looking for cosmetic changes, but if there is a permanent shrinkage in the public sector and if risks that are borne in the public sector are taken on in the private sector, that is not cosmetic but a fundamental change in the role and the scope of the public sector.

Higher taxation is never my preferred option. I am sure that my right hon. Friend the Chancellor will review the progress of the economy in the run-up to his next Budget in November. While the recent growth in consumer expenditure is welcome to get the economy on the move, if that consumer spending growth is excessive and appears detrimental to the current account and the balance of payments because of a high propensity to buy imports, there may be a need to consider some increases in indirect taxation in that Budget. That would ameliorate the growth of consumer spending, if such a growth is becoming a problem, and would contribute usefully, in the short and medium term, to a reduction in the size of the deficit.

My preference is not for an increased burden of taxation as an objective of policy, but for a combination of lower spending and more rapid growth in the economy. That would be preferable and may well happen, especially if our major trading partners—in particular on the continent of Europe—get their economic acts together. Such a combination could present my right hon. Friend the Chancellor with real options in the later years of the medium-term financial strategy, one of which might be more rapid progress in implementing the Government's policy objective of a lower rate of direct taxation—a 20p basic rate of income tax. That objective is not shared by the other political parties.

No doubt many aspects of individual taxes will come under close scrutiny in Committee, both on the Floor of the House and upstairs, but there is only one specific tax measure to which I wish to refer today, and it is the petroleum revenue tax. In view of my right hon. Friend the Chancellor's need to raise revenue to reduce the deficit, it is not surprising that he should consider a tax that had begun to appear almost optional and no longer yielded the revenue that he could once have expected. Perhaps the previous tax regime was over-generous in its relief for exploration and appraisal expenditure. However, I hope that my right hon. Friend will think again about the proposed transitional relief.

As I understand it, many oil companies are committed through their licensing obligations to incurring expenditure. They entered into those commitments when the goalposts were such that they could expect E and A expenditure to be set against their PRT tax liabilities. However, such expenditure will no longer qualify for that relief and nor is it covered by transitional relief. Where expenditure is unavoidable and decisions have been made in the expectation of relief, transitional relief should provide for that.

The second matter——

Mr. Robert Hughes: Before the hon. Gentleman leaves the question of petroleum revenue tax, does he agree that it is ominous and sinister that the Chief Secretary, during his opening speech, said not a single word about PRT?

Mr. Watts: I find that neither ominous nor sinister. There are many matters to which my right hon. Friend could refer, but he cannot refer to them all.

In fact, my second point was not moving away from PRT. I wonder whether there are other ways in which the yield from PRT could be increased without entirely removing relief for E and A expenditure. One possibility would be to retain a higher rate of PRT and restrict the amount of expenditure that qualifies for relief in any one year. I understand from some oil companies that have been in touch with me that, typically, their E and A expenditure might be about 80 per cent. of their PRT liability. My right hon. Friend's understandable desire to increase the flow of revenue could be achieved by setting a cap of 50 or 60 per cent. on the amount of PRT that can be offset by E and A expenditure. That would increase the flow of revenue to the Exchequer, but would not entirely remove the fiscal incentive to continue exploration for valuable hidden natural resources.

I fear that, in swinging the pendulum from one extreme to the other, the Budget's proposals may have gone too far. I hope that my right hon. Friend will look again at the matter and with an open mind. It may not be until the November Budget that consideration can be given a different long-term regime for oil taxation, but transitional relief——

Mr. Alex Salmond (Banff and Buchan): The hon. Gentleman was recruiting some support on these Benches until his final point, when he suggested that any change could wait until November. Does not the hon. Gentleman understand that, by November, thousands of people—some estimate tens of thousands—in the oil industry will be out of work? Would it not be better to make the appropriate change during the Committee stage of this Bill? Will the hon. Gentleman revise his thoughts about the timetable for sensibly adjusting PRT?

Mr. Watts: The hon. Gentleman intervened a little too early. I said that it might take time for a different long-term tax regime to be devised to meet the objective of a strong flow of revenue, while leaving some incentive for exploration to ensure that important national assets are fully exploited. As the hon. Gentleman intervened, I was saying that the issue of transitional relief was more urgent and needed to be dealt with in this Bill. If it is dealt with satisfactorily, those tens of thousands of people to whom he referred will still be in work, because the licensing obligations for companies relate to work that is to be carried out over a significant number of years. Therefore, there is time for the fundamentals of the long-term regime to be dealt with later in the year if it proves impossible to deal with them satisfactorily in this Bill.

I am conscious of Madam Speaker's request that all hon. Members be economical in their use of time. I intend to follow her stricture and conclude simply by saying that, overall, it is a good Budget based on sound judgment, and that it includes sensible measures to underpin sustained recovery.

4.56 pm

Mr. Denzil Davies (Llanelli): The hon. Member for Slough (Mr. Watts), who is Chairman of the Treasury Select Committee, is, with the greatest respect, deluding himself if he thinks that in public accounts a clear line can be drawn between capital spending and revenue spending. I am sure that the Chief Secretary would confirm that. If a hospital cannot afford to pay its nurses, there is not much point in having capital, and vice versa. It is not such an easy solution as the hon. Gentleman, perhaps inadvertently, suggested.

The Chief Secretary made a Cambridge Union-style knockabout speech. I do not blame him for that, because he is a man with a problem, and the Red Book shows where it lies. There is a public sector borrowing requirement of £50 billion—8 per cent. of gross domestic product. As the hon. Member for Slough said, even on the best estimates that figure is not likely to come down by much over the next few years. The Government have signed up to the figures in the Maastricht treaty—apparently, we must get the PSBR down to 3 per cent. of GDP. Therefore, the Chief Secretary has a problem. It is in the lap of the gods whether he is still Chief Secretary if and when that 3 per cent. is achieved.

There is also a balance of payments deficit. Based on the Treasury's estimates, the Red Book says that this coming year the deficit will be £17·5 billion. Within that, the figures are even more horrendous. As my hon. Friend the Member for Peckham (Ms Harman) said, the manufacturing deficit is estimated at £13 billion. In addition, under the column headed "Other", there is another figure of, believe it or not, £9·5 billion.

I do not understand why the Treasury does not break down that "Other" figure. It is fairly large, at £9·5 billion. Most of it is probably accounted for by food imports. It is estimated that this country will be in deficit to the extent of £13 billion in the manufacturing sector and close to £8 billion or £9 billion in food. We are importing far more manufactures than we are making, and that is true of food as well. We can no longer pay for our food imports by exporting manufactured goods. We are in the appalling position of suffering major deficits in respect of manufacturing and food consumption.

Elsewhere in the table, a figure of £2 billion is shown in respect of oil, although no figure is given for energy. I am not an expert on oil taxation, but if half of what I hear is correct, that £2 billion deficit will probably disappear before long if no changes are made to the Bill. What about all the pit closures? I do not know where all the gas will come from—perhaps Norway or somewhere else. It will not be long before this country has an oil deficit also.

Invisibles account for £3 billion or £4 billion, but that figure fluctuates. This country has massive deficits in production and food that we cannot cover with anything else. The Chief Secretary is right to make a knockabout speech, because he is an intelligent man and I am sure that he is extremely worried about the situation.

It is said that we are now at the heart of Europe. Our gross domestic product per head is 90 per cent. of the rest of Europe. I do not care to talk about first and second divisions, but in terms of the economy—I mean no disrespect to these countries—we are down with Spain, Portugal, Ireland and Greece. Perhaps the figure will increase 1 per cent. in the coming year with the recession in Germany, but it will take a long time for our GDP to come even close to the EC average. Far from being at the heart of Europe, geographically we shall always be on its periphery, and it seems that we shall be so economically as well. There may be some correlation between the two.

Despite all that, the Prime Minister is a happy man. He does not worry about those things. He watches cricket, drinks warm beer, fills in his pools coupon, and gently strokes his favourite pit bull terrier. That is the Prime Minister for you. He is quite happy and thinks no more about it—the Committee stage of the European Communities (Amendment) Bill is over.

Mr. Hain: The Prime Minister can watch Neath beat Llanelli.

Mr. Davies: I do not think that is any more likely to happen than the Government coming near to meeting their Maastricht PSBR targets.

Progressive taxation went out of fashion in the 1980s. Adam Smith believed in it, thinking that progressive taxation was a good thing. Karl Marx probably thought the same thing, because he spoke of each according to his needs. With the Reagan and Thatcher revolution of the 1980s, progressive taxation ceased to be fashionable. I am not sure that it is fashionable now among my right hon. and hon. Friends on the Front Bench.

Our income tax and value added tax systems are extremely unprogressive, if that is a good and right word to describe them. I approve of the lower rate of income tax of 20 per cent. I am old enough to remember one and sixpence and six shillings and thruppence, and whatever else Roy Jenkins abolished in 1969—which may have lost us an election. I would argue for a rate even lower than 20 per cent.

The current banding is 20 per cent., 25 per cent. and 40 per cent.—but it stops there, with a jump from 25 per cent. to 40 per cent. when the individual's income reaches £23,000. If one considers allowances and the way the system is constructed, the individual must earn slightly more than a Member of Parliament to come within the 40 per cent. bracket—a salary of £31,000 or £32,000. Every pound after that is taxed at 40 per cent.

I believe that 40 per cent. is too high in some cases. In the late 1970s, there was talk of the middle manager. He is

[Mr. Davies]

still there. The middle manager in the engineering industry does not earn that much. He may earn £40,000, or £50,000 in a medium-sized firm—although probably not during a recession. To tax that individual at 40 per cent. on everything he earns above £30,000 is wrong, unjust, and counter-productive. The Chief Secretary is gesticulating. I will give way if he wants to intervene.

Mr. Portillo: I was just thinking that the right hon. Gentleman's tax policies sound so similar to Conservative policies that he ought to come and sit on this side of the House.

Mr. Davies: The right hon. Gentleman has not heard it all yet, so he had better wait.

I mentioned Adam Smith and progressive taxation because I believe that there should be percentages. In Britain, the highest earnings are enjoyed not by those who work in manufacturing but by those in the financial sector, and by partners in firms of solicitors and accountants. I mean no disrespect, because they perform a useful function in society. High salaries are paid also to property developers in times of growth, and to people working in the media. Those are where the rewards are greatest.

Unfortunately, in the kind of society and economic system that we have in Britain, manufacturing comes lower down. The jump in taxation from 25 per cent. to 40 per cent. at an income of £31,000 or £32,000 militates against manufacturing. Young people consider such factors more than our generation did, and they note the kinds of employment which offer high earnings and lower tax rates. Partners in City accountants and solicitors firms think nothing of earning £250,000 a year and more. They pay 40 per cent. tax, as does a man making machine tools who is paid £45,000 or £50,000.

My scheme of progressive taxation is where I part company with the Chief Secretary. I would begin with tax at 10 per cent.—the right hon. Gentleman might agree—increasing in bands of 10 per cent. to perhaps 60 per cent. or 70 per cent. for the highest earners. That would be a much fairer system, which would lighten the burden on those in middle management who are working in the productive part of the economy, and it would tax more heavily those earning the highest incomes.

That view may be an unfashionable, and I can understand people arguing, "That would be terrible; there would be no investment," but it would be a more sensible system.

No one has jumped up and asked, "What will you do about capital gains tax?" It is most curious that capital gains tax under a Conservative Government is 40 per cent., which is the same as the maximum income tax rate for individuals. I accept that there is indexation, but in reality the figure is unlikely to be 25 per cent., even if the capital gain is not very large.

As to individual taxation, Conservatives do not recognise any difference between capital gains tax and income tax. That is most strange. When I first entered the House, splendid speeches were made by Conservative Members about acorns, oak trees, seeds, and the tree and the fruit. Nobody cared very much about all that in the 1980s. Investment did not mean anything. A buck was a buck, as a Canadian royal commission said years ago, when it recommended abolishing different forms of taxation or capital and income.

The Government tax capital gains at 40 per cent., which is too high. I do not believe that capital gains should be taxed at 40 per cent. I believe that the corporation tax is 33 per cent., capital and income. Obviously if one is going to change the system and have a progressive system of income taxation, one must consider capital taxation. I think that 30 per cent. is about right. I believe in the distinction between capital and income in a society that needs and wants to invest, and believes that investment and long-term growth are good things for the benefit of that society.

Value added tax is a terrible tax. Only someone from the common market would invent something called VAT. It is a dreadful bureaucratic tax, with thousands of civil servants sitting in their tower in Southend, churning out circulars. The tax is not to be found in the statute book; it changes every day as the commissioners of Inland Revenue put out press releases and circulars. One cannot find out or read about it. It is a terrible tax.

The Japanese and Americans at one time thought of introducing VAT. The Japanese are clever people and they decided they did not want to go down that road. When I was at the Treasury there was a proposal to send the permanent secretary to Japan and persuade them to have the tax and stop the Japanese economic miracle in its tracks. But the Japanese are very clever and decided not to have anything to do with this silly tax. However, we have got it, it is there, and we cannot change it.

Mr. Butterfill: The hon. Gentleman mentioned America. Perhaps he is not aware that America has a sales tax in almost every state, which funds most of the state expenditure.

Mr. Davies: I am aware of that. Years ago, in the state of Illinois, I can remember people going down to Indiana and coming back with the boots of their cars filled with television sets because Indiana had a lower sales tax. I do not understand the point that the hon. Gentleman is trying to make.

Mr. Butterfill: The hon. Gentleman was saying that this form of taxation was not popular anywhere else in the world. I was pointing out that in the largest single market in the world a sales tax, of one form or another, is very popular. The fact that people can move down the road to another state is fine. That tends to create a free market and make people average their taxes.

Mr. Davies: It is quite easy to pay it at the cash till. There is no bureaucracy; it is just added to the bill. It is very simple, very easy, and does not need 10,000 civil servants, circulars from the board of Customs and Excise, huge law reports and accountants making vast sums of money.

I seem to be arguing the case for the Conservatives. I think small business men especially would be delighted to get rid of VAT and have a simple sales tax as they have in Indiana, Illinois and other states in the United States; but we have got VAT. The Tories cannot cope with VAT: when Baroness Thatcher formed her first Administration, the first thing that happened was that they abolished the 8 per cent. rate and put VAT up to 15 per cent. To some extent that contributed to the surge in inflation which took

place in 1979 and 1980 after the Conservatives got in. They did away with the 8 per cent. rate and imposed a 15 per cent. rate.

The 15 per cent. rate adversely affected many people. The Chief Secretary mentioned a VAT rate of 17·5 per cent. eventually on domestic heating and fuel; the relevant clause also mentions charities in that class. The same applies to construction, chapels and churches. I remember, as a Treasury Minister, receiving letters from ministers of chapels and churches which had to have their roofs repaired and had to pay 8 per cent. even then. Now 17·5 per cent. will be charged for construction and also for heating bills.

It does not make sense to have such a high, single positive rate when there is no lower rate at all. If it were 10 or 12 per cent., it would be just about defensible; I do not believe it is defensible to have a rate of 17·5 per cent. without a lower rate which can take into account cases such as churches, chapels and the disabled. I remember VAT being imposed on sanitary products for women, and women's groups quite rightly complained. Now it is 17·5 per cent.

My proposal—which again is entirely unfashionable; it is progressive, but unfashionable—is for a 5 or 6 per cent. VAT rate on fuel. This rate would also be imposed on —horror of horrors—manufactured food, if I may call it that. Much of our import bill for food is for manufactured food, and the profits made by the leading supermarkets come from manufactured food. I am sure it would be possible to devise a 5 or 6 per cent. tax on fuel and no tax on the other items.

That is my attempt at rewriting the whole of the tax system. I am sure that it falls on stony ground so far as the Chief Secretary is concerned, and I do not really know about my hon. Friends. It is not fashionable these days to attack or say anything about the mammon of finance and taxation. It is something that politicians on the Front Benches are not allowed to touch, but we on the Back Benches are responsible fellows and allowed to be radical —and that is how I would like to see our taxation system.

5.15 pm

Mr. Andrew Bowden (Brighton, Kemptown): During the past 15 years, we have seen the general trend of taxation move from direct to indirect taxation. I would not argue with that principle or trend—because it increases personal choice and is no disincentive to earners—but, if they pursue that path, the Government have a responsibility to certain sections of our community. If the Government impose that amount of VAT upon domestic fuel, some sections of our community will be hit particularly hard. Therefore, in furthering this trend of indirect taxation—with my support—the Government should look carefully at one or two groups who are on the lowest incomes.

No one likes paying taxes; no one supports any increases because it is going to make them popular—it is going to do the opposite—but it is hypocritical for any politician or political party to continually demand more and more expenditure without saying where the Government of the day are to find the money to meet those bills.

A group whom I feel the Government must consider very carefully in relation to VAT on domestic fuel are the retired people of this nation, some 10 million to 11 million pensioners. Within that group there are two sections of special concern. There are some 700,000 pensioners who could be drawing income support but, for one reason or another, are not. They really are living—indeed existing —on the very lowest of low incomes. There are also about 2·5 million people who have very small incomes, only slightly over and above the income support rate. They are not eligible for income support and they too will face significant hardship as a result of VAT on domestic fuel.

I know that my right hon. Friend the Chancellor of the Exchequer and his colleagues are still considering the best way in which to help pensioners. I would like to make one or two practical suggestions to them—but first, perhaps, I should give a little more background.

Single pensioners spend between £8 and £9 per week on fuel and heating. Married couples spend between £10 and £11 a week on fuel. In the context of VAT at 8 per cent., that represents approximately 70p a week for a single pensioner and 85p a week for a married pensioner.

Those figures will seem very small to a very large number of people throughout the country. To many people, less than £1 a week is neither here nor there, but it is very much an item for the 700,000 pensioners who do not draw income support but who could do so and for the 2 million to 3 million pensioners who have a very small income over and above support rates.

We should also consider this section of the community from a different angle. We are talking about first world war and second world war pensioners, men and women, who were unable to earn large salaries or wages and who found it very difficult to save any money, but often did so. We are talking about a generation of people who are self reliant and responsible and who think in terms of service to others, not just of themselves all the time. Most of them adhere to standards and principles—loyalty, integrity and duty—which to some may seem a bit out of fashion. We owe a very great debt to that group of people, who saw this country through those two enormous conflicts.

My right hon. Friend may say that he understands the points that I am making but that there are a considerable number of pensioners who can pay VAT on fuel without any great hardship. I accept that. There are pensioners —an increasing number—who pay 40 per cent. tax and a significant number who pay 25 or 20 per cent. tax, but we have to balance that number against the two groups I mentioned earlier—the 700,000 who could claim income support but who do not and the 2 million to 3 million who have only a few pounds a week over and above income support level.

Therefore, I ask my right hon. Friend and his colleagues to think hard, when they review pensions expenditure and look at the figures for uprating the basic pension, to be announced in October or November, about increasing the basic pension uprating to meet entirely the cost of VAT on fuel. There would be a considerable clawback through the tax system. It would be efficient and effective to operate, and the administrative cost would be limited; the uprating would be part of the overall increase in pensions which will come about anyhow because of the increase in the retail prices index.

I have done some research into this, and I know that the difference in cost between compensating pensioners through income-related benefits—which the Government have already clearly said that they are thinking about and that they will do, although they have not yet announced the exact details—or through the state pension would be

[Mr. Andrew Bowden]

only about £150 million. I can almost hear some of my colleagues say, "Only £150 million!" I remind the House that this is a section of the community to whom the nation owes a great debt. Therefore, I ask my right hon. and hon. Friends on the Treasury Bench to think long and hard about the pensioners of our country.

Mrs. Roche: I sympathise with many of the points made by the hon. Gentleman. Does he agree that one of the other difficulties that face those pensioners is that many of them may, through no fault of their own, have inefficient methods of heating their homes, and that many studies also show that the homes of many pensioner households are not well insulated? I should be grateful for the hon. Gentleman's comments.

Mr. Bowden: During the past 10 years there has been a considerable number of schemes—certainly in my Brighton constituency, where there are about 20,000 retired people, many of them on low incomes—to help people to insulate roofs and double-glaze windows. One wants money to be found for that work to carry on. Although a great deal has been done, I agree that much more needs to be done in the years ahead.

To return to the debt that we owe this group of people, as the vast majority have only limited savings and were often unable to buy their own homes, they face the worst of all worlds. There can be no doubt that a significant section of retired people have not shared in the increase, proportionately, in the standard of living that the vast majority of us have enjoyed during the past 10 to 15 years. All of them moved forward, to a point, but it was this section of our community that benefited the least. I ask my right hon. Friend to consider that point.

I am conscious that many hon. Members in all parts of the House wish to speak, but before I sit down I shall say a word about petroleum revenue tax, an issue that has already been referred to by my hon. Friend the Member for Slough (Mr. Watts). When making these changes, we have to be careful not to build in a disincentive to explore even further the potential health of the North sea. There is strong evidence that it is only the very large oil companies that will gain from and welcome the changes and that the amount of revenue that they will produce for my right hon. Friend and his Treasury colleagues will be limited.

My worry is that the proposals will kill the incentive for medium-sized and small companies to follow a programme of aggressive, continuing exploration. We know that there is still a considerable amount of oil to be obtained from the North sea, not least on the basis of existing estimates. I do not claim to be an oil industry expert, but it is amazing that we have found over the years that, as fast as the world uses up oil, estimated oil reserves continue to increase rather than decrease, so it must be to our advantage, as a nation, to obtain every barrel of oil that we can from the North sea.

There is a serious danger that investment in the United Kingdom oil industry will be reduced by the proposed changes and that there will be loss of jobs and damage to the economy. Reduced investment could even bring about the premature demise of activities in the North sea.

I hope that my right hon. Friend does not think that I have been too negative. In conclusion, therefore, I shall say that, on the whole, I believe that the Budget is fundamentally sound. It will have my support. It is stimulating the recovery, and it will increase confidence. The nation will see the benefits of this Budget in the years to come.

5.29 pm

Mr. A. J. Beith (Berwick-upon-Tweed): I hope that the Chief Secretary and his colleagues have listened to and will heed what the hon. Member for Brighton, Kemptown (Mr. Bowden) said about the impact of value added tax on pensioners, and his practical suggestions about an alternative way of solving the difficulty that the Government have created. I will deal with those suggestions later.

The debate has at least broken new ground. It is the first occasion that I can recall of a Minister addressing the House while holding his nose. It is usually a signal used when the person speaking wishes to express his distaste for what he has to say. It is the sort of thing that our former colleague Mr. Alan Clark used to manage to convey without actually holding his nose when reading out passages of Government policy that were distasteful to him. I think that there were parts of the Chief Secretary's speech that he could have read out while holding his nose for the same reason, rather than that which led him to do so on this occasion.

I do not suppose that I could persuade the Chief Secretary to feel real distaste for some of the policy decisions in the Budget and the Finance Bill, which I shall criticise later, but he might at least have held his nose when he said that the Government had a clear monetary policy and a clear medium-term financial strategy. Those two statements cannot conceivably stand up, and I am sure that the right hon. Gentleman must recognise that in his more serious moments.

We have had some welcome signs of recovery today, and one or two others in recent weeks. That has led Ministers into the sort of enthusiasm that might usually have been reserved for their own birthdays when they were much younger. There are signs that we are clambering out of the hole into which the Government pushed us, only to be greeted as we clamber out by the Prime Minister and the Chancellor standing with folded arms, saying, "Well, haven't we done well to get you out of that hole?" It is not very encouraging.

The signs mean that we should now apply ourselves to ensuring that we have a sustainable recovery—there is as yet no evidence that we have a sustainable recovery on hand—and that we do not return to some of the problems which got us so deep into recession in the first place. An appropriate corrective to an excess of enthusiasm is to be found in what I refer to as the "agreed parts" of the Treasury Select Committee's report published today.

There are some good parts at the beginning and the end of the report, which benefited from being especially heavily influenced by the Labour and Liberal Democrat members of the Committee, but which, unfortunately, did not command the support of the Conservatives. They are part of the report, they won the vote and they are a sound critique of the dishonest character of the Conservative's strategy at the election. In the agreed parts—those supported by all members or, in one case, by all but one—there are several issues of which the Government should take particular note.

The Select Committee warns of the continuing problem of high unemployment, which is likely to remain high, and of our very serious balance of payments position, which is almost inexplicably high for a country which has been in recession for such a long time. It also warns of the dangers of the public sector borrowing requirement which will still be £30 billion in four years' time, even if we have 2 per cent. growth, which not everybody believes. When Ministers rush to claim that 0·6 per cent. growth is wonderful news, they should bear in mind the fact that we have to achieve 2 per cent. growth to keep the PSBR at £30 billion. That is frightening.

The same report warns of the problem of not having a clear and satisfactory long-term policy to control inflation. It also points out that, if we are to have a genuine option to join European monetary union, we must prepare for it in advance. With the exception of one member of the Select Committee who was clearly not in favour of EMU, the Committee argued that we need to make progress on that and to have a regular review of progress if Britain is to have the genuine option of taking part in EMU. If it happens and we are out of it, that will be to our detriment.

It is also worth noting that the Finance Bill is an enormous document, certainly one of the largest that I have seen in many years of dealing with Finance Bills. It conjures up horrific prospects for our new procedure when we shall be considering the Finance Bill and Government expenditure in the autumn and shall probably have only the Christmas period for the country and the affected parts of the community to digest another probably quite large Bill. It should cause us to consider more carefully how we handle finance legislation, especially because some parts of it are wholly unexpected and cover aspects about which it would have been possible to consult widely before they appeared in the Bill. Again, I shall deal with some of them in a moment.

The Bill has 211 clauses and 23 schedules, which implement the largest every peacetime tax increase, proposed by a Government elected on a boast of record tax cuts and a promise of low taxes. I am entitled to say that, because I am speaking on behalf of a party which said that it might, in some circumstances, increase taxes. Indeed, we said that, given the opportunity, we would increase the tax on petrol, but we set out precisely how we would do it and what needed to be done with the money.

We said that if there were to be significant increases in the tax on petrol—and our proposals were lower than those which the Government are now introducing—there would have to be expenditure on public transport and compensation mechanisms for people in rural areas who are more dependent on motor cars. The party that said that our proposals were outrageous and that no one should vote for a candidate who would contemplate increasing the petrol tax has now suggested larger increases, without the compensation that we believe would be necessary. The tax will bear heavily on people in rural areas who are more dependent on the car, but they will receive no compensatory benefit.

Nor has there been any progress on one idea with which the Government were toying—road pricing in urban areas—which might have allowed a more effective transfer of costs and use of the fiscal system to discourage the use of the motor car where it can be avoided and where it is most environmentally damaging.

Domestic fuel is another instance of an issue on which the Conservatives purported to be against any increases. They ridiculed our proposals for an energy tax, which were directed at distinguishing between that which pollutes and that which does not. One of my criticisms of the use of VAT as an allegedly environmental measure is that it draws no distinction between the generation of electricity by oil, coal and nuclear power on the one hand and generation by wind or tidal power on the other. The same rate of tax is to be applied on all methods of generation.

The measure takes no account of the fact that poorer households spend a large portion of their income on fuel. The 1991 family expenditure survey showed that the poorest 20 per cent. spent 11 per cent. of their total income on fuel, whereas the average figure was only 5 per cent., and that the richest portion of the population spent only 3 per cent. of their income on fuel. The measure bears most heavily on the poorest, on pensioners, on tenants whose housing energy efficiency is not under their control, on families with children, on people with chronic sickness and disability, and on those in the colder parts of the country, such as Scotland and the north. It will also affect charities especially badly.

The proposal is not a sensible way of meeting the Government's alleged objective of using the tax system for environmental purposes. In practice, that is not what the Government were about. As the Treasury Select Committee concluded in its report, it was primarily a revenue-raising measure, and that is what the Chancellor said when he explained it to the Committee. He said that he first had to bear in mind the need to raise revenue. Indeed, if it were a more effective energy efficiency measure, and if it bore on the more elastic section of energy demand, it would not have the revenue-producing value which the Government derive from the measure.

It is because the measure is targeted at people who have the least choice about energy use that the Government hope it will produce large amounts of revenue, as it appears likely to do. It is not a genuine environmental tax and is not accompanied by adequate compensation or other measures to help those most affected. The hon. Member for Kemptown spoke of the particular problems of the large group of people just above the benefit level. Very often, they have saved a little, but certainly not enough to enable them to compensate for the effects of the new tax.

Income tax is another case of the Government raising taxation having said that they would not do so. One will look through the Bill in vain for a direct mention of an income tax increase. It is hidden away in a national insurance increase which is the worst, sneakiest and least fair way of increasing income tax. It hits directly those on the lowest incomes, but does not affect higher levels of income, perks or investment income. It has no effect at all on a whole range of income.

Mr. Butterfill: I am sure that the right hon. Gentleman will not have overlooked the fact that the freezing of thresholds and the disallowance of certain reliefs, as well as the reduction of relief to a 20 per cent. rate, will bear disproportionately heavily on those paying higher rate tax.

Mr. Beith: Yes, but although I am in favour of some of the adjustments of relief, they offer no compensation to people on lower incomes who bear the burden of disproportionately high rates of tax. That applies particularly to those who are being targeted because the increase is a national insurance increase. The increase has

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taken the form of a national insurance increase not primarily because it will have that bad effect—that is a consequence of it, rather than the reason for it—but because that will enable the Government to obtain the revenue that they would obtain from an increase in income tax without breaking the pledge, which they made in terms, that they would not increase income tax.

The Government now say, "We are simply adjusting the contributions to the national insurance fund to take account of a deficit in that fund." That is nonsense, and everyone knows that it is nonsense. The fund simply does not work that way. Moreover, a moment after he had used the alibi of a deficit in the fund to explain what is in fact a 1p tax increase, the Chancellor admitted that he would in any case be leaving the fund £2·8 billion in the red. In no sense are we talking about a careful actuarial balancing of the national insurance fund. We are talking about a disguised income tax increase, of the kind we shall probably see more of in future, as the Government find it necessary to increase taxes because of the public spending gap, but do not want to do so by formally increasing income tax.

The provisions affecting petroleum revenue tax have also caused considerable controversy. The Liberal Democrats felt so unhappy about that aspect of the Bill that, with the Scottish and Welsh nationalists, we voted against the relevant Budget resolution. On that occasion, we were not accompanied by the Labour party, but concern has now spread more widely among Labour and Conservative Members alike that what the Government are doing on PRT seems likely to tilt the balance away from exploration and against the smaller companies in the oil sector and in favour of the more rapid depletion of existing oil wells—the part of the oil sector that has already been explored. Clearly, unless some changes are made, that will have a severe impact on jobs. We have requested, and are to have, a debate on the Floor of the House on the main principles of the changes in PRT, and I expect that there will be a considerable amount of more detailed debate in Committee, too.

The Government seem also to have acted strangely—unless one assesses the provisions merely in terms of how much revenue they will raise—in introducing the provisions for advance corporation tax. I feel particularly aggrieved about that, as I was one of those who complained to the Government about surplus advance corporation tax—the amount that companies with substantial overseas activities pay in advance, to the detriment of their profitability, their shareholders and, ultimately, their employees.

What the Government have done has not solved that problem, although it has eased it slightly. The Government have gone out to consultation on surplus corporation tax. Meanwhile, they have simply taken the opportunity to rake in a great deal of revenue at the expense of pension funds, charities and all sorts of other bodies which were not consulted at all. The principle of consultation is being applied to the measure for which there was the most urgent demand, yet the Government have brought out of a hat a whole range of measures affecting a large proportion of the population through their pension funds and their investments, on which there has been no consultation at all.

It is a bit like taking one's car into the garage to get a particular repair effected and coming back at the end of the day to be given a bill for the addition to the car of innumerable extras—and probably various other bills for work elsewhere—and told that the original repair has not been done. I am sure that hon. Members have had that experience. Those at the garage say, "All the other things that we have done may help a little with your steering problem, but we haven't actually been able to repair it." That is what the Government have done in respect of advance corporation tax, and we shall need to consider the matter carefully in Committee.

Overall, charities will feel very aggrieved, because although there are improvements in respect of, for example, gift aid for which we asked, and a little on payroll giving, no attention has been paid to the anomaly of the charities' liability for VAT, to their problems with that or to the considerable addition to those problems that will be made by heating VAT, which will cost charities enormous amounts. Barnardo's estimates that £122,000 will be added to its heating bill, while Methodist Homes for the Aged expects its figure to be £143,000. Those are frightening figures for charities struggling in difficult circumstances to help people. Again, the Government's proposals will need to be examined carefully in Committee.

This is a Finance Bill to raise the taxes that the Conservatives said they would not need and would not raise. It clearly and directly breaks election promises by the Prime Minister. It is a Finance Bill to pay for the continuation of the recession, which the Conservatives said would end as soon as the polls were closed and they were elected. Moreover, It hands the bill for the Government's failure to those sections of the community least able to afford it.

5.44 pm

Mr. Michael Stern (Bristol, North-West): I shall try to be brief, in view of the number of hon. Members who wish to speak. I agree with the right hon. Member for Berwick-upon-Tweed (Mr. Beith) that this is a long Bill, consisting, as it does, of 211 clauses and 23 schedules. Further to the comments that I made on Report last year, I hope that the Financial Secretary will tell us when he replies to the debate that the Bill will be no longer than that at the end of its passage through Parliament.

I shall concentrate on an important feature of the Bill—its relationship to what used to be known as the tax avoidance industry. It was in the 1960s and, in particular in the 1970s, under the last Labour Government, that that industry flourished to such an extent that, arguably, we became the tax avoidance capital of the world. People came from all over the place to go to the plush surgeries in the Harley street area or just off Oxford street to see their tax doctors. While they waited, they would pick up not a decaying copy of *Punch* but that day's copy of the *Financial Times* or *The Wall Street Journal*. They would buy at vast prices a scheme to avoid income tax, corporation tax, capital gains tax, estate duty, inheritance tax or even—jokingly—the dog licence.

This Government, with the assistance of some major court decisions, succeeded in killing off that industry. One of the major advances in tax legislation in recent years has been the extent to which a trend which, during the 1970s, appeared irreversible—that every time the Government

announced a tax change, the highly paid brains in the industry would immedfately find ways of getting round it —has been stopped. That is to the Government's credit.

Many people argued that the principal reason why that trend was stopped was that the tax avoidance industry had been bred of high rates of taxation and that, once the Government had brought down rates of taxation, the need for the industry disappeared. Until recently, that could have been argued. In the past couple of years, however, there have been worrying signs that tax avoidance has started again. It is to the credit of my right hon. Friend the Chancellor that, in the Budget and the Bill, he has taken early and severe steps to knock the re-emergent industry on the head.

I do not think that the re-emergence of the tax avoidance practices that were prevalent under the last Labour Government and before that would be to anyone's benefit. The fact that the present Bill contains so many measures designed to combat—in some cases, effectively, although I shall draw attention to one or two provisions which I feel could be strengthened—the latest outbreak of the industry is wholly to the credit of the Government, the Chancellor and the Treasury team.

Large parts of the Bill are devoted to combating tax avoidance: clauses 61 to 66, 81, 84, 88, 111, 112, 116, 117 and 188 all deal with individual aspects of tax avoidance. But those clauses are not the only way in which the Government are bringing steady pressure to bear. As was announced at the time of the Budget, there are other measures which are not in the Bill that are designed to deal with tax avoidance. For example, provisions in Customs and Excise press release No. 28 of 1993 deal with the growing practice of claiming VAT input tax relief on non-business supplies.

As a member of the Public Accounts Committee, I was delighted to learn in a recent evidence session with Customs and Excise that it is considering setting up a specialised unit to deal with the avoidance of VAT and other customs duties just as, to combat the excesses of the tax avoidance industry in the early 1980s, the Inland Revenue had to set up a special anti-avoidance unit which, in the end, was very successful.

While I welcome the Government's work to combat tax avoidance, I hope that they will not rest on their laurels. There is already evidence since the Budget that the Government may not have gone far enough. One of the Government's disadvantages in combating major and organised tax avoidance is that the organisation extends to ensuring that the Government do not find out about the tax avoidance until the last minute. I remember that, during the 1970s, many tax avoidance schemes were sold on the basis that timing the submission of the accounts or returns concerned was left in the hands of the organisers of the tax avoidance so that as little information as possible reached the Government as late as possible.

Clause 111 relates to a particular area of tax avoidance bashing. The clause deals with business expansion scheme relief and its abuse. As the clause is drafted, there is at least a risk that the Government have allowed through a considerable measure of tax avoidance which has not yet taken place.

Clause 111 deals, as I have said, with the abuse of business expansion scheme relief occurring through what is known as the non-recourse loan, under which someone makes a business expansion scheme investment, which is perfectly laudable, and then effectively sells that investment six months later in such a way that it is not caught by the legislation.

A great deal of that kind of investment occurred right up to Budget day. A recent article in *The Times* suggested that, in the tax year just ended, about £800 million was invested in business expansion schemes with the intention of taking advantage of what was then a loophole. The tax at risk was therefore a maximum of £320 million.

As clause 111 is drafted, most of that tax relief will still be available by actions that might be taken by the taxpayers concerned until September this year. In Committee or on Report, I will try to assist the Government to claw back even more of that tax relief, which was never intended by the legislation and which is still available to the Government to claw back.

That particular abuse, the non-recourse loan which is effectively a sale by another name, does not just extend to business expansion relief. It can also be applied to capital gains tax to enable a capital gain to be taken now, but declared when the gain is exempt from tax. In Committee or on Report, we may have to consider the extent to which that tax loophole needs to be closed in relation to business expansion scheme relief and capital gains tax.

Those abuses are examples of areas where it is the duty of hon. Members to assist the Government to achieve their objectives. No one in the country can benefit if we once again become the proprietors of a tax system under which the principal beneficiaries are lawyers and accountants rather than the Government. I hope that we will be able to ensure on a non-party basis that the measures that the Government have taken laudably in the Bill can be extended and made even more effective.

5.54 pm

Mr. Giles Radice (Durham, North): It is a good custom, and helpful to the House, that we discuss the Treasury and Civil Service Select Committee report with the Second Reading of the Finance Bill. I will refer to the Select Committee report, because I believe that that would be useful to the House.

In response to the comments of other hon. Members, I want to make two brief points. I agree that the VAT extension to domestic fuel will have a severe impact on many communities, particularly in Scotland and the north, where the weather is most difficult. We made that point in the Select Committee report. In addition, that tax was introduced primarily for fiscal rather than environmental reasons. That point was supported by all hon. Members in the Select Committee report.

Rev. Martin Smyth (Belfast, South): The hon. Member for Durham, North (Mr. Radice) could have included Northern Ireland in his comments. Does he accept that the average weekly income in Northern Ireland is 76 per cent. of that in the rest of the United Kingdom, but fuel bills there are currently £3·50 more than in the rest of the United Kingdom? Under the new VAT changes, they will be £4 more.

Mr. Radice: The hon. Gentleman is right, and we could have mentioned Northern Ireland. His point bears out what we said in the Select Committee report. The Government should bear that point in mind.

As part of the background to the debate, the Government have made much of the signs of recovery in

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the economy. Certainly, output is at last showing some signs of growth. There have been improvements in high street sales, and there has been some slight stirring in the housing market. All that is welcome, and a mild recovery may be in progress. However, if the American experience is anything to go by, it cannot be taken for granted yet.

Before the recovery is heralded as a great British triumph, however—I fear that the Prime Minister and the Chancellor of the Exchequer have not avoided that temptation, and the Chief Secretary to the Treasury went down that path earlier today—it is important to put this into context. After all, the signs of growth follow 10 quarters of falling or stagnant output, which is the longest recession of this century.

There has been a loss of £21 billion of output and there has been a sharp rise in unemployment as 1·3 million jobs have been lost. In addition, our public sector borrowing requirement has gone sharply into deficit, and will be £50 billion in the coming year, as a consequence of the increase in unemployment and falling tax revenues. We should bear that in mind.

We must also bear in mind the fact that it is a very British recession. The recession was caused by the mistakes of the Conservative Government. We must not forget the Lawson boom of 1977-78 and the over-expansion. Let us not forget the one-club policy that followed. Let us not forget that the economy was clobbered with high interest rates at the end of 1988. We suffered a long period of historically high interest rates.

I must point out that the exchange rate mechanism is not the main reason for our recession. We should remember that we had two years of high interest rates before we entered the ERM. We should also remember that we joined at too high a level in October 1990—as some of us said at the time. In addition, we were able to bring interest rates down until October 1991.

The unification of Germany made interest rates too high throughout the whole of Europe. Of course, that put strain on the ERM, and eventually we were forced out of it. I agree with the hon. Member for Milton Keynes, South-West (Mr. Legg) that our withdrawal from the ERM enabled us to reduce interest rates and devalue the pound. That has provided a sizeable stimulus to the economy. If there had not been some recovery after all that, I do not know what could have been done to improve the prospects of the British economy.

The problem is—this is the background to the Finance Bill—that any recovery will meet considerable difficulties. We underlined some of those difficulties in the Select Committee report, including the huge public sector borrowing requirement that we inherited. It is extremely difficult to bring down that requirement in any satisfactory way without aborting recovery at the same time. That is what the Government have tried to do in their sleight of hand when they promised tax increases, but not yet. That is a great difficulty, and we do not know whether the strategy will succeed.

We have a tremendous problem with the balance of payments deficit. Even in recession, we have a large balance of payments deficit. We should remind ourselves that we have a current account deficit of 2 per cent. of gross national product in the trough of a large and deep recession, compared with a 2·6 per cent. surplus in the trough of the 1981 recession. That is a worrying comparison. If I were responsible for running the British economy, it certainly would worry me.

It is all very well to say that we can continue to finance our balance of payments deficit—we have said that for a long time. The question that must be asked is whether we can continue to finance the balance of payments deficit at this level indefinitely. That is what has been put before the House in the Finance Bill.

We must then ask ourselves how much damage the recession has done to the economy. We have a high level of unemployment, which will be difficult to bring down. As we have discovered, it can choke the recovery by affecting confidence. We know that many business men have put off investment decisions during this period. It may well be that that has reduced the productive potential of the economy: we do not know yet. Certainly, that must concern Ministers as they try to bring about recovery.

Another problem is the fact that there is a recession in Europe. Those of us who thought that, with one bound, Jack was free, do not understand what has happened to our economy and how closely it is tied to what happens in the European Community. Sixty per cent. of our trade is with Europe. If there is a recession in Europe, or if there are high interest rates in Europe, they affect us. We should not believe that we can escape from what happens in Europe: we cannot.

We cannot have a short-lived consumer boom because we would immediately run into considerable difficulties and recovery would be choked. Recovery must be export-led and investment-led. It must be accompanied by measures to tackle the long-term weakness of the British economy which are well known to all hon. Members. We all know about the problems with education and training and investment in manufacturing industry, but we have not yet done enough about them. There is little in the Finance Bill to tackle those problems.

I must mention the position of the Chancellor—this matter is referred to in the Select Committee report. The Finance Bill contains a long-term taxation policy. We need a long-term policy to tackle the structural problems of the economy. Apparently, the policy will be sustained by a Chancellor who has used up his political credit. He has given us a false prospectus on the public sector borrowing requirement. Before the election, he told us that the public sector borrowing requirement in the coming year would be £32 billion. In fact, it will be £50 billion, as we pointed out in our report. That is the biggest single most glaring prediction made by the Government.

The Chancellor said that we would never devalue, yet we were forced to do so. We have devalued by well over 10 per cent.—it is nearer 15 per cent. During the general election, the Chancellor said that the Government would never increase taxes, yet the Finance Bill proposes an extension of VAT and increases in national insurance.

It is not surprising that the right hon. Gentleman, according to Gallup, is the most unpopular Chancellor this century. City experts have no confidence in him. Last week, the leader in the *Financial Times* said that he should be replaced. Those hon. Members on the Select Committee who said that the Prime Minister should replace the Chancellor were not being irresponsible—it is simply plain common sense, and we are absolutely right.

I do not lightly say that Chancellors should resign. Indeed, in 20 years in Parliament, I have called on only one Chancellor to resign—the present one. I genuinely believe

that the best contribution that this Chancellor can make to recovery would be to make way for another Chancellor who would inspire more confidence.

6.5 pm

Mr. John Townend (Bridlington): I am a little surprised by the remarks of the hon. Member for Durham, North (Mr. Radice). Clearly, when one is debating economics, one turns to attacking personalities when one cannot win the argument with economic arguments—that does not do any good in the House. The hon. Gentleman has a nerve to blame this Government for the length of the recession, the drop in output and the loss in employment when he and his party, last summer, advocated a policy of staying in the exchange rate mechanism without any change in parity. Undoubtedly, such a policy would continue to force the United Kingdom into deeper recession. If we had left the ERM a year earlier, much of the loss in output, many of the lost jobs and many of the businesses that went bankrupt would not have suffered that fate.

The hon. Gentleman mentioned that Europe is in recession. Is not Europe in recession because of the ERM? Why is France, with a low inflation rate and a balance of payments that is fairly satisfactory, forced to have very high real interest rates that are driving the country deeper into recession? It is because of its membership of the ERM.

Mr. Radice: The hon. Gentleman knows that, at the time we joined the ERM, I said that we went in at the wrong time for the wrong reasons and at the wrong rate. He has heard me say that in the House, so he cannot include me in any strictures. It is no good attacking me or my party; we were not in government. The Conservative party was in government and sustained that specific policy. The Conservative Government did not seek to devalue the pound within the ERM, as they were perfectly entitled so to do.

Mr. Townend: Yet the Labour party demanded that we go back into the ERM within seven days of withdrawing from it. The hon. Gentleman's arguments would be much more convincing if he had agreed with us when we pointed out the damage that membership of the ERM was doing to our economy. Of course, he did not agree.

As I said in the Budget debate, there is much in the Finance Bill to be welcomed. I shall make a relatively short speech and restrict my remarks to one subject—the time bomb that is ticking away under the Government's financial policy. If that time bomb is not defused, it could not only destroy the Government's electoral prospects but do long-term damage to the British economy.

I speak, of course, of the twin deficits: the budget deficit and the complementary balance of payments deficit. I appreciate that there is no automatic correlation between the two deficits, but undoubtedly Government spending on the European Community, overseas aid and defence contribute to both deficits. It is generally true that, when a country has a large budget deficit, it usually has a large trade deficit.

In the Budget, my right hon. Friend the Chancellor started to defuse that time bomb by announcing tax increases which will increase to £10 billion a year by 1995-96. I strongly support the overall strategy in the Budget. It would have been a mistake to increase taxes this year because that could have snuffed out the recovery for which we have waited so long.

However, even taking the tax increases into account, the deficit in 1995-96 will still be no less than £39 billion, or 5·5 per cent. of gross domestic product. According to the Red Book, the deficit will still be £30 billion by 1997-98. That is without allowing for any slippage in expenditure. If one looks back at the track record of the Government and, indeed, every Government, one finds that in most years spending plans are exceeded.

The danger of slippage is borne out by the recent announcement of the March figures for the public sector borrowing requirement, which were no less than £9·5 billion. That was the highest deficit recorded in one month, and it emphasises the seriousness of the situation. The PSBR was £1·5 billion more than was estimated only a few weeks ago in the Budget, as the hon. Member for Durham, North said. So the Red Book figure of £35 billion for the current year has been increased to no less than £36·5 billion.

That rise in such a short period is disappointing, especially when one considers that the unemployment figures fell in February and March. That should have reduced the upward pressure on the social security budget. It is particularly worrying because expenditure in March was £23·3 billion—30 per cent. more than the expenditure in the same month last year.

In looking for the reason for the increase in spending, one significant factor is that spending Departments are completely ignoring the horrendous budget deficit we face. As usual, and as those of us who have served in local government or the health service know, towards the end of the year there is a bonanza of spending so that the Department can spend every penny of its budget and nothing goes back to the Treasury to reduce the deficit.

The Prime Minister needs to read the Riot Act to the Departments that have acted in that way. The size of the deficit, which is based on the plans in this year's Red Book, is unsustainable if we want a healthy economy. We are piling up debt which will have to be paid by our children and grandchildren. The cost of rising debt interest is cumulative. It builds up at a frightening rate.

The increase in the PSBR is set out in the Red Book for the six years to 1997-98. As has been said, it includes the benefits of increased growth of GDP. That increase is no less than £233 billion. With long-term interest rates at about 8·5 per cent., that builds up to an extra interest cost of no less than £20 billion a year. Do hon. Members realise the significance of extra spending on debt interest of £20 billion a year? It is equivalent to about 14p on the standard rate of income tax, or getting on for 8·5 per cent. on the rate of VAT.

The size of the borrowing that the Government will have to undertake and finance is so great that it is extremely unlikely that, over a period, they will be able to keep long-term interest rates down to 8·5 per cent. If that occurred, the cost would be even greater. If the Government are successful—I am sure they will be—in keeping inflation down, the real cost of interest on that debt will become unbearable. The speed of the deterioration can be illustrated by the ratio of net public sector debt to GDP, which in the Red Book will increase from 27·25 per cent. in 1991 to almost 50 per cent. of GDP by 1998.

I say to the House and to my right hon. Friends on the Front Bench that, having started to deal with the time bomb by announcing tax increases, it is vital that the Chancellor completes the job this year by tackling

[Mr. Townend]

spending. He will be unable to achieve the necessary results without the unstinting and overwhelming support of my right hon. Friend the Prime Minister, who should spell out to the Cabinet that he will not preside over a Government who put Britain deeper and deeper into debt and that he will not put taxes up and up to pay for extra spending and debt reduction. He should tell the Cabinet that the problem will have to be dealt with by spending cuts large enough at least to match the tax increases already announced.

I hope that the latest disappointing figure for the PSBR in March will convince our spending Ministers how serious the position is. I strongly support my right hon. Friend the Chief Secretary to the Treasury in his important task. Indeed, the future of the Government and the economy of Britain depend on his success. What he will have to recommend will be painful, but it will be even more painful if we shirk taking tough decisions necessary for both the country and the long-term survival of our party in government.

Cuts will have to be made across the board. There must be no sacred cows. May I make a few suggestions? We were successful in reducing manpower in the public sector, but it is beginning to rise again. I suggest that the Government should look at the example of the privatised industries, in which efficiency has risen, overmanning has been eliminated, and the work force has been significantly reduced. If the public sector—the Government, the civil service and local government—could achieve only half the reduction in manpower that companies such as British Telecommunications, PowerGen, National Power and British Gas have achieved, the number of those employed would fall significantly and billions of pounds would be saved.

We can no longer continue to make so many of our benefits universal regardless of income. We must consider whether we can afford to keep troops in Germany and spend £2 billion a year in overseas aid. Should we not reduce public spending in Scotland, Ireland and Wales to the level of spending per head in England? Are we dealing with young offenders cost-effectively when it costs £100,000 each? Are we dealing with the mentally handicapped and disabled who have been decanted from our long-stay hospitals into the community, when costs can reach £80,000 per year per patient?

Can we continue to achieve savings and economies through computerisation and modern management methods but spend those savings in expanding the services of our Departments? Should not a significant proportion be clawed back to help to pay for the large budget deficit?

I worry whether the Goverment have the backbone to tackle the problems of expenditure. Their record over the past four years does not give one confidence, especially after the most recent spending round. If they funk or fudge the issue, however, we shall see upward pressure on interest rates as the funding of billions of pounds of debt becomes more difficult, and we will face further tax increases in the run-up to the general election.

What worries me even more is that political pressures may prevent us from reducing expenditure or putting up taxation, so creating a great incentive to reduce the excessive burden and cost of debt by letting inflation rise. Given what we have suffered and what we have achieved under the Government, that would be an absolute tragedy. Compared with the long-term disastrous effects of that, the option of short-term pain caused by cutting expenditure must be preferred.

The Chancellor is right to be pleased with the economic recovery and, at a time when we are seeing the results of his economic policy, it was churlish of Opposition Members to make personal attacks against him and to demand his resignation. The Chancellor must reaffirm this success, however, with a commitment to cut spending and reduce the deficit by at least £10 billion by 1996. He should be assured, however, of my full support and, I am sure, that of my hon. Friends.

6.20 pm

Mr. Robert Hughes (Aberdeen, North): I shall not follow the speech of the hon. Member for Bridlington (Mr. Townend) in detail, except to say that I thought that some of his proposed remedies for dealing with the Government's problems with their spending targets beggared belief. Perhaps he should reflect on what he said when he reads his speech in the cold light of day. In effect, he said that the mentally and physically handicapped should remain in institutions rather than lead a decent life outside in the community, because it was cheaper to keep them in those institutions.

Mr. John Townend: I asked whether a charge of £80,000 per person was cost-effective. I suggested that we should consider a more cost-effective means of treating such people.

Mr. Hughes: The hon. Gentleman has confirmed what I said—what matters to him is cost-effectiveness, not the dignity and life style of people who happen to be born mentally or physically handicapped.

The Chief Secretary, in between doing a bad impersonation of Pinocchio and Inspector Clouseau, had one odd moment of candour. He admitted that the Government's approach to the Budget and the Finance Bill were dictated by their difficulties with their spending plans and borrowing requirements. They, above all else, are the engine behind the Bill and the Budget—they are designed to deal with the Government's budgetary problems.

What the Chief Secretary did not admit—I rather suspected that he would not—was that many of the Government's problems are of their own making. They have failed to do anything to reverse the decline in our manufacturing sector, the economic base on which we depend. They let manufacturing go for years and years, and now they are reaping the whirlwind.

The Government have always said that they would never take the easy way out and would never borrow simply to meet their costs. The Government have done just that, however, because they have raised taxation in such a way as to make it appear that taxes have not been increased. VAT on domestic fuel will be phased in over two years, in the hope that people will forget all about it.

The Government's idea has always been that one should reduce direct taxation and increase indirect taxation, based on the dubious theory that, by reducing the former, people have more money in their pockets and can choose what to spend it on. In other words, less direct taxation means that people have more disposable income which they can spend on items of their choice.

By that test, however, the imposition of VAT on domestic fuel bills is an abject failure. People cannot choose whether to use electric lights, whether to eat hot or cold food or whether to heat their homes. I am not sure whether my next statement should be prefaced by an apology to the President of the Board of Trade or an acknowledgement to him, but VAT on domestic fuel means taxation before, during and after breakfast; taxation before, during and after lunch; taxation before, during and after dinner—in fact taxation for every hour, every minute and every second of the day, whether one is awake or asleep.

The decision to put VAT on fuel bills is a national disgrace. It is regressive taxation of the worst kind because it will bear most heavily on the lower income groups in our society. The VAT is also applied to the standing charges, which are themselves an imposition on the lower-paid.

It has already been acknowledged that the poor in our society spend a much higher proportion of their income on heating costs and domestic fuel bills. What is worse, the colder the part of the country, the greater the fuel bill and the greater the tax that one must pay. That is disgraceful. A great deal has been said about the possibility of a recompense for those on state benefits to help them meet the additional costs. It is clear, however, that the Government have not committed themselves to full compensation.

Even if that were done, there are many thousands, if not millions, of people, just beyond state benefits, who are on low incomes and will receive no help from the state. That is compounded by the fact that, this year, the Government have set a rigid maximum pay increase for public sector workers of 1·5 per cent. Without any changes caused by VAT on fuel bills or increases in national insurance contributions, that 1·5 per cent. increase is a pay cut and a cut in living standards.

The Government have tried to put up a smoke screen over the imposition of VAT with the paper-thin pretence that it has something to do with the Rio summit and global warming. That shows that the Government hold public opinion in contempt. They believe that, if they say something to people often enough and long enough, the people will accept it as the gospel truth.

If there were a connection between the Rio summit, global warming and VAT on domestic fuel, a large proportion, if not all, of the revenue that the Government will raise would be spent on methods of energy saving. The Government could do something to protect houses from heat loss and on the more effective use of fuel in the homes. But we have not heard a word about that from the Chancellor, the Chief Secretary or any other Minister. No mention has been made of using that revenue to offset global warming and to save energy.

When the VAT change was announced in the Budget, I wrote to the Secretary of State for Scotland. I acknowledged that the change could not make any difference to the public expenditure programmes for this year, but I asked him what plans he had for an emergency campaign to promote energy saving in the home. I got a nice one-and-a-half page letter in response telling me everything that the Government had done in 14 years, but, in essence, his response was that there would be no expansion in such energy-saving programmes. Let there be no mistake: the Government's decision is based purely on revenue generation. They should be honest enough to admit that and should strip away all the excuses.

The other major item in the Bill is the change to petroleum revenue tax and its effect on North sea operations. What was so sinister and ominous about the Chief Secretary's speech was the fact that he said nothing about PRT. When the idea was first mooted, however, much concern was expressed and all sorts of grandiose promises were made by Government Back Benchers about their intention to speak about it to the Chancellor, the Chief Secretary, other Ministers at the Treasury and those at the Department of Trade and Industry. Yet not a single word comes from the Chief Secretary.

There is an old saying, which I am sure you know, Mr. Deputy Speaker: "Act in haste, repent at leisure." That is exactly what the Government have done. They have acted in haste, but, unfortunately, they show no signs of repenting at leisure. I am glad that at least the hon. Member for Slough (Mr. Watts), the Chairman of the Select Committee on the Treasury and Civil Service, said that something would have to be done soon, and that we could not wait until the November statement if there were to be any changes.

The Government, desperately casting around for increased revenue, decided to alter the tax regime without thinking it through. We know that there was no consultation with the industry. We know that there was no consultation with the Department of Trade and Industry, which has privately told journalists that it was horrified and that it knew nothing about the changes until they were sprung on it. It is more than that. The changes in the tax regime clearly show the folly of subsuming the Department of Energy in the Department of Trade and Industry, of losing the Department of Energy as a separate Department and of losing the Department's place at the Cabinet table. That was no accident.

The Government decided, with the privatisation of the electricity industry and of gas, to abandon all thought of an energy policy. They believed that the market could simply take care of itself and of our energy needs. The error of that belief is shown clearly in the still unresolved debacle of the coal industry. All that shows that the decision to downgrade the importance of the Department of Energy was short-sightedness of monumental proportions. It is yet another example of the short-termism which has been the hallmark of this Administration throughout their existence.

They are a Government whose rule is based on sloganistic rhetoric and whose actions are often in direct contrast to their spoken word. I am tired, for example, of hearing every Minister say—we heard some of this today from the Chief Secretary—that the Government want small industry to flourish and smaller companies to grow. The Government say that they are not simply looking after big business, but that they need smaller companies as well.

In the various licensing rounds in the North sea, much has been said about the need to involve smaller oil companies. One of the conditions of the licensing rounds is how many small companies are involved. Licence conditions are also attached to exploration. I concede that there is merit in diversification—in not having all one's eggs in one basket—yet the Government, in their frantic search for revenue, have ignored the effects of the petroleum revenue tax changes on smaller companies, and especially on exploration and development.

It is probably inevitable that there are winners and losers in any tax change and that is certainly true in this case. The larger companies with proven, established

[Mr. Hughes]

production wells will benefit greatly. The big companies will get windfall profits, which will be very beneficial to them. The Government's defence, which I have heard repeated elsewhere, is that the extra windfall profits going to the large companies will release money which they can then spend on exploration. It is the age-old trickle-down theory. The trouble is that there is no guarantee that the substantial extra funds will be spent in the North sea. There are other parts of the world where exploration and development will be far cheaper and those are often areas where there is a more benevolent tax regime. That is where the money is likely to go.

It is right that we should encourage companies to do more to extract every bit of oil from existing fields. We should all applaud that. However, if we do not have a repletion policy or a renewal policy as the reserves are depleted, we shall lose in the long run in terms of energy production and future Government revenue, which will fall.

The Government's defence so far—I am surprised that they have been so silent about the whole thing—is that the transitional effects will take care of the immediate future. That is not what the oil companies tell me. One company told me that it is capitalised at £75 million. It will not gain from the changes in the PRT. As a result of the removal of relief, it will have to pay an extra £2 million to £4 million a year in taxes over the next few years. That is money which has been earmarked for exploration in the North sea in fulfilment of the company's drilling obligations to the Government. The companies believe that they cannot simply walk away from those obligations. They are not simply a moral responsibility. The companies argue that the obligations are legally binding and that they cannot get out of them.

The companies accept that some changes are necessary. They accept that there might have to be a maximum allowance to be offset, which would benefit the small companies more than it would the large companies. There is great concern about the job losses that will follow if the Government do not change their mind. Estimates vary. In one of the mysterious, off-the-record briefings which are not supposed to happen, the Department of Trade and Industry has conceded that the Treasury is willing to accept 10,000 job losses. That is no small number. Others say that that figure is too low.

I believe that the estimates of 40,000 to 50,000 are probably too high. However, we cannot afford any more job losses in the industry. Already there is job-shedding in Aberdeen. I know that it is difficult for hon. Members to become excited about job losses in Aberdeen and I concede that Aberdeen has done well out of the oil industry, as has the surrounding area. However, Aberdeen is not immune from recession, and we are already feeling the draught.

The PRT changes have caused confusion among Government Back Benchers, to the extent that they are spreading disinformation in Aberdeen. I am told by prominent members of the oil industry in Aberdeen that unnamed Government Back Benchers—I might be able to name them if pressed—[HON. MEMBERS: "Name them."] They are all sitting quietly looking glum, so we can draw our own conclusions.

Mr. George Kynoch (Kincardine and Deeside): As a Government Back Bencher who represents a constituency which is heavily involved in North sea oil, I ask the hon. Gentleman to accept that there is a major problem in the oil industry. He has quoted one individual company which is worse off as a result of the PRT changes. However, the oil industry has pressed for a long time for a reduction in PRT. The problem is that the companies reacted quickly immediately after the Budget. They have now reviewed their position, and they see that, in the long term, the PRT changes are clearly in their best interests. I might have some sympathy for the hon. Gentleman if he addressed his comments to a smooth transition to the new lower tax regime with lower tax allowances.

Mr. Hughes: It is a great pity that the hon. Gentleman has just come in, and has not heard the rest of the debate. If he had heard it, he would have heard the point made not only by Opposition Members, but by Conservative Back-Bench Members, including the hon. Member for Slough, the Chairman of the Select Committee on the Treasury and Civil Service. He said simply that the transitional relief was not good enough and that in the long run, the industry would be worse off.

Mr. Kynoch *rose*——

Mr. Hughes: The hon. Gentleman will have to learn to take it as well as dish it out. I can understand his embarrassment. Within a few days of the changes, he issued an optimistic press statement to *The Press and Journal* in Aberdeen. He said that he had been to see the Chancellor who had said, "It is all right, old boy. We shall have a look at this and review it." In an optimistic frame of mind, the hon. Gentleman, during Prime Minister's Question Time, said that he was concerned about the changes. He seems to be all over the place.

The hon. Gentleman seems to be beginning to defend the Government; previously, he suggested that the Government had it wrong. I expected the Prime Minister to tell one of his own Back Benchers something along the lines, "I know that my hon. Friend the Minister has been engaged in discussions on this. We will take another look at it." Instead, the Prime Minister slapped him down.

I was talking about Conservative Back Benchers spreading disinformation around Aberdeen. I could offer many more examples of companies that will be on the wrong side of the tax change. A prominent member of the oil industry in Aberdeen phoned me in a panic to say that Conservative Back Benchers had told him that the prospects of achieving changes in the tax regime had been badly affected because of the activities of Labour Members. He told me that he had been told that, if Labour Members table amendments, the Government will dig in their heels and refuse to budge—so it will be our fault if the Government make no changes.

That is unadulterated twaddle. We shall certainly table amendments; if the Government want to table their own, they can do so. They can pass their own amendments if they want to. So let us hear no more of this nonsense: our tabling of amendments will not prevent the Government from tabling theirs. If we do not table any, the Government will be delighted. There will then be no debate on the details; they will rush the measure through, saying that everything in the garden is rosy.

Mr. Salmond: I wonder whether the hon. Gentleman has heard a slightly different version of a similar story? An oil company told me that Conservative Back Benchers had

suggested that I should stop pushing for a debate on the Floor of the House on this matter, because that would act as a disincentive for the Government to make concessions of the sort for which the hon. Member for Kincardine and Deeside (Mr. Kynoch) has been pushing for so long.

Mr. Hughes: I know that Conservative Back Benchers are running like mad for cover, but I understand that the Opposition decided to take these matters on the Floor of the House for debate. Indeed, we will be happy to debate them there.

I fear that the Government have decided to ride out the storm, to steamroller through their proposals and to hope that their Scottish Back Benchers, and others, will fall into line. I should remind the House that not only Aberdeen and its surrounding areas will be hit by the job losses. Many people from all over the United Kingdom work in the oil industry, so almost every constituency, not just mine, will be hit. The effects will be all the greater in my area, however.

I doubt whether the Government will see sense. They will not be moved in the least by unemployment. Certainly, Ministers go north and make platitudinous, banal statements about how awful unemployment is, but they take no action.

Nothing in the Budget furthers our manufacturing industry or tackles the problems of unemployment. The Government have failed yet again, and I do not believe that they will be forgiven this time.

6.43 pm

Mr. John Butterfill (Bournemouth, West): It is a sad reflection on the priorities of certain people in this place that no representative of the Liberal party is present. Perhaps Liberal Members are all too busy trying to persuade the electors of Newbury that they would be good at managing the economy. In any event, they are obviously too busy to participate in what is possibly the most important debate in the House at this time of year.

The one representative of the Liberal party who did grace us with his presence seemed to suffer an uncharacteristic attack of hyperbole when he referred to the black hole of depression into which the Government had got the country. I assume that he is unaware that the recession in the United States was a good deal deeper than ours. He may also be aware that most other western economies are still going into recession while we are coming out of it. In Germany and France it is deepening every day.

The right hon. Member for Berwick-upon-Tweed (Mr. Beith) overlooked the fact that we have been coming out of the recession, it now appears, since last June, whereas other countries have been moving into more severe recession. That is a result of the policies that this Government have been pursuing for some time—long-term policies to improve the productivity and competitiveness of British industry. Those policies are reinforced by the measures in the Bill.

I welcome the freezing in real terms of business rates. That is important to many of my constituents and to many small businesses throughout the country. I am also gratified that the Chancellor has doubled the threshold for stamp duty on house sales. That has contributed in no small measure to the recovery in the housing market.

For some time we have pursued policies to assist those involved in exports. The Bill increases the Exports Credits Guarantee Department cover, which is another contribution to the fact that our exports are at record levels.

I take a keen interest in the insurance industry, so I was particularly pleased to see the measures that my right hon. Friend proposed for improving the reserves of British insurance companies—for allowing them to retain more in those reserves. One of the elements that has held back British insurance companies from competing with their overseas, particularly their EC, counterparts, has been their inability to put into reserve as great a proportion of their gross premium income as their competitors have done, so they have not been able to build up to the financial strength of their competitors, particularly those in Germany.

I join many other speakers who have expressed their regret about the way in which the Government have arranged PRT affairs. Small companies face a particular difficulty here. I have been approached by a large number of them, explaining the difficulties that the Government's proposals will create for them. The whole industry, however, thinks that the change away from PRT is the right way to go. The difficulty comes with the transitional arrangements, as proposed. They pose a problem for small companies, especially those that have not placed the contracts with their contractors for work that they are obliged to carry out.

We must press the Government on the question of the licence obligation expenditure. There is no doubt that those who bid for licences did so on the assumption that they would be able to offset that expenditure against tax. I believe that Treasury officials have suggested that these are not contractual obligations—a view not taken by Department of Trade and Industry officials. I and other members of the Trade and Industry Select Committee will press the President of the Board of Trade on that subject when he comes before us tomorrow.

I hope that the Government will think about the possibility of phasing in the transitional arrangements in a fiscally neutral way by phasing the PRT changes at the same time. In that way we could achieve the objective in a short space of time and be fair to the companies that have undertaken these obligations. If we leave things as they are, those companies will be retrospectively disadvantaged. If the Bill is given a Second Reading, I propose to table a probing amendment that would have this effect and would maintain fiscal neutrality. The PSBR is at an all-time high and must be addressed by increasing taxation and, I hope, by reducing expenditure.

The Government could have increased income tax or alternatively corporation tax or they could have extended VAT and they chose the right option. An increase in personal taxation would have been a major disincentive at a time when we want the economy to continue to recover.

We must remember that much of the recovery has come from the unincorporated sector which undertakes considerable capital investment. If it was subjected to high marginal rates of taxation it would have to look at the risk-reward ratio and would be likely to take the view that the risk was not worth the net reward. Similarly, an increase in corporation tax would have given the wrong signal to the business community and would have been a disincentive to those who have been responsible for so

[Mr. John Butterfill]

much beneficial inward investment. An extension of VAT was the right approach, and it will not be anything like as harmful as some Opposition Members suggest.

There has been much discussion about the predicament of the elderly. As hon. Members know, my constituency probably has as many elderly people as almost any other, if not more. The damage that an extension of VAT might do to such people has been greatly exaggerated. Benefits will be uprated fully to compensate for the additional costs.

I share the concern of my hon. Friend the Member for Brighton, Kemptown (Mr. Bowden), who is not in his place. He made a powerful speech about those whose income from other sources takes them just above the benefit threshold and who feel that they may be uniquely disadvantaged by the proposal. They should consider the Budget package as a whole and look at the impact of the reduction in the lower rates of taxation from 25 to 20 per cent.

Over the two years in which VAT on electricity will be phased in, the rate reduction will also be introduced. It will mean that someone who pays just £1,000 a year in tax will save about £1 a week by the end of the second year. It is estimated that that is about half what the average elderly person will pay as a result of VAT on electricity.

Mr. Quentin Davies (Stamford and Spalding): Does my hon. Friend agree that people should reasonably and rightly take into account not only his point but the fact that utility prices generally have been falling? For example, since the privatisation of British Gas, domestic gas prices have fallen by 20 per cent. in real terms. People should set that against the potential imposition of VAT to reach a balance and see exactly how their finances will be affected.

Mr. Butterfill: With his usual sagacity, my hon. Friend has anticipated me. In my constituency alone, Southern Electricity is reducing its prices in money terms by 2·5 per cent. in the coming year. That is in addition to the reductions about which my hon. Friend speaks. The matter must be viewed in the context of falling electricity prices as a result of privatisation.

Although elderly people have greater need of heat, they tend to live in much smaller homes—certainly in my constituency—than the average family. Pensions will be uprated by the average of the retail prices index, which will tend to be somewhat higher than the increased cost of heating their homes. As a result of the tax changes and the RPI indexation of pensions, some of my pensioner constituents may be better off as a result of the Chancellor's changes.

Mrs. Anne Campbell (Cambridge): The hon. Gentleman speaks about older people living in smaller houses. Does he agree that many elderly people live in badly insulated houses and that one of the best ways to help them reduce heating bills and save energy is to invest in home insulation?

Mr. Butterfill: I agree that some elderly people live in badly insulated houses. However, in recent years the Government have funded substantial programmes for insulation. Many elderly people in my constituency live in modern or warden-assisted flats which are exceptionally well insulated. People in such small units of accommodation will probably be better off as a result of the changes. I accept that it may be a minority, but it is a growing minority.

The Government are right to raise revenue at present. I agree with my hon. Friend the Member for Bridlington (Mr. Townend) that the corollary is the worrying level of the PSBR and the need to reduce Government expenditure. I hope that the Chief Secretary will conduct his review robustly and vigorously. It is easy to say that there must be more public expenditure. We are used to such calls from the Opposition, but they are not prepared to take the painful decisions that arise from funding such expenditure. Usually, they fudge the issue when they are in power and create enormous taxation. The Government have not been prepared to fudge it and I hope that they never will be.

If there is a need for increased taxation, we should face it, however unpopular it may be, because at the end of the day we have some political integrity. *[Interruption.]* Opposition Members laugh, but when they were in power they did not display that same degree of integrity. Perhaps that is why they lost the last three general elections. The public have rumbled them.

Mr. Nicholas Brown (Newcastle upon Tyne, East): How much of what the hon. Gentleman says was in his address at the general election?

Mr. Butterfill: I have consistently advocated the need to maintain a curb on public expenditure and to increase taxes when it has been necessary to do so. I do not believe in borrowing and I have said publicly time after time that it is immoral to mortgage the future of our young people and future generations. Today we must earn what we spend. What distinguishes us from the Opposition is that they are never prepared to do that.

Mr. Brown: Will the hon. Gentleman give way?

Mr. Butterfill: No. I must conclude my speech.

The Budget is admirable and well suited to the prevailing economic conditions. It shows that our measures over the past two years are beginning to bear fruit because our economy is coming out of recession faster than most other western countries. If we maintain a curb on public spending we shall continue to prosper at a greater rate than those economies.

6.58 pm

Mr. Jim Cunningham (Coventry, South-East): The hon. Member for Bournemouth, West (Mr. Butterfill) spoke about cuts in public expenditure and accused us of wanting to increase it. Over the past 14 years, and even in those years which, according to the Government's definition, were good years, there were major cuts in public expenditure. Therefore, the argument is not about vast increases in public expenditure but, as it has been over the past 14 years, about maintaining certain levels of public expenditure. Nobody is advocating hefty increases in public expenditure but, even in the good years when there has been no necessity to make cuts in public expenditure, the Government have seen fit to impose vast cuts. I have said before, but it is worth saying again, that Coventry city council has lost £200 million over the past 10 years, and that included the good years of the Tory Government.

Mr. Butterfill: Will the hon. Gentleman give way?

Mr. Cunningham: No, not at this stage.

Mr. Butterfill: Will the hon. Gentleman give way on this point?

Madam Deputy Speaker (Dame Janet Fookes): Order. The hon. Member for Coventry, South-East (Mr. Cunningham) has made it clear that he will not give way.

Mr. Cunningham: Tory Members have used the events of 1976, when we had a Labour Government, in support of their arguments. However, they omit the facts. What happened in 1976 was the aftermath of the three-day week imposed by a Tory Government, and inflation in the United States was running between 26 and 28 per cent. Those factors worked their way into the British economy but are ignored by Tory Members now.

The nearest parallel to the events of 1976 were the events of September last year. In a roundabout way, the bankers, the money lenders or the Government creditors —whatever language one wants to use—were telling the Government that they wanted them to put their house in order, put the economy in order and start paying off some of the debts incurred before September. We must look at the Budget against that economic background.

Mr. Butterfill: Will the hon. Gentleman give way?

Mr. Cunningham: No.

Another major factor that must be taken into consideration when we look at the future and at the Budget is the balance of payments problem. In a recent interview the Prime Minister, when asked what he was going to do about that problem, said that he would think about it. That is no substitute for an economic strategy. My fear about the Budget is that, although we have seen one or two green shoots, 18 months down the road we may find ourselves in another economic crisis because the Government have failed to take measures to deal with the balance of payments problem. That problem will not go away, and it will come back to haunt the Government.

The Government's strategy on VAT has been disguised. Because they have set their face against massive direct tax increases, they will use increases in VAT to fund their borrowing and debt requirements, and they will extend it to other goods and services beyond fuel.

Mr. Butterfill: Will the hon. Gentleman give way?

Mr. Cunningham: I have said that I will not give way. I want to limit my speech as much as possible so as to allow others to speak.

Mr. Butterfill: On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Is the hon. Gentleman sure that it is a point of order?

Mr. Butterfill: Yes, Madam Deputy Speaker. I know that you are anxious to protect the reputation of hon. Members. In my speech, I referred to the increase in public expenditure. As the hon. Member for Coventry, South-East (Mr. Cunningham) said that there had been no such increase, he was implicitly saying that what I said was untrue. He knows that there have been substantial increases in public expenditure under the Government. Therefore, I hope that you will defend the integrity of hon. Members and allow them to redress comments made by Opposition Members.

Madam Deputy Speaker: That is very ingenious, but it is a point of substance, not a point of order.

Mr. Cunningham: I can answer that last point. I said that the real argument was about maintaining levels of public expenditure against a background of cuts.

To return to the subject of VAT, one could live with the Budget——

Mr. Butterfill: I was right. Public expenditure has increased in real terms every year.

Madam Deputy Speaker: Order. I recall that the hon. Member for Bournemouth, West (Mr. Butterfill) is keen on points of order. Let me tell him that it is not in order to make seated interventions.

Mr. Cunningham: The fundamental question about VAT that the Government have not answered, although it has been repeatedly put to them, is whether the people affected by increases in VAT—pensioners, single-parent families, needy families and those on low incomes—will receive full recompense for those increases. All that the Government have given us on that is nods and winks.

There is nothing in the Budget about the provision of crèche facilities to allow one-parent families to retain a bit of dignity and get employment or training where necessary. There is nothing for women. In particular, nothing addresses the social problem of battered wives. The Budget could have introduced measures to encourage better voluntary services to deal with such issues. Many voluntary organisations do valuable social work among the ethnic communities, unemployed young people and others, but the imposition of VAT on such charities would impose a tremendous burden on them.

We should welcome any measures in the Budget aimed at reducing unemployment and helping small businesses. However, there is no recognition of the heavy costs for industry of research and development. The directors of large firms all say that they badly need Government assistance in that sector.

When trying to judge the Budget in social terms, we must look at the other side of the coin. A cost will have to be paid for the lack of measures to ensure safer inner cities. Safer city projects and urban aid grants are being phased out in Coventry, even though they play a tremendous part in dealing with some of the inner-city problems of cities such as mine. There has been no attempt to deal with education, with proper training for young people or with providing a proper education service. Outside the Budget, but in a way still part of it, is the confrontation between the Government and the teachers. The Government should be conciliatory and sit down with the teaching profession, parents' organisations and all other interested parties to try to resolve the frictions in education.

The Budget was a golden opportunity to help industry. If Britain is to retain a role in Europe as a major industrial power, it has to restore its manufacturing base, but that can be done only with co-operation between the interested parties and organisations which play a part in the maintenance of the manufacturing base. I am disappointed with the Budget. For the sake of the unemployed, I hope that it will succeed, but I am worried that 18 months down the road the erosion of our manufacturing base will continue and we shall still have a major balance of payments problem, when all those problems should be addressed now.

7.8 pm

Mr. Matthew Carrington (Fulham): The real test of the Bill is the effect that it will have on, and the help that it will give to, the recovery of our economy. The purpose of the Finance Bill is to ensure that the groundwork is laid to encourage the recovery that is now so apparent in our economy.

We heard from my right hon. Friend the Chief Secretary to the Treasury that the last three quarters have shown growth in our economy. That is greatly to be welcomed because it supports, in a concrete form, with statistics from the Central Statistical Office, the anecdotal evidence, which has been clear all around us for some time, of how economic activity is picking up.

Let me give one example of that from my constituency. House prices have started to go up, houses are starting to sell and activity among estate agents and surveyors is starting to pick up.

My constituency, which is in inner London, has been badly affected by the recession. Some of the measures in the Bill designed to help house purchase, such as the raising of the stamp duty threshold, will have relatively little effect on the average house purchase in inner London. Therefore, it is good that anecdotal signs of recovery are beginning to become apparent in statistics. The economy is now poised for a period of fairly rapid economic growth.

Of course, it is not enough simply to help economic growth through the Finance Bill; external factors are also necessary. The USA economy needs to recover from recession, and there are now unmistakable signs that its growth rate is recovering and that the USA will come out of its recession strongly. That will help our exports. Indeed, our exports to non-EC countries have risen by 12 per cent. over the past year, which shows the effect that the USA economy has on our economy and exports.

Most important of all is what happens in Germany and other EC countries, whose economies are already in recession and heading into even deeper recession. We need to encourage our European partners to take the measures necessary to come out of recession. One of those measures is a reduction in German interest rates, which are now being cut month by month. Those cuts affect the strength of the deutschmark, which has been far too strong, to the disadvantage of other EC countries. As the deutschmark weakens, that will do nothing but good to all our economies.

Britain already has a great deal in place to facilitate our recovery, such as lower interest rates——

Mr. Salmond: At what stage of the recovery would Britain have been in if the Prime Minister and the Chancellor had had their wish and kept Britain within the exchange rate mechanism at the rates previously set? What is the hon. Gentleman's estimate of how that would have impacted on economic recovery?

Mr. Carrington: The hon. Gentleman has asked me to support something that I have never supported—our position inside the ERM. I always felt that the mechanism was not sustainable and would break apart, for the very reasons that eventually caused that to happen. I was pleased when Britain left the ERM, although I am sure that we would all have wished that to happen under different circumstances.

Mr. Ken Purchase (Wolverhampton, North-East): The hon. Gentleman is singing in his bath.

Mr. Carrington: If the hon. Gentleman had ever heard me sing, he would welcome the fact that I do not sing in the bath.

Britain's low interest rates are now having the desired effect on our economy, and our competitive exchange rate is beneficial to business recovery. However, we need to be concerned about the level of interest rates. Given the nature of the housing market and of housing finance, if interest rates are too low, the market will take off again, just as it did in the 1980s. None of us wants that.

I hope that the Government will bear in mind the need to keep relatively high interest rates. I was glad to note that Ministers have said that they believe that the current level of interest rates is about right for the economy. I strongly support that view.

The problem in our economy is one of timing. Most of the elements necessary for recovery are now in place, but we must wait patiently for the reduction in interest rates and the competitive exchange rate to work through. That will result in a stronger economic, industrial and commercial base.

The other problem is the public sector borrowing requirement, with all the inflationary pressures that that causes, and the great danger it poses to the health of the economy in the short and medium terms. I am glad that the Government have taken steps to ensure that, first, there is nothing in the Budget to damage the recovery; and secondly, that the right signals are given to ensure that people understand that the Government take seriously the need to reduce the PSBR. That is in everybody's interest.

There are three ways to reduce the PSBR. One is economic growth, and I hope that growth will be even faster than projected in the Red Book, so that the PSBR will be reduced even faster. The second way is to keep public sector spending under tight control. It must be more efficient and targeted more effectively, so that the taxes raised are used to produce the greatest benefits for those in need.

The third way, which is regrettable but necessary, is to raise taxation. The measures to do so contained in the Bill are, sadly, inevitable but correct. It is also right that, by and large, they will not impact this year—the big increases in taxation have been deferred until the recovery has gained a proper foothold. Industry needs to build up its strength before the imposition of the increased taxation necessary to reduce the PSBR. The measures will start to bite next year and the year after.

No tax increase is ever popular. The Government had a choice, and they correctly chose to increase two taxes. First, there is to be an increase in the national insurance contribution, which is another form of direct taxation. The extra revenue from that will impact directly on the increasing burden of the social security budget. It is right to increase that form of taxation——

Mr. Ronnie Campbell (Blyth Valley): The hon. Gentleman did not say that during the election.

Mr. Carrington: During the election, the economic problems in the world generally were not envisaged to be as great as they have proved to be subsequently. It was always implied that Britain had to come out of recession, and that if it continued for longer than expected, the

Government—indeed, any Government—would have to take whatever measures were necessary to correct the imbalances in the economy.

The other tax to be increased is VAT, through its extension to domestic fuel. When coming out of a recession, it is right to increase indirect rather than direct taxes, because an increase in direct taxes has a direct effect on people's incentive to work. In general, people see what they get in their pay packet as the reason for working, so it would be wrong to affect that position through an increase in direct taxation.

The imposition of VAT on domestic fuel has another benefit. As my right hon. Friend the Chief Secretary said, as well as reducing the PSBR, it will help to meet Britain's commitments under the Rio convention. The extension of VAT will assist the environment and is to be greatly welcomed. To some extent, it reverses the reduction in the real costs of domestic fuel under privatisation during the past few years. I believe that most people will be able to tolerate that increased tax, even if they do not welcome it.

Many people will find, however, that change painful and hard to afford. I look forward to measures in the autumn to make certain that those hardest hit by the imposition of VAT on domestic fuel will receive assistance with paying their bills. The most vulnerable will be those whose incomes are just above income support level, whom the present scheme does not assist. They must be given help in overcoming the substantial burden that they will be asked to bear.

The Bill's provisions are needed in our present economy. It does relatively little in the current year, which is right at this stage in our economic recovery, but sends all the right signals, to the markets in particular, that the Government are determined to reduce the massive public sector borrowing requirement, and take that task seriously.

This year, we have the advantage of another Budget in November. Having seen how the recovery shapes up over the next few months, I hope that, in November, the Government will reconsider some of their Budget decisions, will think hard on whether they are the right measures at that time, and will take whatever further steps are necessary in November—possibly even increasing taxation more—to ensure that the PSBR comes down and that the recession continues apace—I mean, that recovery from the recession continues apace.

7.21 pm

Mr. Alex Salmond (Banff and Buchan): The hon. Member for Fulham (Mr. Carrington) made a slip at the end of his speech, but at least he did not make the same mistake as the hon. Member for Bournemouth, West (Mr. Butterfill), who described borrowing as immoral. If the hon. Gentleman holds to that view, he must fear for the future of the Treasury team in the after-life, because its members are some of the biggest borrowers of all time.

Mr. Butterfill: The hon. Gentleman completely misinterprets my remarks. I said that it was immoral to build up borrowing that has to be paid off by future generations. It is moral only if we pay it off ourselves.

Mr. Salmond: By either test, the Treasury team would stand condemned. The hon. Gentleman may not have studied the alarming PSBR statistics in the current Budget. I do not know what tax changes the hon. Gentleman would propose to get rid of that borrowing quickly. Also, if he studies the Good Book, he will find arguments that the lenders of money are also immoral—so perhaps there is no hope for any of us.

I will concentrate my remarks on petroleum revenue tax. Right hon. and hon. Members who attended the Budget debate will know that on that occasion I commented on the general shape of the Budget. No doubt the Treasury team has been poring over my remarks in the past few weeks. Tonight, I shall comment only on PRT changes.

For the Treasury team, there is a big difference between tonight's debate and that on the Budget. Those changes were not considered the most controversial in the Budget, and when it came to the vote—as the deputy leader of the Liberal Democrats pointed out earlier—only Scottish National, Liberal Democrat and Plaid Cymru Members moved against the PRT changes. There was no recognition at that stage of the general concern that is evident now in contributions from hon. Members on both sides of the House.

All but three of the right hon. and hon. Members who have spoken so far made reference to PRT changes. I hope that the Treasury team is fully aware that if the issue were put to the test again—one hopes that it will be in Committee—the Government will not have anything close to the 264 majority that they managed to clock up when that measure was tested at the end of the Budget debate. There is general recognition now of the implications of the PRT changes.

I will examine the Government's three arguments for those changes, to test whether there is anything to be said for them. The Government argue, "We can't continue PRT as it now is because it has become a negative tax." In 1991-92, it actually cost the Exchequer £200 million. The Government say that it is ridiculous to retain the present form of PRT.

There are three contrary points to that argument. In 1991-92, the picture was much affected by what was, one hopes, the one-off Piper Alpha disaster and the tax treatment of the insurance claims that followed—so it seems unfair to pick that year as representative. In that year also, oil taxation as a whole was not negative, but raised more than £1,000 million for the Treasury.

Because PRT is a profit-related tax, it is sensitive to oil prices. When oil prices are high—they have been for long periods of Conservative Government—one would expect the Treasury to draw in vast sums from a profit-related tax such as PRT. Conversely, when oil prices are relatively weak, one would expect the PRT return to be relatively modest. A wise Government and Treasury would take the rough with the smooth. I did not hear any member of the Treasury Bench complaining, when oil prices were high and the Treasury was raking in up to £14 billion—as much as £20 billion per year at current prices—about the nature of the PRT system. At a time when oil prices remain relatively modest, the Treasury should accept a low tax take as an investment in the North sea's future profitability.

Petroleum revenue tax is sensitive also to development and exploration levels. It is mistakenly thought by many people, particularly in the Treasury, that the North sea is a declining oil province, but that is not the case. By no measure could the North sea be fairly described as an oil

[Mr. Salmond]

province in decline. On the contrary, oil and gas production levels are increasing and are expected to peak in 1996 or 1997.

The Minister for Energy himself stated in a Department of Trade and Industry press release dated 27 January:

"While the overall level of exploration and appraisal drilling fell last year—not surprising in difficult times of low oil prices and record levels of expenditure on field developments—such activity continued to bring home results. Better than one well in four proved to be a discovery. Historically, since drilling began in the North Sea, the ratio has been roughly one in five."

In other words, the current strike rate is better than the historical average. One well in four is successful in terms of a hydrocarbon accumulation being found. Although it is true that accumulations found today are smaller than before, by no standard for qualifying or judging an oil province can it be said that the North sea is a province in decline.

Therefore, it is an act of ultimate folly to devise a tax system that benefits continued production from existing accumulations at the expense of discouraging the exploration of future accumulations, when the statistics give every indication that such explorations would be very beneficial and productive. The Government's argument that the PRT was not doing its job is far from proven.

The second argument deployed by Treasury Ministers since the Budget is, "What's the point of giving money to international oil companies? Why should anyone support that prospectus?" But one consequence of the Government's tax changes is that certain, highly selective oil companies will be given lots of money.

There is something highly incestuous about the way in which some companies have commented on the changes. British Petroleum representatives said that they are wonderful, but given that BP is one of the companies, because of its production profile, that stands to benefit by tens or even hundreds of millions of pounds, it is hardly surprising that it is enthusiastic about them. Very few companies, if offered tens or hundreds of millions of pounds by the Treasury, would not say, "Yes, these are tremendously good tax changes."

For the Government then to cite BP's reaction as proof that the industry supports the Government's approach is at best disingenuous and, at worst, incestuous. The Government should be able to quote some independent advice to support the position that they have taken. Of course, that independent support would be very difficult to obtain at the present time.

The idea of winners and losers is very misleading. I hope that Treasury Ministers have studied the excellent letter in the *Financial Times* on 2 April from 10 managing directors of the smaller and highly active exploring companies in the North sea at the moment. A great deal of wisdom is found in that letter. The phrase that impressed me most was:

"Finally, the polarisation of companies into winners and losers is not really accurate. Almost any company can become a 'winner' by cutting UK exploration".

That is the fact of the matter in these oil tax changes. To be a winner under the fiscal regime proposed by the Treasury team, it is necessary only to stop exploring; it is easy to become a winner in terms of the tax changes.

Wood Mackenzie, the respected oil analysts, suspect that taxation windfall and gain that the Treasury anticipated from these changes will not come about because it has failed to understand the impact of these changes on behaviour. This is not just a matter of the petroleum revenue tax giving dollops of cash to international oil companies. It is a misunderstanding of who is going to feel the consequences of the oil tax changes. It will not be the international oil companies. If exploration in the North sea province becomes unattractive, they will move their exploration budget elsewhere in the world. It is an international industry and they can move their exploration activity to other oil provinces.

The people who will lose from the oil tax changes are not the international oil companies but the service companies and the workers in the North sea. Thousands of jobs are on the line as a result of these apparently ill-thought-out proposals in the Budget.

The third and final argument of the Treasury team is that the long-term tax regime being put forward for the North sea is very attractive and that international investment will be sucked in to take advantage of that tax regime. That is a fundamental misunderstanding. A tax regime that applies only a 33 per cent. corporation tax rate on an oil province is attractive in international terms—and would be looked upon as such—but very few people in the oil industry actually believe that, if there was a hike in oil prices, that tax regime would stay in place. What the Treasury is sowing in the current tax regime are the seeds of its own destruction; there will inevitably have to be further changes in the future.

We do not need a crystal ball to prove that point. All we need to do is look at the track record in the United Kingdom. One of the first acts of the present Conservative Government, when they came to office in 1979—facing a sharply increasing profile of oil prices—was to increase taxation in the North sea, as, indeed, any sensible Administration would have done at that time. They sharply increased the taxation regime that had been formulated by the right hon. Member for Chesterfield (Mr. Benn). So a Conservative Government were increasing taxes set by one of the demons of the Labour Government.

No one in the oil industry believes that if we have a sharp increase in prices, as is quite likely towards the end of this decade, any Government would leave in place a 33 per cent. corporation tax rate pick-up from the North sea. Therefore, not even the incentive of a low tax regime is going to be effective in the impact of these overall tax changes. All three arguments put forward by the Government fall down very badly.

There are specific questions that I wish to ask because the Government, in written answers, have been carefully avoiding giving the information that many hon. Members require. We want to know if there was any consultation between the Treasury and the two Departments immediately concerned—the Department of Trade and Industry, responsible for energy policy, and the Scottish Office, which presently has some responsibility for the impact on employment north of the border.

As the hon. Member for Aberdeen, North (Mr. Hughes) said, the indication that has been creeping out from these closed briefings is that the DTI and the Scottish Office were not consulted; that this was a big shock and surprise to them. The best way to describe their reaction to these briefings is, "It wisnae me; somebody else is to blame. It was all the idea of the Treasury team."

It is an extraordinary prospect. Here is a tax change which is going to affect a minimum of perhaps 10,000 jobs north of the border and the Secretary of State for Scotland is allowing it to be known that he was not even consulted before the tax change was put in place.

One of my predecessors for the old East Aberdeenshire seat—Bob Boothby—perfectly described the position of the Secretary of State for Scotland as the "scullery maid" of the Cabinet. Here is a fine example of that reduced position if it is true that the Secretary of State for Scotland had no knowledge before the Budget of a tax change that put in jeopardy 10,000 jobs or more north of the border.

Mr. Robert Hughes: And all over the country.

Mr. Salmond: Of course, it is all over the country; I have developed that point.

The point that I am particularly making—I am sure the hon. Member for Aberdeen, North understands it—is that a Secretary of State who has a particular responsibility for Scottish industry and employment, according to the briefings that he is allowing people in his Department to give out, is indicating that he had no knowledge of this taxation change, which will have an enormous impact on Scotland.

These briefings are very curious. *The Press and Journal* is the local paper of many hon. Members in the north-east of Scotland and I think that everyone would accept that its coverage of this matter since the Budget has been first class in terms of the detailed examination it has given to the impact of the taxation changes. It reported—appropriately, on April fool's day, 1 April—the briefing given by a senior Treasury official. The direct quote from that briefing reads:

"For 10,000 (job losses) we are securing £400-£500 million a year in taxation."

When we heard the President of the Board of Trade and the Prime Minister last autumn—in a callous, indifferent, almost casual way—announce the impact of the coal closures in terms of the overall job losses and the impact that that would have on communities, and the furore, uproar and political controversy that followed, many of us thought then that the Government might have learnt their lesson. However, we see from the briefing by senior Treasury officials that 10,000 job losses are a price well worth paying so that the Treasury can achieve its objectives in terms of the overall shape of the oil industry taxation proposals.

I will conclude my remarks by focusing on the economy of the north-east of Scotland. The hon. Member for Aberdeen, North noted that many parts of our area have enjoyed a comparatively good time throughout the recession—although it has to be said that there are pockets in my constituency, in Moray and elsewhere, which have very high levels of unemployment—but it seems that the Government are determined to level out economic development throughout the country by making sure, just as the rest of the country is emerging from recession, that the north-east of Scotland is plunging into recession.

The key industries in our area—farming and fishing—are already experiencing difficulties. If oil, the third key pillar of the economy of the area, is plunged into major job catastrophe, as is threatened by these Budget proposals, we have a triple whammy being visited on the north-east of Scotland by the Conservative Government.

The big increases in taxation on petrol, the taxation increase which is threatened on domestic fuel, the prospect of people in the most energy-rich area in the whole of the European Community being unable to afford to turn on their electric fires, and these taxation increases on the oil industry, will have a very severe impact on the energy-producing areas of the country.

There are ways out of the mess that the Government have landed us all in. Suggestions have been put forward by, among others, Professor Alexander Kemp, the adviser to the former Select Committee on Energy. I hope that the Government have taken on board the measures suggested by Professor Kemp in his North sea study occasional paper No. 41. He suggests that we extend the transitional arrangements for relief in such a way as to avoid the effects on exploration.

Let me end on a cautionary note. I do not think that any Opposition Member will embark upon the fool's errand upon which the hon. Member for Kincardine and Deeside (Mr. Kynoch) has apparently embarked. He has been told by the Treasury team that if only he, in Kincardine and Deeside, can think of some means of achieving the same results, in terms of Treasury revenue, by applying a different shape of taxation change, the Treasury team will be only too anxious to look at it. I am certain that it would. The Treasury's objectives have nothing to do with employment in the north-east of Scotland and elsewhere, but everything to do with the amount of money that it can grab from the North sea oil industry. I am certain that the Treasury would be glad to look at another way of getting an extra £700 million out of the North sea.

That, however, is not the issue that we wish to debate. We wish to debate whether the proposed taxation changes are sensible and whether they will have the impact that even the Treasury itself admits is possible in terms of the number of jobs lost. We do not want to embark upon finding another way for the Government to get an extra £700 million, thus damaging the North sea oil industry at a time when prices are not strong and when the industry needs investment for the future. I am confident that the Government will be forced to respond to the concern expressed by hon. Members on both sides of the Chamber as people come to understand the potential damage that will be done to the industry, in terms of the loss of tens of thousands of jobs. In Committee, we shall expect a climbdown by the Chancellor on this taxation proposal.

7.41 pm

Mrs. Angela Browning (Tiverton): The 1993 Budget is different from Budgets of previous years, not least because of the economic background against which the Chancellor had to work—in particular, his need to address the public spending borrowing requirement problem. It has also set a new precedent, in that measures have been announced in this Budget not just for the forthcoming year but for future years. That is important. It is helpful when planning economic policy to be able to look further ahead than 12 months. The Chancellor has taken a bold initiative.

Many constraints were placed upon the Chancellor when he outlined his Budget. It was apparent that it would not be a giveaway Budget. I was pleased to be able to make representations to the Chancellor before he made his Budget statement and tell him that it was particularly important that the axe should not fall on the small business community. Many small business organisations—for example, the Forum for Private Business—have paid

[Mrs. Angela Browning]

tribute to the way in which the Chancellor managed his Budget and allowed the small business sector the opportunity to grow and to increase the economic prosperity of this country, which we are now beginning to see.

I intend to draw attention to other matters, particularly those that affect people in my rural constituency of Tiverton in Devon. My hon. Friend the Member for Brighton, Kemptown (Mr. Bowden) made a compelling case for the grievous impact that VAT on domestic fuel will have upon certain groups in the community. I know that my right hon. Friend the Secretary of State for Social Security has promised that those who are on means-tested benefits will be properly cared for in the autumn statement and that their benefits will be uplifted. There has also been a promise to take into account the impact of VAT on fuel in the retail prices index increase, which will also have an impact on other benefits, such as the state retirement pension.

My hon. Friend the Member for Kemptown referred to the fact that certain groups spend much more on domestic fuel than other groups. It is important that that should be recognised when benefits are uplifted. It would be impracticable to promise that everybody who is affected in this way will find that there is a mechanism for dealing with the increase, to the nearest penny, in fuel bills. Whatever averaging formula is used to measure the effect on fuel bills of VAT, account must be taken of the greater amount of fuel that is used by the elderly and the housebound.

My hon. Friend the Member for Kemptown made a strong case for the elderly. I agree with him. I attended a meeting of Tiverton Age Concern on Saturday last. When I entered the hall where the meeting took place, I was hit in the face by the heat. However, the temperature needed to be high because the elderly, the frail, those who are confined to wheelchairs or who are otherwise immobile feel the cold far more than those who are mobile.

Mrs. Roche: I have followed the hon. Lady's argument with great interest. The Institute for Fiscal Studies estimates that the poorest 10 per cent. spend 13·25 per cent. of their budget on fuel, compared with the richest decile, who spend only 3·46 per cent. of their budget on fuel. Does that not lead her to believe that this provision in the Finance Bill is completely wrong and will have a tremendously damaging impact upon those groups about whom she spoke so eloquently?

Mrs. Browning: I am grateful to the hon. Lady. She endorses my plea that due account should be taken of the fact that there are certain groups in society who necessarily have to use a lot of fuel because of their state of health or mobility.

I want also to draw my right hon. Friend's attention to those people who do not claim benefit. Reference has already been made to them. Some of them are on low wages. A high proportion of my Tiverton constituents earn less than the national average wage. Reference has also been made to pensioners who have only a little money in savings. Many of those people exercised thrift during their working lives in order to provide for a small private pension, or they have some savings. When the state retirement pension is uplifted in line with the retail prices index, there should be recognition of the true effect of VAT on fuel prices.

May I also ask my right hon. Friend to discuss with the Secretary of State for Social Security some of the non-means-tested allowances, for that will almost certainly bring into this category people who face high fuel costs? I refer, for example, to those in receipt of invalidity care allowance and disability living allowance. One ought to investigate how those people will be affected by this proposal.

It is important also to put on record my views on petroleum revenue tax. I fully understand why my right hon. Friend the Prime Minister committed this country at the Rio conference to reducing CO_2 emissions between now and the year 2005.

However, in my constituency—650 square miles of rural Devon—ownership of a car is vital. That is reflected in the latest census figures, which show that 81 per cent. of my constituents are car owners. In rural Devon, we do not use a car only for driving around to look at the beautiful scenery. It is essential that people have a car to get to work and for access to employment and training. It is also important for people who have to take children to school, to go shopping or to gain access to primary care facilities. They are all essential uses.

I can also think of many examples of elderly people who live independently in a rural community, and who find that their legs can no longer carry them to the village shop or the local doctor but are quite capable of driving a car. In those cases, the ownership or use of a car gives them continued independence and helps them to live in their own home for longer. The impact of such a tax on people in rural areas must be appreciated, especially as we are now implementing care in the community. If one considers the census figures, one sees immediately the difference between car ownership in rural constituencies and constituencies that are primarily urban.

I know that there is a strong argument for the tax in terms of the environmental impact of CO_2 emissions, but I draw to the House's attention information given to me by the Library. It shows that emissions in this country between 1990 and 2005 are forecast to rise by 19 per cent. That is the lowest forecast in the European Community, and compares with the forecast for Portugal of a rise of 63 per cent. and the average EC figure of 31 per cent.

I hope that such a pattern of taxation on environmental grounds will not continue in Budget after Budget, because it has a different effect on people in rural and urban areas. I suggest that we consider instead tax incentives involving cleaning up fuel and the motor car.

I realised that the Budget was not going to be a giveaway Budget. It would have been condemned as irresponsible and profligate by the Opposition, who criticise it now, had my right hon. Friend the Chancellor made it a giveaway Budget. The small business sector has welcomed the Budget, and I wish to draw attention to two aspects that are important to business and especially to manufacturing.

The first is capital taxation. The Chancellor has allowed those with more than a 5 per cent. interest in unquoted companies to roll over the gain if they purchase and move more than 5 per cent. into another company. I hope that that is the first of many measures to allow the transfer of interests between companies.

At the moment, there is no movement of capital, especially in the corporate sector affecting the smaller unlisted company. As the recession lifts, it is important that expanding companies can attract new investment, and I hope that the measure will be built on, as it is greatly needed in the small business sector.

Many hon. Members have mentioned the importance of manufacturing. In the autumn statement last year, the Chancellor allowed, for one year, 40 per cent. first-year capital allowances on an unrestricted sum. That year will be up by the time of the Budget in November, so, before my right hon. Friend makes a further announcement next autumn, I urge him not only to abolish the one-year break, which has been extremely helpful in lifting the economy and in bringing about the movement that we now see in business and manufacturing, but to take account of the fact that very small businesses find it extremely difficult to carry forward profit and capital to allow for periodic capital expenditures such as the purchase of a new vehicle, which they may make regularly every two or three years.

I do not ask my right hon. Friend to consider making it an unlimited tax benefit, but to consider putting a ceiling on it. Ideally, I should like a ceiling of £100,000 in any tax year, but I suppose that I could settle for £50,000 if he would consider that. In any event, it should be a 100 per cent. allowance, because the continuation of that allowance will be instrumental in helping small companies which now have increased orders on their books and which are looking forward to further growth.

7.54 pm

Mr. Robert Sheldon (Ashton-under-Lyne): I apologise for not being here for much of the debate, Madam Deputy Speaker, but there was a meeting of the Public Accounts Committee which was considering the expenses of the Gulf war. However, I heard the Chief Secretary's opening remarks. I should have been especially interested to hear what he was going to devise as an economic reassessment following black Wednesday.

You may remember, Madam Deputy Speaker, that we were promised a reassessment shortly after black Wednesday, but that was seven months ago. The Budget was certainly not the reassessment of economic policy that we might have expected, so I thought that, even at this very late stage, we might have heard something from the Chief Secretary about it today, but we did not.

That day in September was very important. It was the day that Thatcherism came to an end; it was the day that the Government had to face the reality that an economic policy which had lasted for 11 or 12 years had finally run into the sand. It was when the Government realised that something had gone wrong, and their hopes, dreams and expectations that they had fundamentally changed this country's economic position were seen as the nonsense that they always were.

We all know that Governments make mistakes, but the striking feature of the 1980s was the combination of the scale of the mistake and the long period for which it persisted. The Government were incapable of learning from their errors. Part of the reason for the errors were the wonderful days of North sea oil, which replaced imported fuel. However, the revenue was dissipated in the consumer-led boom which eventually led to the problems and troubles of last year.

The folly was compounded by the belief that the myth of prosperity was the result of clever Conservative economics. That has all been washed away, along with the money that could have been used in the seven fat years to prepare for the seven years of famine, which have some way to run. Unfortunately, the Government believed that the windfall was proof of an economic miracle, but now we have to live with the reality for which we were unprepared. How are we responding?

I regret to say that the Government's economic policy does not make sense. The Government now regard success as getting people into shops to spend money, most of which will go on imported products. Our balance of payments deficit is bad enough, but such a move will increase it. The Red Book shows a 1·25 per cent. increase in gross domestic product for this year, together with the same increase in consumer expenditure. At the same time, the Government are levying value added tax on fuel.

I have a personal interest in VAT on fuel because, while I was Financial Secretary to the Treasury, we held the presidency and it was my lot to negotiate the sixth VAT directive. I argued that VAT was a progressive—or reasonably progressive—tax, but that it would be a regressive tax without zero rating. At a stroke, the removal of zero rating makes it a regressive tax. It is a tax on the poorest people, and the argument that we have been able to use in the Councils of Europe will not be available to us any more because we have conceded the principle that there is a need to retain it as a non-regressive tax. The Government are giving an open door to shoppers to spend their money before the tax comes into effect. That is not a sensible way to proceed.

The Government must produce a policy for the whole decade. There are long-term dangers because we have frittered away the benefits of previous years and must now be called to account. The £50 billion budget deficit and the £17·5 billion balance of payments deficit will take all those years to recover.

There are two ways in which the Government can proceed with an economic policy that makes some sort of sense. First, they can reduce the value of the pound and go for exports and the growth that comes from them, while increasing investment incentives. My proposals for the latter would be somewhat different from those of the hon. Member for Tiverton (Mrs. Browning). I do not think that they would apply to motor cars and I do not agree with the limit that the hon. Lady suggests. Nevertheless, the idea of substantial investment initiatives is a correct one.

We must give manufacturing industry something: we must reverse what happened to it throughout the 1980s. Even 100 per cent. allowances would not be as disastrous as our doing nothing. The 40 per cent. figure will have to be renegotiated this autumn and I expect that to continue, but the figure should really increase to 60, 70 or 80 per cent.—even 100 per cent. would not be impossible, as I said. That would rapidly have an effect. Education and training will take some time to get right; that will need to be done on a rather longer-term basis, but we must begin the long haul to economic viability. The need for that must be impressed upon the Government.

I have outlined the sensible approach first. The other approach—the approach that I fear will be adopted by the Government—might accept a stronger pound. We have seen the pound rising in the past few weeks. That will please the Bank of England, which loves a dear pound, and will reduce the living standards of our people. That is

[Mr. Robert Sheldon]

fundamentally the Conservatives approach; there is no question about that. The Conservatives accept implicitly that the living standards of the British people throughout the 1980s were built on sand. The Government feel that they must reduce them to make sense of their economic policy. Whatever happens, the Government will reduce living standards. They hope that, as a result, imports will fall relative to exports.

That will still leave the problem of the budget deficit, and that is where the Chief Secretary and his Thatcherite partner, the Secretary of State for Social Security, will start their emasculation of the welfare state—and "emasculation" is the word. I am thinking not just of the common retirement age of 65 for men and women; with a Conservative Government in power, I regard that as inevitable. I am sure that that is what they will do—at the very least. The amount of the retirement pension and the qualifications for it will fall under the axe. Disability payments and a whole range of state benefits are all now under threat, and in addition to those cuts will be the cuts in the national health service.

The history of the welfare state under this Government and under all Conservative Governments has followed a depressing pattern. General nods in the direction of the post-war consensus which began under the first post-war Conservative Government gave way later to cuts disguised as changes, then to cuts accepted as necessary, now to the real 1990s version of the Geddes axe. The public expenditure cuts of the 1930s created a bitterness whose effects we can still feel, 60 years later. They led to a torrent of dissent that changed the political landscape of our country. The great pity is that that approach is not merely divisive; it is cruel and unnecessary.

The only claim that the Government can make is that they have kept inflation under control. That claim is not true, but they make it anyway. The price of that claim has been an overvalued exchange rate. The reason why inflation has not been as high as it would otherwise have been has been the very high—the absurdly high, the ruinously high—level of the pound, and the levels of interest rates that have accompanied it. It is the greatest condemnation of our economic inadequacy that the Government entered the ERM at a disastrous level. The Government watched our balance of payments react calamitously and used billions of pounds worth of taxpayers' money in a fruitless attempt to defend the rate. It was the greatest economic incompetence of our age to throw away those valuable moneys on a worthless venture. Never had we seen our resources used so profligately.

Finally, when the money—our money—ran out, the rate was allowed to fall and business sighed with relief. It should have happened long before, yet the Government claimed credit for it—for the fact that now we have a realistic exchange rate. Now that all that money has been squandered, the exchange rate is realistic and the Government appear to be proud of the part they played in the process.

Complaints about a cheap pound come from down the road in the City. The City has advocated a dear pound and high interest rates, both of which affect our vital companies in Manchester, Birmingham, Glasgow and our industrial centres on which we depend. If we cannot have financial devolution, we should at least listen with greater care to what industry really needs, and we should meet those needs, one of which is large investment incentives for plant and machinery. Such incentives will not only help industry to modernise itself. The hon. Member for Macclesfield (Mr. Winterton) is absolutely right and I am sorry he is so readily brushed aside by those on the Treasury Bench.

The advantage of investment in new plant and machinery is that it modernises the workers as well as the plant itself. New equipment leads to new methods of manufacture and new forms of operations in which many can play their part.

Mrs. Browning: The right hon. Gentleman referred to my comment about capital allowances. I hope that he would agree that, in the case of large conglomerates, which have an open-ended opportunity to invest—they can invest and benefit from tax breaks on millions and millions of pounds—there comes a point at which such a provision could be abused. That is why I propose a ceiling, rather than the open-ended offer that he appears to favour.

Mr. Sheldon: I would accept that if it applied to the present definitions that qualify for investment incentives. I am thinking purely of plant and machinery, and investment in plant and machinery leads to modern methods and practices and modernises workers as well as equipment.

Our industrial strength used to lie in the manufacturing skills of our people and in their inventiveness. Our manufacturing skills have been overtaken by those of scores of other countries in the developing as well as the developed world. Our inventiveness at least remains, and, although it is not enough to ensure the predominance of our manufacturing industry today, it is nevertheless a talent of great value. But it, too, is under threat because Germany, Japan and now France now produce more patents than we do. Our one residual advantage is now disappearing. What is more, those countries actually use their patents to produce articles.

Although the Government are beginning to talk as though manufacturing is important, precious little is emerging from their talk. The Prime Minister appears to have a new-found love of manufacturing industry. It is a great pity that he did not discover his affection for it years ago when there was more time to make use of it.

What the Government are doing for manufacturing industry is wholly inadequate. They need to reassess training and education and to run the economy in the interests of manufacturing industry, and therefore in the interests of prosperity and of our people. The tragedy is that the Government will be trying to retain a high pound when we have a real opportunity to obtain the benefits from a truly competitive pound. In my view, the pound should be considerably lower than it is at present. It is with great sadness that I view the attempts to jack it up.

Because of our high unemployment levels, we have an excellent opportunity to meet the inflationary pressures that arise from a low pound. That high unemployment will be the greatest assistance to us in producing expansion without inflation. There are not the constraints that we have had in the past and, although the deskilling of our people is serious, I believe that training can be expedited, as it was in the early days of the war when training centres played such an important part in producing for wartime conditions.

People want to work. A lower pound can reduce imports and promote exports and that should receive the support of the country. It is a terrible indictment of the Thatcher and post-Thatcher years that such a policy is not proposed. I have always been impressed by the French experience of 1958 to which I keep returning. Under President de Gaulle, the French combined devaluation with deflation and that provided a limitation to import and an incentive to export. Deflation provided the room to achieve those obectives.

We have no need for further deflation in Britain today. We already have an excessive degree of inflation and such a high level of unemployment. The way is now clear to achieve what France achieved more than 30 years ago. Now that the myths of monetarism and the constrictions of the ERM have been banished, we might have expected a fresh analysis of our economic situation. Indeed, that is what we were promised following black Wednesday. What has happened? We are planning—at least for the time being—a life outside the exchange rate mechanism. In addition, the Government are certainly not going to give the Bank of England the independence that it dearly wants.

The Government are right in that respect. The Bank of England is like the other nationalised industries. It wants to be privatised because a privatised monopoly is a comfortable institution in which to reside. The first thing that happens is that salaries are jacked up; then share options are introduced; and, finally, both are justified on the basis that the new monopoly profits are a sign of good management.

So, we have no ERM and no privatised Bank of England. There is a reduction in living standards and exhortation after exhortation to export. That is the revised agenda of the 1990s. The great strength of our democracy has been that Governments have eventually learnt from their mistakes. The learning process certainly needs to begin soon.

8.11 pm

Mr. Barry Legg (Milton Keynes, South-West): In some ways, we have had a curious debate so far. We started with some shadow boxing from the Opposition Front Bench. We then heard a few ideas and some glimmerings of a strategy from the Opposition Back Benches. The right hon. Member for Llanelli (Mr. Davies) put forward some kind of strategy and we have just heard a strategy from the right hon. Member for Ashton-under-Lyne (Mr. Sheldon). However, there was a dearth of strategy from the Opposition Front Bench.

In debate after debate, no matter how carefully we listen to hon. Members such as the hon. Member for Peckham (Ms Harman), we come away with no idea of what those on the Opposition Front Bench would like to see in respect of the total level of public spending, the total level of taxation, the borrowing requirement, the level of interest rates or the level of the currency.

Mr. Quentin Davies: They do not know themselves.

Mr. Legg: As my hon. Friend makes clear in that valuable intervention, they do not seem to know. So long as those on the Opposition Front Bench lack a strategy, they will continue to be a most ineffective Opposition. The British people will regard them as an ineffective Opposition who are incapable of being an alternative Government.

My right hon. Friend the Chief Secretary to the Treasury identified some very encouraging indicators in respect of the British economy that have appeared in the past few weeks. Those encouraging signs include the reduction in unit wage costs of 2 per cent., the latest increase in manufacturing output per head of 7·8 per cent., the improvement in the non-EEC trade balance and the 2·5 per cent. rise in manufacturing output in January and February. There are many other examples which show that recovery is finally getting under way.

I hope that the Government will continue to watch our economic indicators carefully, because I do not believe that it will be plain sailing from now on. Many hon. Members have identified problems in the economy. I urge my right hon. and hon. Friends on the Government Front Bench to watch the indicators and to take the appropriate action to ensure that we get the sustained and lasting recovery which is so much needed in this country.

As my right hon. Friend the Chief Secretary rightly said, we are leading Europe out of recession. Although the projections of our growth for this year are meagre, they are much better than those of our European partners. In its most recent projection in respect of Germany, the Deutsche Bank projects a 2 per cent. decline in gross domestic product. Britain is leading Europe out of recession and it is good that the Government have taken advantage of the freedom and flexibility that the markets provided last September.

The Government have taken advantage of that freedom and flexibility to let the pound float and to reduce interest rates. The British economy is now moving back to a better balance. Many hon. Members wanted to know what the Government are doing for industry. By leaving the exchange rate mechanism and reducing interest rates by 4 per cent., the Government have reduced the interest charges of British industry by £4 billion. That is more than has been contributed by the Budget and more than any of the suggestions, however vague, from Opposition Members.

It also behoves British politicians to encourage British industry and commerce to look widely for markets and to raise their eyes across the world. The economic pattern across the world is changing. Unfortunately, Europe is currently stagnating. I fear any moves to create a fortress Europe in respect of trading arrangments. I am sure that my colleagues on the Government Front Bench will be ever vigilant in that respect.

At the present time, the developing economies in the Far East are doing better; they are growing and becoming stronger. The Asian Development bank has projected growth in GDP in the developing economies of the Far East for the coming year of 7 per cent. at a time when growth in Europe is flat. Several of the economies in the Far East are growing at higher rates than that. In addition, the Chinese economy is growing at a rate of 10 per cent. per annum according to the Asian Development bank.

Business men in this country must see that as an opportunity. The growth in the Chinese economy means that the Chinese are exporting more and also importing much more. It is projected that imports into China in the next 12 months will increase by 20 per cent. or 25 per cent. There are certainly markets out there which British

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industry should take advantage of and there are opportunities which can help Britain to have a prosperous and successful future.

Several hon. Members have referred to the Treasury and Civil Service Select Committee report on the economy. We produced a report on the Budget statement, and last week we produced a report on monetary union. Quite a lot of work went into the former report and it was unfortunate that some of its impact was diverted by one or two Labour members of the Committee who sought to take cheap political advantage of it. However, overall a lot of worthy evidence was taken and sound conclusions were drawn.

One of the more important questions about which many hon. Members are interested is when Britain is likely to return to the ERM. I must admit that I am not altogether encouraged by the evidence that we received from my right hon. Friend the Chancellor of the Exchequer when he appeared before the Select Committee.

My right hon. Friend saw the criteria for our returning to the ERM as follows: first, that we are clearly out of recession in the United Kingdom—that moment is rapidly approaching—and, secondly, that the economies of Germany and the United Kingdom are more closely synchronised. I am not quite sure what he meant by that, but if he means interest rates coming closer together, that is also happening. However, I do not believe that that should be a reason for returning to the ERM.

Mr. Iain Duncan-Smith (Chingford): What about the fault lines?

Mr. Legg: I was coming to the fault lines.

The Chancellor of the Exchequer and my right hon. Friend the Prime Minister rightly identified fault lines when we left the ERM in September. Since then, we have had a report from the governors of the European central bank which says that they cannot find the fault lines. It is not surprising that governors of the central bank cannot find the fault lines in the European exchange rate mechanism system. If they admitted that there were fault lines, they would have to throw even more money at defending the artificial exchange rates that they have set across Europe.

The real fault line in the exchange rate mechanism is that the former anchor currency and anchor economy in Germany are no longer financially stable. Fixed exchange rates can run successfully for various periods. For example, under the Bretton Woods system, we ran a successful fixed exchange rate system across the western world for a number of years. One of the reasons that we were able to maintain the system was that the United States was the major economy in the western economies. It is worth remembering that the United States economy is five times larger than the Germany economy.

The fixed exchange rate system ran successfully because currencies were linked to the major economy and the major economy had sound and stable financial policies. The major economy did not run big budget deficits and it did not have high inflation. When it started to run big budget deficits with the coming of the Vietnam war in the 1960s, that destroyed the Bretton Woods system of fixed exchange rates.

We have seen the same thing happening in Europe in the past few years. Germany has ceased to be an effective anchor because it no longer possesses the financial stability that it had in the 1960s and 1970s. Germany faces a prolonged period of large budget deficits and reconstruction with the unification that is taking place there, so it no longer possesses the stability that it had previously.

Germany has massive problems on the competitiveness front. It is no longer the competitive country that it was in the 1960s and 1970s. German wage costs per hour are substantially greater than in the United Kingdom. To imagine that Germany will once again become the anchor and that Britain should, in the near future or the medium term, fix sterling against the deutschmark will simply lead to a repeat of the problems that the United Kingdom has faced over the past five years with inappropriately valued exchange rates and interest rates being set at the wrong level for domestic conditions. If that happens, we shall not see success in our affairs. There is a great danger economically for the United Kingdom in returning to the exchange rate mechanism.

Hon. Members would do well to draw on recent experience and say that, broadly speaking, floating exchange rates provide the best means of establishing the level at which currencies should operate. If central bankers and politicians think that they know better than markets and that they can overrule markets and set exchange rates, that is a grave mistake and the people and taxpayers in many countries suffer as a result. There should be no return to the exchange rate mechanism in the lifetime of this Parliament.

We have heard comments from several hon. Members, including my hon. Friends the Members for Bournemouth, West (Mr. Butterfill) and for Bridlington (Mr. Townend), about the high level of public spending and the high level of the public sector borrowing requirement in the United Kingdom. Certainly, for a Conservative Government to be running a deficit of some £50 billion, which equates to some 8 per cent. of gross domestic product, requires vigorous action in the coming months and years to achieve a proper financial balance and bring our public finances into better order.

My hon. Friend the Member for Bridlington highlighted the level of public expenditure of some £23·3 billion in the past month. He rightly said that that was some 30 per cent. greater than in the same month the previous year. Certainly, Treasury Ministers have a great deal to do in maintaining firm control of public expenditure and substantially reducing the deficit.

Several hon. Members have noted that the Finance (No. 2) Bill is a substantial document. It has more than 200 clauses and 19 schedules. It may be in danger of running against that well-known cannon of taxation—that taxation should endeavour to be as simple as possible. Conservative Members have often advocated that taxation should be simplified.

The Bill is weighty. It contains measures which all of us support, such as the raising of the threshold for stamp duty. It also contains extensive measures which will puzzle hon. Members, such as those relating to the taxation of vans. There is a schedule of some 10 pages concerning the tax on vans used by directors and other persons. The Inland Revenue goes into tremendous detail about these vans—the requirements and the definition of a van. In fact, the definition of "van" is any vehicle which conveys goods, provided that it is not a motor cycle as defined in the Road Traffic Act 1988 and it is less than 3,500 kg. If one is an

employee or director who is in the habit of driving a three-tonne lorry, the schedule will bring the lorry within the taxation provisions as a benefit in kind.

I strongly support the Government's strategy for reducing regulation on business, but the Government, the Inland Revenue and Customs and Excise should be mindful that Bills and Acts of Parliament are also regulation. I wish the Committee well in its work on the Bill. I hope that it will be able to reduce some of the volume and help to achieve some simplification.

In conclusion, I hope that my right hon. Friends on the Front Bench give as much time, energy and ability as they can to tackling the main matters within the Government's control. They should get public expenditure under control so that overall tax levels can be reasonable. They should not spend too much time delving into economic forecasts, second-guessing the markets and working out the correct exchange rate between the deutschmark and sterling or other currencies but should address the fundamental matters which come within their responsibility or control. If the Government do that, we shall have a strategy which will be good for the country, the Government, and our party.

8.27 pm.

Mrs. Anne Campbell (Cambridge): I do not think that there is an hon. Member on either side of the House who does not sincerely hope that we are seeing the end of the recession. It is the longest recession since the war. We have been told that manufacturing output has started to rise, that consumer confidence is rising and that the gross domestic product will grow by about 1·3 per cent. this year and 2·5 per cent. in 1994. That should make us all feel better.

When the economy was falling like a stone, I remember an economist saying that even a stone bounces. Unfortunately, stones do not bounce far, but tend to settle down to the lowest level. For two consecutive months, we have seen slight falls in unemployment. Yesterday in *The Observer*, William Keegan described it as a "Group 4 recovery". He said:

"They seem to be losing the unemployed".

Even the tabloids do not seem to believe what is happening. Last week, the *Evening Standard* had the headline, "Shock fall in unemployment", as though that somehow was bad news. But so long as it is real, it is welcome.

I believe that employers over-reacted to the gloom and uncertainty in the autumn and are now beginning to recruit again. Instability is bad for industry because, when employers make people redundant, we lose vital skills which are not replaced. The skilled people we lose are often in their late 40s and 50s, and they find it extremely difficult to get work again when the economy begins to turn up.

The problem is that, on the basis of the Government's previous record, it is difficult for people to have confidence in what the Conservative Government are doing. Last autumn, the Government seemed intent on doing their utmost to destroy British manufacturing industry. We had record interest rates and an unsustainable exchange rate. The housing market was described as flat, but, in reality, house prices were plummeting.

Despite their best efforts, the Government were ejected from the exchange rate mechanism and forced to devalue the pound. That led to an 18 per cent. devaluation and lower interest rates. That is what has led to recovery. It is not something which the Government intended to happen, although they now pretend that it is what they intended all along and that they are responsible for the welcome signs of upturn that we are now seeing.

However, as many hon. Members, but especially Opposition Members, have said, there are dangers in the upturn. That is well illustrated by the circumstances that arose in the early 1980s. When we came out of recession then, the balance of trade was positive. It led to several years in which consumer demand exceeded the growth in exports before the trade deficit grew to unacceptable limits. However, that is not a luxury that we can allow ourselves on this occasion. It is not sustainable. The balance of trade is already in deficit to the tune of £12 billion, and is projected to grow to £18 billion as we come out of recession.

So we must either restrain consumer demand or encourage exports—preferably both—to bring the deficit back into balance. In the current circumstances, any Government would find it extremely difficult to do so. Manufacturing is only 21 per cent. of GDP. When we compare that with levels in our competitor countries—31 per cent. in Japan and 35 per cent. in Germany—we begin to realise what a weak state British manufacturing is in. Britain, where the industrial revolution began, is in the appalling position of deriving only a small proportion of its GDP from manufacturing industry.

More help is needed for manufacturing. Opposition Members have said that on numerous occasions. It has only recently been recognised as important by the Government. We need to provide more help in investment. I agree with the hon. Member for Tiverton (Mrs. Browning), who is no longer in her seat, that we must give more help to people who are prepared to invest in resources for research and development.

We certainly need more investment in our education and training. We should also seriously consider an attempt to cure the short-termism which cripples British industry. High-tech firms, which are the backbone of recovery in a modern technology-based industrial environment, also need their own special encouragement, but the Government are not interested in increasing skills or encouraging research and development; nor do they seem particularly interested in raising levels of investment.

The Conservative philosophy is simplistic: keep down inflation and wages and in the free market everything will beautifully come all right. We will automatically improve our skills, raise our investment and increase our research and development and that will help us to become an innovative and competitive country. Well, I am sorry to say that that has not happened in the past 14 years, and the electorate are beginning to realise that the Government are pulling a great con trick in pretending that they know how to manage the economy.

I have more than 1,000 high-tech firms in my constituency. I spoke to one of them this morning. It is a highly innovative firm employing a great many people with valuable skills. It is losing work as a result of declining defence contracts. It has skills which could well be used in civil engineering and consultancy work. It asked me for my help with a specific problem.

After an exchange of correspondence with Ministers I eventually directed the firm to the regional office of the Department of Trade and Industry for the help that it needed. It reported to me this morning that the DTI was

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not interested in addressing its problems seriously. It simply tried to push the DTI schemes at it. The schemes were not suitable, but the DTI showed a lack of regard for what the customer wanted. That is one of the basic problems that we have not addressed.

Mr. Robert Ainsworth (Coventry, North-East): Does not the response that we get from the DTI show that there is a lack of strategy on how we should diversify out of the defence industry into other industries? The answer that we are always given in this place is that there is a straight choice. If we are not prepared to accept the forces of the market, we support the propping up of lame ducks. But we have always advocated the adoption of a strategy. If there is not a strategy, what on earth is the role of the Government? But Conservative Members never appear to agree with that.

Mrs. Campbell: I am grateful to my hon. Friend. He has reminded me that another difficulty of which the firm in my constituency complained was that there was a lack of strategy in the Ministry of Defence. There is no way in which a firm can know in advance whether its project or proposal will have a good chance of success. Encouraging noises from MOD officials are not usually sufficient. A company may put a great deal of work into a proposal and find that it is turned down at the end of the day. Small firms cannot afford that luxury. They need to be reasonably sure that, if they put a great deal of time, energy and effort into a project proposal, it will have a reasonable chance of being accepted.

The other major problem that growing firms in my constituency face is finance. Many small firms—I am talking about very small firms consisting of perhaps only half a dozen people—have great difficulty in expanding. Sometimes they obtain the initial finance successfully, but have tremendous difficulty in moving on to the next stage.

I welcomed the increase in the percentage that the DTI guarantees under the small firms loan guarantee scheme. That could be useful in some circumstances. However, the problem with that scheme is that often the banks refuse to operate it or make it difficult for firms to get hold of the money. The British banking system does not understand high-tech firms. It has no basic understanding of scientific innovation and ideas. That is the problem.

I suggest that the Chancellor should make the scheme available through science parks. Science parks are usually run by people who understand small high-tech businesses and are prepared to come to grips with the scientific issues at stake. If the Chancellor took up that suggestion, I should like to put forward the St. John's Innovation Centre of Cambridge, which would be delighted to run a pilot project.

There are two ways in which the country can go. We can either strengthen the supply side, exploit British skills and expertise, invest in people and regain our competitiveness, or we can follow the route for which the Government seem to want us to opt. Under that option, we would lower wages, reduce skills and offer no help with investment and research and development. No attempt would be made to overcome short-termism. That second option will inevitably lead to third-world wages and skills. We would become the world's cheapest conveyor belt, making cheap goods at low prices, which would generate low consumer demand. We would have an even larger proportion of Europe's poor than we have now.

That is the future for Britain under the Conservatives, but there is an alternative. The people have the ability, the skills and the enthusiasm to make Britain great again. I hope that we can do that.

Several hon. Members *rose*——

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. I understand that the winding-up speeches will commence at 9.20 pm. Four hon. Members, who have been in the Chamber for most of the day, are seeking to catch my eye, and with a bit of co-operation from everyone, I may be able to call them.

Mr. Maxton: On a point of order, Mr. Deputy Speaker. I thought I had clarified with you on an earlier point of order that there is no reason why any hon. Member should not speak, because the vote does not have to take place at 10 o'clock, but at any time thereafter.

Mr. Deputy Speaker: We shall have to wait to see what happens at 10 o'clock. At present four hon. Members wish to catch my eye.

8.41 pm

Sir Michael Grylls (Surrey, North-West): The hon. Member for Cambridge (Mrs. Campbell) made some interesting and constructive points about some of the smaller high-tech firms in her constituency, with which I agree. It was good to hear what she had to say. The Finance Bill is good news for small and medium-sized firms, and I agree with the hon. Lady that the amended loan guarantee scheme will help those firms as they come out of recession and start to take advantage of the expanding economy.

I want to speak about an issue which has been before the House for a long time: unitary tax. Eight years ago, the House included a retaliatory clause in the then Finance Act to put pressure on the United States Government. I have been concerned about this issue for some time. I have an interest to declare. I feel passionately that we must resolve this issue before too long. On 18 February 1980, Peter Rees, now Lord Rees, said about the United Kingdom/United States double taxation treaty:

> "To those concerned about the unitary question, I say that there is no disposition on the part of the Government to let the issue die . . . the United States were left in no doubt by what I told them"

Thirteen years later, we are still no further forward. The blame must be put, fairly and squarely, at the door of successive United States Administrations, who have not addressed the issue effectively. I shall not go into detail about what unitary tax is; suffice it to say that it means taxing companies on a worldwide basis rather than on the basis of the state or the country in which they operate. It is used by some American states—in particular, California—and it has been internationally condemned by the United Nations, the OECD, the 12 members of the European Community, Japan, Switzerland, Finland, Australia, Canada and many other countries.

Today marks the deadline for the United States Administration to submit an amicus curiae brief in support of Barclays bank, which is leading the way in trying to get a judicial decision on this issue against the California Franchise Tax Board. According to the press

—I believe this to be true—the United States Administration have now decided that they will not support Barclays bank in its litigation. I know that the House will be disappointed by that news, and I am aware of the feelings of the 213 hon. Members, many of whom are present now, who have signed early-day motion 1489. I believe that we are justified in being outraged at the American Administration's decision not to support Barclays' case.

It would appear that that American Administration have gone back on their promise to the House that they would use their best endeavours to resolve the issue. The chairman of the California Board of Equalisation has stated publicly that the decision not to file a brief is a

"clear signal to the Supreme Court that the Administration does not want the case heard."

My hon. Friend the Member for Faversham (Sir R. Moate) and the hon. Member for Newcastle upon Tyne, East (Mr. Brown) who is sitting on the Opposition Front Bench this evening, recently visited Washington as part of a delegation. They were informed by the acting Secretary for tax policy at the United States Treasury:

"Failure to file the brief"—

in support of Barclays—

"will be considered a decision not an oversight".

Although it is still feasible that the United States Supreme Court will take the case, the failure of the United States Government to support it significantly jeopardises the chances of a court hearing. By failing to support Barclays, the Administration have destroyed the foundation on which their international tax treaties are based. The House should note that, for the first time in their history, the American Administration are admitting that a tax system radically different from the international standard of arm's-length reporting has a place internationally.

There is a real danger that the use of worldwide unitary tax will break out, like measles, all over the United States. That could send a damaging signal to other countries, which might be encouraged to adopt that as a standard form of taxation because the American Administration no longer seem to regard the OECD model as the accepted standard.

Other American states are looking to adopt worldwide unitary tax, as demonstrated by the letter sent by the American Governors Association to President Clinton on 15 April stating that the worldwide unitary system offered advantages from which the federal system could benefit. In a far-sighted letter of 24 March to Treasury Secretary Bentsen, the president of the United Kingdom section of the American Chamber of Commerce stated:

"I regard this matter as potentially the most important to arise in transatlantic commercial relations in a very long time. This is an issue that should be allowed to exhaust the US legal process in the hope that it can avoid becoming a major political dispute."

Today it has become such a dispute. It has been suggested that the Clinton Administration's reason for not backing Barclays is that they regard the issue as solved, since California enacted legislation giving companies the option of being taxed either on a worldwide basis or on what is known as the "water's edge". The companies are only given that so-called solution on payment of a fee—often a substantial one. It is worth reminding ourselves that neither our Government, the Unitary Tax Campaign nor the Confederation of British Industry supported that legislation.

It is morally outrageous that a company should be punished for the right to be taxed on an equitable basis. It is quite clear that that so-called solution is not a solution in practice. According to the California Franchise Tax Board, an estimated 2,500 foreign and domestic companies were eligible to elect for the water's edge option in 1990 and that just over half did so. Of that number, only 8 per cent. of British companies—68—elected to do so. That represents less than a quarter of British companies operating in California.

The fee for the water's-edge election is not insubstantial, and California estimates that it will collect between $40 million and $60 million from that election fee. To charge a fee for the right to file under accepted international practice is surely akin to the highwayman's charge to his victims for the use of the road. The staff of the California Franchise Tax Board have consistently attempted to undercut the legislation.

The House must be under no illusion that while the 1986 legislation in California was a small step in the right direction, it does not provide a solution to this issue. Given the fee and the throw-back provisions that British companies must face, without a right of appeal, that legislation is morally indefensible.

I now look quickly to the future. The House passed retaliatory action in 1985, now in the form of section 812 of the Income and Corporation Tax Act 1988. The time has come—I believe that the Opposition agree—for decisive action against the United States to show that we are serious and that we are angry. We have waited too long for the Americans to solve the problem. The House took the words of the United States on trust and, frankly, the United States has let us down.

Our credibility in negotiations with the United States on all future economic issues will be undermined if we do not follow through and retaliate as we have always said we would. How wide or how narrow the retaliation is is a matter for debate. To deny payment to United States companies of British tax credits could give the Inland Revenue an extra £200 million. In view of the way in which the Americans have behaved, that is a very attractive proposal.

Many people say that the treaty may be torn up by the United States. The House should remember that the treaty is outdated. It benefits United States companies substantially. The United States would not abandon a treaty which benefits it, especially if retaliation was targeted finely against United States companies which have a presence only in a unitary state—California. The Clinton Administration have made a political decision to protect themselves domestically. The British Government must now protect their own national interest and our own British companies operating in America. The British Government should no longer tolerate the antics of California.

Although the opportunity for the successful conclusion of legislation has been in the Californian courts since 1984, the United States once again backs away from a meaningful solution. It is British companies and British businesses that are directly affected by the United States Administration's sudden decision to turn turtle. We cannot allow that to happen. The only thing that a United States President can do unilaterally is file an amicus brief, which he has apparently not done to date.

The United States system differs from the United Kingdom parliamentary form of government. The

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President cannot guarantee legislation or, as we know from bitter experience, even a treaty. There is no sign that the United States Administration would support any effort to limit the states. Any attempt to ignore the litigation in favour of some new solution would jettison Barclays and all the other companies which have borne and fought the tax.

There is no doubt that the Government must now retaliate. Our Government must show the Clinton Administration that we will not tolerate their showing disregard for their international obligations and for their promises to the House. I hope that my hon. Friend the Financial Secretary will take this message back to the Treasury and that, as soon as possible, the Government will commence implementation of the retaliatory clause.

8.52 pm

Mr. Gordon Prentice (Pendle): I shall be brief, because I am conscious that many hon. Members wish to take part in the debate.

This week marks a milestone because it was this week a year ago that the Prime Minister's predecessor said that there was no such thing as Majorism. She also threw in for good measure the fact that the Prime Minister was not his own man. At the time, I thought that those were curious statements, but in the year that has passed, I have realised that Majorism has been given a definition.

To many of my constituents, Majorism means soaring unemployment. Unemployment in Pendle has risen by 80 per cent. since November 1990. To many of my constituents, Majorism means slump, broken election pledges and the collapse in manufacturing. We know that Majorism means massive borrowing of £50 billion, way above anything ever mentioned by the Conservatives at the time of the general election. It means an enormous trade deficit in manufacturing, running this year at £13 billion. Under a Conservative Government, this country in 1983, for the first time since the industrial revolution, had a deficit in manufacturing.

The Budget is not only the Chancellor's Budget, but the Prime Minister's Budget. It will be remembered not only as the last Budget before the Government introduce the unified Budget in November, but as the Budget that comprehensively and cynically ditched a raft of election pledges which were made solemnly to the British people on 9 April. It will be remembered—a point picked up by the hon. Member for Tiverton (Mrs. Browning)—as a Budget with a delayed-action fuse. It is a ticking time bomb. The hon. Member for Tiverton said that it was an innovative Budget because it proposed tax increases in later years. Those words will come back to haunt the Government in later years because the tax increases are built into the Budget. Conservatives will never be able to say again with a straight face that they are the party of low taxes and that Labour always wants to put taxes up.

It is one of the great ironies that the Government seem to have built up a reputation for economic competence. The hon. Member for Milton Keynes, South-West (Mr. Legg) referred to that belief when he tried to mock the Labour party for lacking a strategy. The Government's whole strategy was turned on its head on 16 September 1992 when we pulled out of the exchange rate mechanism and lost £5 billion in the process.

There was also some reference to the British national interest. Again, it strikes me as strange that Conservatives are constantly seen as the party that defends the British national interest, whereas the Labour party is seen as incapable of doing so. That attitude was taken furthest by the right hon. Member for Henley (Mr. Heseltine), the President of the Board of Trade. He told *The Guardian* on 27 November 1991:

"Some of us would rather see the Budget handed over to the Common Market than to the Labour party."

Yet the Conservatives wasted £14 billion on the poll tax fiasco and hiked up VAT by 2·5 per cent. to pay for that.

The Budget runs counter to a series of specific pledges. We may be tired of hearing about them in the House, but they bear repetition so that people outside can hear them. There was a specific pledge on national insurance contributions, and that was broken. The Prime Minister said during the election campaign:

"I have no plans to raise the top rate of tax or the level of national insurance contributions."

There was a specific pledge not to increase taxes and that was broken.

During the election campaign, the Chancellor of the Exchequer said on 31 March 1992:

"We will not have to increase taxes. I cannot see any circumstances in which that will be necessary."

The pledge on VAT was broken and that is perhaps the most cynical action of the lot. It is mean, and it will have an adverse impact on the poorest in our community. We still do not have an assurance from Ministers that the poorest members of our community will be adequately compensated.

I am not talking only about pensioners and those on income support. I am talking about the many millions of poor families whose incomes take them just above the income support level. Some Conservative Members posed questions about that, and I hope that the Financial Secretary will tell the House what special provision will be made to ensure that those just above income support level will not be affected adversely by the hike in VAT.

We know why VAT on fuel was increased. My regional daily, the *Lancashire Evening Telegraph*, told its readers a few days after the Budget on 18 March that VAT on fuel was

"a desperate pledge-ditching step to service the huge deficit that the Government has run up, many would say by its own economic incompetence . . . it would only need the dissent of just 11 Tory MPs for the measure to be undermined. Such action in our opinion would have the force of probity behind it, in contrast to the attempt by the Government to portray this new VAT imposition as a green anti-global warming tax, fulfilling Britain's international environmental obligations."

The Chief Secretary tried to sell this line again today. We were told that the Government were committed to the development agenda at the Rio earth summit, which was why it was right for Britain to try to curb pollution by the year 2000. That was the justification offered for hiking up fuel taxes.

Why then was it not equally right for Britain to join France in moves to agreeing a timetable to reach the United Nations target of 0·7 per cent. of GDP to be spent on overseas aid by the year 2000? France has committed herself to that target. The *Lancashire Evening Telegraph* was spot on when it said that VAT on fuel was forced on the Government by an exploding deficit which had to be paid for.

The Chief Secretary displayed tremendous optimism about the state of the British economy, but his optimism

is not shared by many people in this country. I was amused to hear the hon. Member for Fulham (Mr. Carrington), whose constituency I know well, detecting signs of recovery from the increased house prices in Fulham. I am not worried about house prices in Fulham; I am worried about what is happening to the real economy—and that means manufacturing and those who work in it making things.

The Chief Secretary said that the Labour party would have us believe that manufacturing is dead. It is not dead: it is on a life support system. There have been huge losses of manufacturing jobs this year in my constituency. Rolls-Royce has shed 5,000 jobs nationwide and 175 in Pendle. Smith and Nephew has laid off 574 people this year. Wadkins of Colne is closing. Progress Engineering is closing and the latest victim, only a couple of weeks ago, was Baxter Healthcare, which makes medical products, such as intravenous drips. It is closing its plant in my constituency and transferring production to Malta. The NHS trust in my constituency spent £128,000 on Baxter products last year. Ludicrously, highly skilled jobs are being exported to Malta and the Burnley health care trust is expected to import those products in future, now that 200 skilled and loyal workers are to be laid off by this American multinational.

Beyond the boundaries of my constituency, things are terribly bleak. The last colliery in Lancashire, Parkside, is closing down. Leyland DAF is fighting for its existence, while the Government stand idly by, expecting Lancashire county council to do what is necessary to save it.

The Governor of the Bank of England has told people what they already know. Speaking to the Treasury and Civil Service Select Committee last month, he said that Britain faced a fundamental weakness, in the form of its large trade deficit, which will take many years to correct. The fact is that we are rapidly losing our manufacturing base. We are importing more and more of the goods that we used to make here. The Governor confessed himself a little worried by the Treasury prediction that our trade deficit would reach £13 billion this year, but went on to say that the trade gap reflected a lack of competitiveness and that there were problems with productivity, training, education and innovation.

The weakness in our manufacturing is a systemic weakness in the British economy that has not been properly dealt with for the past 14 years. Manufacturing is in decline and the evidence of that decline is plain in the constituencies of hon. Members who represent industrial areas. I can only urge Conservative Members to open their eyes and see the extent of the chaos and the devastation that Government policies have wrought in this country. This Budget does nothing to deal with the real problems facing the nation; tragically, it is not a Budget for jobs.

9.4 pm

Mr. Quentin Davies (Stamford and Spalding): I shall begin by declaring my interests. I am an adviser to NatWest Securities, which is the investment banking arm of the NatWest group, a director of Dewe Rogerson Consultants, and parliamentary consultant to the Institute of Taxation.

The hon. Member for Peckham (Ms Harman), the Opposition Front-Bench spokesman, made an appalling speech. She called for reductions in taxation or the abolition of some taxes and then complained about the size of the PSBR. She completely failed to recognise the obvious contradictions between those two, which is an insult not just to the intelligence of the House but to the intelligence of those outside. Such speeches do not deserve to be taken seriously, nor will they be.

I should like to pay a sincere tribute to the Chancellor. Few politicians in my time in the House, perhaps none, have been subjected to such a sustained and often malicious campaign of abuse. The Chancellor took up office in difficult circumstances two and a half years ago and set himself two tasks—to reduce inflation and to restore growth in the economy. He has been triumphant in the first—there is general recognition of that—and it is becoming increasingly clear that he is succeeding in the second.

It would be futile to expect Opposition Members to pay tribute to a Conservative Chancellor. They will go on mindlessly calling for his resignation whatever happens to the economy. I am not so naive as to suppose that the animal will change its spots, but I hope that fair-minded and perhaps better informed people in the country who had lost patience during the recession and criticised the Chancellor, will be magnanimous enough to recognise their errors.

The Chancellor's Budget is courageous. He decided that it was necessary to increase taxes, and I am sure that he is right. He was also right to avoid raising direct taxes such as income tax and capital gains and corporation tax, which are the most economically damaging taxes of all. Having decided to focus on indirect taxes, he was also right to widen the tax base rather than to increase the rates. I hope that he will be emboldened to go further and spread the VAT net even wider in the next Budget. Perhaps he might like to start by extending it to books, magazines and newspapers.

Many hon. Members have rightly recognised that the economy is now reviving, and have asked whether the new growth will be sustainable. It is essential not to return to the cycle of inflation followed by retrenchment and recession, which is often exacerbated by counter-productive if well-intentioned attempts by Governments to fine-tune the economy. Such attempts have characterised much of our history since the second world war.

The Chancellor is concerned about the danger of inflation—he said so recently to the Select Committee on the Treasury and Civil Service—and about the need to address it and see it off. Fortunately, there is a weapon to hand which is very appropriate in present circumstances. Interest rates on the continent are falling, but we must resist the always present temptation further to reduce our interest rates, and instead allow sterling to appreciate. I hope that the Government will take the opportunities that are presented in the next few months to do this.

One cannot have it both ways about devaluation. If it is conceived as an attempt to gain a permanent competitive advantage, it must be accompanied by measures that will retrench demand and release resources for export. That is the only way to ensure that the increase in import prices is not accommodated by demand, which must lead to a general increase in prices. That has not been the position over the past six months, because devaluation has been accompanied by a reduction in interest rates and a relaxation of fiscal policy until this Budget.

Devaluation has thus been conceived not as an attempt to gain a competitive advantage in export markets, or in domestic markets in internationally traded goods and

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services, but rather as a necessary concomitant of the reductions in interest rates over the past few months—the price we have had to pay for those reductions. That being so, it is right that, when the international situation permits it, we should allow that devaluation to be reduced, and thereby minimise or lessen the potential impact on price inflation of the rise in import prices. I hope that that will be done.

There are many good things in the Budget and I approve of the content of the Bill, but I fear that I cannot say the same thing about its drafting. It is almost an object lesson in how a Bill should not be drafted. It is far too long. I know that there is a great tradition in Finance Bills of low standards of bureaucratic obfuscation and prolixity, but the position is getting a great deal worse. My hon. Friend the Member for Milton Keynes, South-West (Mr. Legg) —I endorse his excellent remarks on the subject—drew attention to the absurdity of the passage about vans. I notice that the sensible and welcome changes in the rules for roll-over relief for business assets are spun out into 26 pages, with a text longer than that in which the original relief was cast some years ago.

Parts of the Bill are simply incomprehensible. Let me give the House one small nugget. Clause 138(1) says:

"An amount is available for relief under section 136 above for an accounting period if amount A is exceeded by amount B or (if amount C is lower than amount B) amount A is exceeded by amount C; and the amount available for relief for the period is the amount of the difference between amount A and amount B or (as the case may be) between amount A and amount C."

That is disgraceful. Violence is done to justice because, if a citizen cannot understand the law—the central assumption of the law is that the citizen understands and knows it—then the citizen will be disadvantaged. In this case, people will not be able to claim the reliefs to which they would be entitled, or they will be penalised for making mistakes in their filing because they cannot understand the law. Economic damage will be done because the cost of compliance with such nonsense will increase. There will no doubt be an enormous improvement in the revenues of tax accountants and lawyers, but the burden will be borne by businesses and individuals.

I hope that the Chancellor will enjoy a well-deserved and general congratulation on having stuck to his policies, which are now coming right, through thick and thin. However, I hope that he instructs the Inland Revenue to hire a new parliamentary draftsman.

9.13 pm

Ms Tessa Jowell (Dulwich): The concern of the House about the effect of the imposition of VAT on domestic and charities' fuel and power has rightly focused on the plight of elderly and poor people who live at home and who will now face increased bills. However, I should also like to draw attention to the problem that the measure will cause to charities, and particularly those serving the needs of the many people who can no longer live on their own but require the care of a residential nursing home or hospice.

The recession has had a serious impact on the ability of charities to respond to real needs through reductions in donations—a 67 per cent. fall according to a survey by the Charities Aid Foundation—and a significant increase in the demand for help from charities. The increase in the level of irrecoverable VAT that is paid by charities makes their vital job even harder. The Government have argued that charities should bear VAT on fuel and power for their non-business use, along with the rest of society. They also contribute to global warming, and therefore should be encouraged to save energy.

Such an argument reflects a blatant lack of understanding of the reality of such care provision. It is an inescapable medical fact that elderly, ill and disabled people need higher temperatures if they are to be cared for properly. Indeed, one of the ways in which cancer manifests itself is through the need for extra warmth, even in the height of summer. Thus, because of the direct needs of people in their care, the charities that provide the care are high energy users. They have a duty of care to their residents. We cannot, as a simple economic choice, ask them to reduce their energy consumption.

Of course, residential care providers are not the only charities that will suffer under the Government's measures —grant-making charities will also be affected. They too have had a significant increase in demand on their resources during the recession. Ill, elderly and disabled people on low incomes increasingly turn to charities for help. Their numbers are growing, and no doubt will grow even further with rising fuel prices. The Cancer Relief Macmillan Fund disbursed more than £3 million in patient grants in 1992, of which about £850,000—by far the largest category—was for grants for fuel.

It is also important not to ignore the effect of the measures on other charities that provide vital services. Equally hard hit will be organisations such as the Imperial Cancer Research Fund, which will lose £170,000 a year; Barnado's, which estimates a loss of £122,000 a year; and the Royal National Lifeboat Institution, which will lose about £80,000 a year.

The overall figure for the 300 members of the Charity Tax Reform Group is estimated to be about £27 million. Do not the Government realise that charities will have to spend vast amounts of money on VAT on fuel, instead of spending it on their primary purpose of provision of services? It is also fair to say that those who volunteer their help to charities do so to support those services; they do not stand on windy street corners rattling their collection boxes to raise money for VAT.

The problem should not be viewed in isolation from the wider context of the tax burden of charities. Whereas local authorities and commercial organisations can recover VAT, the services provided by charities are either exempt from or outside the scope of VAT. Charities are in a uniquely disadvantaged position, which will be made worse by the Government's proposal to levy VAT on fuel and power.

The Government's policy—which they claim encourages charitable giving—rather than offering what they call indiscriminate tax relief from the VAT that charities pay, is just a feeble attempt to face reality. While the measures on gift aid and payroll giving are welcome, what is really needed is a solution to the problem of irrecoverable VAT, which currently amounts to about £300 million a year.

The obvious solution would be the introduction of a VAT rebate scheme, under which charities could recover an agreed percentage of the presently irrecoverable VAT. That system already exists in Canada, where it works well. The Government have produced excuses for rejecting that proposal, which is popular with charities, including the excuse that it would be unacceptable to the European

Community. When the Minister replies, perhaps he will confirm that that is the advice that the Government have received, which is in direct contradiction to the independent advice given to the Charity Tax Reform Group.

The Budget undermines the position of charities and their long-standing traditional reliefs. We cannot afford to lose the invaluable contributions they make to the well-being of those who are most disadvantaged in society, and to the community life of our nation. We want the Government to listen, to withdraw their proposal to charge VAT on fuel to charities, to undertake a long-term review of charity taxation, and to give renewed consideration to the introduction of a VAT rebate scheme for charities—which must no longer be penalised by the tax system. They deserve even this Government's help.

9.19 pm

Mr. Nicholas Brown (Newcastle upon Tyne, East): They key issues that the Chancellor had to address in this year's Budget were problems caused by previous policy errors—negative economic growth, lack of performance in the British economy, and a substantial public sector borrowing requirement.

The Chancellor's policy for growth—showing him to be the Keynesian child of the 1960s that we all know him to be—is to cross his fingers and hope that devaluation and a high Budget deficit will provide sufficient stimulus for recovery. Since neither were his pre-election policies, there are those who allege that the Chancellor has stumbled into his present policy by accident. I do not take that cynical view. I can see a future for the Chancellor on his eventual retirement—lecturing at the London School of Economics and writing Tribune group pamphlets on demand management.

I am pleased that the Chancellor is now back on the radio, replacing the Home Secretary as the Government's principal spokesman on economic affairs. The Home Secretary was probably warned off by a passage in the Budget speech in which the Chancellor made special mention, in a sinister way, of his regret at sticking four and a half pence on a packet of five of the small cigars that the Home Secretary smokes.

Although the Chancellor's policy for economic growth cannot truly be called Conservative in the sense that the previous Prime Minister would have understood it, the right hon. Gentleman's policy for deficit reduction can truly be called Norman, in the sense that his 11th century namesakes would have understood it. The Chancellor is raising money by taking it from the poor. Of all the revenue-raising options open to him, he chose the most regressive.

This would not be an economic debate without Conservative Members seeing signs of economic recovery. In fact, *The Economist* provided some of the latest evidence of that. I noticed the Chief Secretary leaning on it a little. A recent article in *The Economist* reported that manufacturing output in February increased 2·5 per cent. on a year ago; business men are more optimistic about sales than at any time since 1989; new car sales were up 13 per cent. in the year to March; domestic air travel also increased 5·5 per cent. in the year to March—and even *The Economist* did not attribute that to rail strikes.

One must, however, be cautious about forecasting economic recovery on the basis of evidence provided by *The Economist*. Business men may be more optimistic about sales than at any time since 1989, but in 1989 similar wild optimism was followed by the economy shrinking 1·5 per cent. in the following 12 months. The Chief Secretary spoke about new car sales, but failed to make the point that, as the economy dipped into recession, those sales fell 45 per cent. before registering the more modest 13 per cent. increase that he did tell us about.

More significantly, today's GDP figures offer harder evidence of the recession coming to an end. I am surprised that the Chief Secretary did not make more use of them. Instead, breaking the habit of a lifetime, he even quoted with approval a survey by the AEEU.

In common with my hon. Friend the Member for Cambridge (Mrs. Campbell) and all my right hon. and hon. Friends, I hope that recovery is under way. The real issue is that 10 successive quarters of a shrinking economy have left a devastating and enduring legacy. It is no use Conservative Members talking about manufacturing output resuming growth when they are unwilling to acknowledge the 8 per cent. fall in output before growth resumed.

The recession has had a deep and lasting effect on the British economy. Any recovery will be from a lower base. Something like 3 per cent. of GDP has been permanently lost—a point well made by my hon. Friend the Member for Durham, North (Mr. Radice). Of course recessionary forces are at work in the international economy, but there are peculiarly British dimensions to our own recession—exacerbated by Government economic policy. The recession started earlier and has lasted longer, ran deeper and caused more lasting damage than recessions elsewhere in Europe or in the United States.

Between 1989 and 1994, according to the OECD forecast, growth in the G7 economies will average 9 per cent. The figure for the British economy over the same period is 1 per cent. That is an indication of the peculiarly British dimension to the problem. Even the Government admit to having presided over five years of stagnation in the British economy—although, in fairness, they tend not to express it in quite that way.

If the Government's growth forecasts are to be believed—like their pledge to stay in the exchange rate mechanism, and their promises to preserve the value of the currency, not to put up taxes and not to increase the rate or broaden the base of VAT—output in the British economy will not return to the level that it reached in the second quarter of 1990 until some time in 1995. Surprisingly enough, the Government's forecasts were much more optimistic before the general election, when a much stronger recovery was foretold. Before the election, the Chancellor told the House and the British electorate that output would grow by 2 per cent. in 1992-93, by 3 per cent. in 1993-94 and by 3 per cent. in 1994-95, and that there would be stronger growth than the Government now anticipate in the following years. That promise has turned out to be as well founded as all the others.

I know that, in politics, it is normal to look for points on which our opponents may not have been totally honest with the electorate, but—when we examine the Government's pre-election statements on economic policy—it is difficult to find a single significant issue about which they have told the truth. This lack of candour is designed to conceal the devastating effects of the last five years of economic stagnation. The delay in economic recovery has meant that capital has been strapped, and growth has been

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constrained by capacity at much lower levels without hitting the constraints of inflation or the balance of payments.

Before the general election, the Government were telling the British people that, in 1996-97, the economy would be 16 per cent. larger than in 1992. This year, that forecast has been revised downwards to 10 per cent. That revision downwards suggests that the Government concede that they were over-optimistic before the general election; no doubt, they hope that no one will attribute unworthy motives to them. They claim that an economic recovery is under way, and they reduce their growth forecast rather than increasing it. The truth is that, on the Government's own figures, by the end of this Parliament —should it run its course—output will be some 6 per cent. lower, and the country will be some £40 billion poorer —that is, £700 per year for every man, woman and child.

Mr. Butterfill: Will the hon. Gentleman give way?

Mr. Brown: I cheerfully give way to the hon. Gentleman.

Mr. Butterfill: Can the hon. Gentleman name another OECD country whose forecasting has been any more accurate? Does he think that Chancellor Kohl in Germany was any more accurate—particularly when he told the German people that unification would not cost them any more?

Mr. Brown: This is not an error of forecasting, but something a little more substantial. It is not a forecast which worries me so much—although, of course, it is possible in every speech to make fun of forecasts. I am worried about the outcome. Why are the other G7 countries able to do so much better in regard to growth rates up to 1994 than we are? Why is their figure 9 per cent., while ours is 1 per cent.? That is not a forecast; it is now almost a foreseeable outcome. The problem has a peculiarly British dimension. I do not think that the hon. Gentleman addressed it in his speech, but I shall be happy to give way to him again, although it is almost madness to do so.

Mr. Butterfill: The hon. Gentleman is traditionally over-generous. Perhaps he should look at the possible outturn for the other G7 countries in the next couple of years. I suspect that they are on a delayed path towards what has happened here.

Mr. Brown: I prefer to take a reasonable look at the cycle, rather than picking and choosing as the hon. Gentleman clearly does. I look forward to debating these matters with him in Committee: I can see that he is fighting hard to get on to the Committee, but he will be aware that, since the general election, the ratio between Government and Opposition is slightly smaller. As the hon. Gentleman has not always been a reliable vote for the Government in the past, I think that some pretty firm pledges will have to be given to those who organise these matters in the Conservative party before we can enjoy exchanges such as this late into the night and, indeed, into the early morning.

The Government's fibs about growth are as nothing compared with what they said about tax, in particular what they said about value added tax. I should like, however, to deal with two other matters.

The hon. Member for Surrey, North-West (Sir M. Grylls) mentioned unitary tax. There have been press reports today of the American Administration's decision. Although there is no difference in principle on this issue between the Opposition and the Government, we take it very seriously indeed and will seek to explore the Government's position in Committee. Amendments will probably be tabled to the clauses dealing with advance corporation tax. They will be designed to probe the Government's commitment to the retaliatory clauses.

Mr. Hugh Bayley (York): I know that my hon. Friend is aware that the ACT proposals will have a bad effect on charities which enjoy income from investment in equities, but is he aware that the Joseph Rowntree charitable trust, based in my constituency, found that, if those provisions had applied last year, its income would have been cut by £110,000? Many of the projects which it co-funds with the Government would have gone by default. If the Government tax charities in that way, they will lose money for public welfare schemes. Will my hon. Friend give an undertaking that he and other Labour Members will press this point in Committee?

Mr. Brown: I can most certainly give my hon. Friend the assurance that he seeks. It would be peculiar to structure the changes that the Government intend to make in such a way as specifically to disadvantage charitable institutions. We intend to explore that issue in detail in Committee. My hon. Friend was right to raise it.

A number of hon. Members, most notably my hon. Friend the Member for Aberdeen, North (Mr. Hughes), referred to the petroleum revenue tax provisions. Again, we shall explore those provisions in detail in Committee. It will set the tone for those debates if I say now that we oppose the Chancellor's proposals for two reasons. First, we do not believe it right to rely solely on corporation tax as the mechanism for raising taxation from the North sea. If profits have fallen since 1986, that does not necessarily mean that they will not rise again. Relying on corporation tax may mean that the Exchequer is deprived of future revenue. Secondly, we should not like provisions to be enacted which could lead to a drop in North sea exploration, particularly when one appreciates that the North sea is in competition with other parts of the world for the interest of oil companies.

I turn now to a matter that every hon. Member, without exception, has mentioned either directly or indirectly—clause 42. If clause 42 were a poster, it would be used by Benetton to advertise its products. Clause 42 is a betrayal of a specific commitment, given by the Government before the election, so it may help Conservative Members, particularly those who have expressed reservations about it, to explore how it came about by following the progress of pledges given by those on the Treasury Bench in the run-up to and after the general election.

As early as 17 October 1991, the Financial Secretary's predecessor, Francis Maude, said in response to my hon. Friend the Member for Derby, South (Mrs. Beckett):

"I will give the hon. Lady a straight answer."

That set the tone for what came afterwards. He continued:

"In the middle and late 1980s, we managed at the same time to increase spending . . . to run a substantial budget surplus and to reduce tax, and we shall be able to do so again."—[*Official Report*, 17 October 1991; Vol. 196, c. 426.]

One out of three is not bad, but I am not sure that increased spending was the one out of the three that the hon. Gentleman would have chosen.

History continues. On 13 February 1992, John Maples, another member of the Treasury team who failed to get re-elected at the general election, told the House:

"We have no problem in this regard; we do not need to raise taxes"—

apparently, hon. Members then shouted, "You have," and he continued:

"We have set out our tax and spending plans for the next three years."

That was in February 1992, so it should have taken us through 1993, 1994 and 1995. He said that the Government did not need to raise taxes, but that turned out not to be true.

During the same extravagant Treasury Question Time Mr. Maples said:

"My right hon. Friend the Prime Minister has made it clear that we have no intention of raising the rate of VAT either before or after the election."

That did not turn out to be true either. He later said:

"My right hon. Friend . . . has made it perfectly clear we have no intention of increasing VAT. We have made our plans on spending and tax perfectly clear. We do not need to raise VAT".—[*Official Report*, 13 February 1993; Vol. 203, c. 1106-08.]

He said it often enough but, as we know, it was not true.

The present Secretary of State for Employment was also at it. On 12 March, she said:

"I am happy to repeat the categoric pledges given by my right hon. Friends the Prime Minister and the Chancellor"—

rope them all in—

"that there will be no increase in the standard rate of VAT either before or after the election. We have no need and have no plans to extend the standard rate or to put up other taxes."—[*Official Report*, 12 March 1992; Vol. 205, c. 961.]

The latter part of that statement did not turn out to be true either, did it?

On 11 June 1992, after the general election, the present Paymaster General told the House:

"We have no plans and no need to raise or extend VAT, as my right hon. Friends have said on numerous occasions."—[*Official Report*, 11 June 1992; Vol. 209, c. 440.]

On 10 December 1992, the Paymaster General was again asked whether the Government intended to increase or extend the standard rate of VAT or to increase other taxes. Referring to the general election, he told the House:

"Those categorical pledges stand as they did at that time."—[*Official Report*, 10 December 1992; Vol. 215, c. 986.]

By 4 February 1993, however, the Government were getting coy. At Question Time, the Paymaster General tried to finesse a question by pretending that he thought that we were asking about the previous rather than the next Budget. In response to a question on 4 March 1993—let us remember that the Budget was on 16 March—the Economic Secretary to the Treasury said that he could give the assurance

"that all these matters are carefully taken into account in assessing the Budget strategy."—[*Official Report*, 4 March 1993; Vol. 220, c. 446.]

The Government resiled pretty late from a range of promises.

Lest anyone think that the Liberals have anything to be proud of, during the long exchanges about the rate and breadth of VAT, the Liberal spokesman asked about VAT, racehorses and the bloodstock industry, so he may be happy with the outcome and regard it as helpful in that narrow respect. In the more significant matter of VAT on fuel, charities and domestic consumers, however, they have rather missed the boat.

My hon. Friends the Members for Dulwich (Ms Jowell) and for Coventry, South-East (Mr. Cunningham) said that extending the VAT base was a highly regressive measure. If all zero-rated categories were included, it would raise about £10·7 billion for the Exchequer, but the poorest 10 per cent. of households would be £7 a week worse off. The richest 10 per cent. would be £11 a week worse off but, as proportions of household incomes, those figures represent 7 per cent. and 2 per cent. respectively.

Clause 42 is structured in such a way that it would be possible for it to be followed—next year, for example—by further extensions of the VAT base. Sewerage and newspapers, for example, might appeal to the Chancellor. When considering such matters, it is important that the House should realise that increases in the VAT rate and the shift from direct to indirect taxation have already had a regressive effect. The poorest 10 per cent. of households are 4·4 per cent. worse off than they would be if VAT were at its 1979 level—that is the case now, without taking these changes into account—while the richest 10 per cent. of households are just 2·9 per cent. worse off as a result of increased VAT.

It is true that the recession has taken its toll on the public as well as the private purse. On the question whether the tax increases will solve the problem, my hon. Friend the Member for Pendle (Mr. Prentice) rightly pointed out some flaws in the Conservative party's case. Public borrowing last year was more than £8 billion higher than the Chancellor expected at the time of the last Budget, and even turned out £1·5 billion higher than announced in this Budget in figures released just one month later.

Given the short-term problem of lack of demand in the economy, I can see why the Chancellor delayed some of his increases in taxation. But even when the sizeable increases announced in the Budget for future years have fully come into effect in 1995-96, they will reduce public borrowing by only one fifth. Even with five years of growth and three years of above-trend growth, on the Government's forecast public borrowing will still be 3·75 per cent. of GDP by 1997-98. Public sector debt will have increased from £150 billion to nearly £400 billion and will continue to increase. I think that we can therefore probably expect further regressive tax increases, perhaps even later this year.

In an excellent speech, my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon) said that we needed a policy for the long term—something more than is implied in an answer that the Chancellor gave my hon. Friend the Member for Wrexham (Dr. Marek) on 28 November 1991:

"He asked how we are going to pay for the borrowing. We shall pay for the borrowing by borrowing—that is the normal way in which one pays for it."—[*Official Report*, 28 November 1991; Vol. 199, c. 1062.]

Clearly, the former Prime Minister was no longer in office, as she would not have let the right hon. Gentleman get away with that.

Every Opposition Member who has spoken has referred to the Conservative party's election pledges—that there would be no tax increases, no national insurance increases, no cuts in mortgage tax relief, no increase in value added tax, no broadening of the value added tax

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base, no devaluation; that there would be continued membership of the ERM; that the recession would come to an end a year ago—and to the phoney pre-election growth forecasts.

At the election, the Conservative party lied about our tax policies; now the electorate can see the extent to which it lied about its own tax policies. When the Conservatives said, "Labour will cost you an extra £20 a week," they did not go on to say, "whereas the Conservative party will only cost you £8·50." The Bill is constructed on dishonesty, and I urge the House to reject it.

9.43 pm

The Financial Secretary to the Treasury (Mr. Stephen Dorrell): There is a relatively narrow strip of common land in the Budget and I want to begin on it following the speech made earlier by my hon. Friend the Member for Surrey, North-West (Sir M. Grylls) on the subject of unitary tax. My hon. Friend has played a distinguished part in leading the expression of the long-standing concern that exists on both sides of the House about that subject. I take this opportunity to state clearly that the Government continue to share my hon. Friend's view that the unitary tax concept legislated for in California is not one that we can recognise within a recognisable system of double taxation treaties.

The House should be in no doubt about the basis of the case that Barclays is bringing within the American courts. It is arguing, with our support, that any state tax system in the United States that collects an arbitrary share of the worldwide profits of a company is contrary to the existing double taxation treaty between Britain and the United States. We had understood that that view was shared by the American Federal Government. It appears that that is not the case, and the Government must therefore now review their position. I do not believe that a double taxation treaty can continue to exist indefinitely between two Governments who believe that it means different things. My right hon. Friend the Chancellor will be seeking clarification of the American Government's views when he is in Washington later this week.

On another matter on which there is a widely held view, let me comment on the opinion expressed by my hon. Friend the Member for Bristol, North-West (Mr. Stern) and several other of my hon. Friends who drew attention to the length of this year's Bill. My hon. Friends will be aware that the ambition of short, brief and clear legislation has been shared by Governments of all political complexions dating back to Oliver Cromwell, a distinguished predecessor of my right hon. Friend the Prime Minister as the Member for Huntingdon.

Oliver Cromwell once expressed an ambition to reduce the laws of England to the size of a pocket book. He did not make much progress in that direction and I suppose that we are some way behind. However, I give my hon. Friend the Member for Bristol, North-West the assurance that he sought: we shall resist, where humanly possible, the temptation to add further to the length of what we recognise is already a long Bill.

I want now to consider petroleum revenue tax, an issue in respect of which there is rather less agreement between the two sides of the House. We shall, of course, return to that subject in detail in Committee. However, it is essential to restate the elements behind the Government's proposed changes. Those elements have now gained a significant level of support in all parts of the oil industry.

Our approach is to cut by one third the marginal rate of petroleum revenue tax on existing fields, because we recognise that that will encourage development and therefore bring forward jobs in the development sector on existing and proven reserves and also because we recognise that the lower rate of PRT on existing fields will prolong the life of those fields.

It can therefore be said to be a measure designed to ensure that we recover the maximum economic reserves out of the North sea. We are also proposing to abolish PRT on future fields. As we are abolishing the tax on future fields, we are also abolishing tax allowances on future fields. The House should pause for a moment and recognise that it is rather strange to argue that we should keep a tax in place in order to operate a system of allowances. That is exactly the kind of system that we have now in many respects, and it has two characteristics which should not command support in the House.

The system has led me into the rather remarkable position—I suspect almost uniquely among tax Ministers—of being responsible for a tax system which, instead of raising money for the Government, actually costs the Government money. On figures published by the oil industry itself, in respect of a typical new field, the system has led to a subsidy from the taxpayer for oil production running at a rate of about £1·60 a barrel.

There is widespread recognition within the industry that that system cannot endure. Of course, the Government recognise that we must avoid unnecessary dislocation, and we shall seek to do that. However, the Government believe that it is equally obvious that the existing system cannot endure and must be changed.

Mr. Salmond: The Financial Secretary is quite wrong: the proposal in the Budget is losing support all the time, as is clear from the oil industry press. However, will he answer the question about consultation? Was there consultation with the Department of Trade and Industry and the Scottish Office before the proposal was announced in the Budget? Is it a piece of collective irresponsibility, or is the Treasury alone responsible for this shambles?

Mr. Dorrell: I certainly will not refer to the discussions that go on within Government. However, I will comment on the proposition that there should be consultation with the industry. It seems to be a rather odd proposition that, before a Government consider raising tax, they must engage in consultations to give notice of their intentions so that the industry can bring forward its activity to take advantage of the tax system that we are seeking to remove.

Mr. Robert Hughes: Will the Minister give way?

Mr. Dorrell: No, I want to move on to another issue that was raised by several hon. Members—the Government's proposals on VAT.

The Opposition's reaction to the VAT proposals has been interesting. In the months or six weeks since the Budget, they have launched a number of arguments against the proposals. They have been extremely fleet of foot moving from one argument to another as they discover that the arguments that they first mounted do not work.

The Opposition began by claiming that the distributional effect of the Budget was unfair. That argument was shot down by the Institute of Fiscal Studies, which made it clear that the Budget raised roughly the same share of income across the income scale. Therefore, they cannot use that argument.

Labour Members then said that the Government would not make good the effect of the VAT changes on the poorest sections of the community. That was a clear scare, which was shot down by the words of my right hon. Friend the Chancellor in the Budget, when he made clear our commitment to provide extra help for those on means-tested benefits. The next argument was——

Mr. Nicholas Brown: Can the Minister tell the House whether the Government will compensate in full those people on state benefits for the cost?

Mr. Dorrell: Since Budget day, we have said clearly that we shall take account of the VAT changes in the benefit upratings which will be announced next autumn.

Labour Members then argued that the Government were not interested in fuel prices. Understandably, they moved off that quickly when they were reminded that, in the past 10 years, electricity prices have fallen by 8·5 per cent. and gas prices by 15 per cent., both of them in real terms. That is in sharp contrast to the 30 per cent. increase in real terms in electricity prices which was introduced by the Labour Government between 1974 and 1979—the period when the Leader of the Opposition was an Energy Minister. Labour Members had to move off that argument quickly as well.

Mr. Brown: Will the hon. Gentleman give way?

Mr. Dorrell: No.

Today, Labour Members argued that, because the VAT changes are revenue raising, they cannot also be motivated by the environmental considerations. That is a completely absurd argument. It calls to mind the words of former President Johnson when he was describing someone who he alleged could not do two things at once. He said that that politician was so dumb that he could not walk and chew gum at the same time. That may be true of some Labour Members: it is not true of Conservative Members. The VAT changes are part of a revenue-raising plan. We are not raising £3 billion by accident. The changes are part of our commitment to deliver the Rio objective, which is strongly endorsed, at least in theory, by the Labour party.

Mr. Brown: I am pleased that the Financial Secretary can make a speech and give way at the same time. I ask him again to give the House an assurance that people on state benefits will be compensated in full for the cost of the Chancellor's VAT exactions.

Mr. Dorrell: I have already responded to that point. My right hon. Friend's Budget addressed the need to do two things. He clearly said that he needed, first, to sustain the recovery that was under way and, secondly, to take action to reduce the Budget deficit. The signs of recovery are clear. Even the hon. Member for Peckham (Ms Harman) brought herself to say through clenched teeth that every sign of recovery is welcomed. She carried conviction. The words passed her lips, but she moved on to the next business as quickly as she reasonably could.

Last week was a black week for the Labour party, because we announced that industrial production is growing here when it is falling elsewhere in Europe. We announced that retail sales are up by 3 per cent., car registrations are up by 12 per cent. and house sales are up by 15 per cent. on the same period last year. When surveys are taken of business opinion, they do not share the views of Labour Members. As though to underline the gloom of the Labour Front Bench, on Thursday we announced a drop in the level of unemployment for the second consecutive month. Clearly, it is too soon to say that it is the beginning of a trend. However, we know that it is not, in the words of the Opposition employment spokesman, a freak or a fiddle.

Mr. Brown: Every Opposition Member hopes that the recession is coming to an end. Will the Financial Secretary explain why the Chancellor found it necessary to revise his growth forecasts down and not up?

Mr. Dorrell: We shall be able to consider such issues in the Committee.

Against that background, my right hon. Friend concluded that it would be wrong to impose a tax increase this year. I welcome the endorsement of my hon. Friends the Members for Bridlington (Mr. Townend), for Slough (Mr. Watts), for Bournemouth, West (Mr. Butterfill) and for Milton Keynes, South-West (Mr. Legg) of that strategy. However, my hon. Friends rightly made their endorsement subject to two conditions, both of which the Government accept.

The first condition is that, while there will be no tax increase this year, there must be action to bring down the deficit in the medium term. That is why the Bill provides for what my right hon. Friend the Chancellor described as a tax wedge to address the budget deficit.

Mr. Jeff Rooker (Birmingham, Perry Barr): Will the Minister give way?

Mr. Dorrell: No. I am dealing with some remarks made by my hon. Friends.

The second condition that my hon. Friends made clear was that action must not be confined to the revenue side of the balance. They said that public expenditure restraint was essential. The Government agree with that and wholeheartedly endorse it. The Government share with my hon. Friends a commitment to control inflation. We shall not inflate our way out of debt. They also share with my hon. Friends a commitment to control the burden of taxation. We shall not tax our way out of debt.

Given those two commitments, the iron laws of arithmetic determine that we shall have to deliver—and deliver we shall—our commitment to restrain public expenditure within what can be afforded in the medium term. All that is in sharp contrast to the Labour party. Like my hon. Friend the Member for Milton Keynes, South-West, I came to the debate keen to know what was the economic policy of the Labour party.

On monetary policy, is the Labour party in favour of going back into the ERM or not, and under what terms? Is it still in favour of economic and monetary union? Does it believe that monetary policy is too tight or too loose? Its monetary policy used to be to fix interest rates at 2 per cent. below the level fixed by the Government. What is its monetary policy now?

Not only on monetary policy are the questions unanswered. What is the Labour party's fiscal policy? Is the level of borrowing too high or too low? *[Interruption.]*

[Mr. Dorrell]

The shadow Chief Secretary, the hon. Member for Peckham (Ms Harman) says that it is too high. That is an interesting proposition. How will she deliver her commitment to reduce the spending plans of the Labour party to bring the Budget deficit down? How will she do that against the background of the commitment given by the hon. Member for Dunfermline, East (Mr. Brown) on "The World this Weekend" in January, when he said:

"I'm not talking about raising income tax or national insurance or VAT".

He seems to have cast a large share of the burden for dealing with the deficit on the shadow Chief Secretary.

Either way, it is bad news for the hon. Member for Peckham. She cuts a rather sorry figure. There she sits—the political heir to Joel Barnett. Her job is to say no. Her job is to address the language of priorities and choices. Yet she prefers to live in a soft-focus world where to want is to have, where there are no choices, no difficult decisions, no priorities and no disappointments.

I remember well the days when the hon. Member for Peckham was a health spokesman. She would speculate about Labour's plans for spending on the NHS. Those speculations were expensive enough. Now she speculates not only about health but about education, training, employment measures and overseas aid. All that is against the background of the commitment made by the shadow Chancellor that there would be neither tax increases nor borrowing increases. The House and the country want to know who speaks with authority on behalf of the Labour party.

Labour's economic policy is like a much-loved ancient monument. It is a familiar part of the landscape. It undergoes the occasional face-lift, but its essential elements are passed lovingly from generation to generation. Like all such creations, it was never designed. Its distinctive shape, its higgledy-piggledy charm, are testament to the creative genius of the composite resolution. But the essential elements of the confection are clear. It was designed for a bygone era. The planners insist that successive generations maintain a range of adornments, the purpose of which is lost in the mists of time. Its maintenance would cost very large sums of public money. It has no relevance to today's economic needs. It is in sharp contrast to the Bill, which addresses today's needs and which I commend to the House.

9.59 pm

Mr. Jeff Rooker (Birmingham, Perry Barr) *rose*——

Madam Speaker: Is this a point of order?

Mr. Rooker: It is not a point of order, Madam Speaker. I stood up to be called.

The Financial Secretary did not have an opportunity to give way to me, and I should like to spend a couple of minutes to make the point that I would have made had he done so. *[Interruption.]* If Conservative Members do not realise by now that the Second Reading of the Finance Bill is not subject to the 10 o'clock rule, they have now found that out. Incidentally, the Financial Secretary is no Robert Sheldon either.

I should like to take up what the Minister said about no tax increases this year. I was late arriving at the House today, because I took a few hours off to visit one of the shire counties in middle England. The local people, on the margin of the low-paid, asked me why I had not operated my tax law and why they will pay more taxes. I said that I would take the first opportunity to correct the record.

The Chancellor of the Exchequer is deliberately increasing taxes for 500 people in every constituency—that is the effect on the low-paid of freezing the tax allowances. It is no good the Financial Secretary saying that the Government are not raising taxes. How can it be justified for 500 of the lowest-paid people in every constituency, who would not normally pay tax, to be called upon to pay tax in order to pay for the tax reliefs to business? How can that not be called an increase in taxation? It is dishonest of the Government to claim that there has not been a tax increase when 300,000 people will pay tax in this tax year. They are some of the lowest-paid people, and the Government should be damn well ashamed of themselves.

The Government have said that the recovery is here, and they have quoted a catalogue of good news. How can we justify, therefore, the lowest-paid people being expected to face an increase in their tax burden from zero to 20p in the pound? That imposition is in addition to the added burden of VAT on domestic fuel.

We will debate this issue at some length in Committee. That is all that I wanted to put to the Financial Secretary. How can he justify the immorality of taxing 500 of the lowest-paid people in every constituency when the good times are now here?

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 310, Noes 266.

Division No. 248] **[10.3 pm**

AYES

Ainsworth, Peter *(East Surrey)*	Burt, Alistair
Aitken, Jonathan	Butler, Peter
Alexander, Richard	Butterfill, John
Alison, Rt Hon Michael *(Selby)*	Carlisle, John *(Luton North)*
Allason, Rupert *(Torbay)*	Carlisle, Kenneth *(Lincoln)*
Amess, David	Carrington, Matthew
Ancram, Michael	Carttiss, Michael
Arbuthnot, James	Cash, William
Arnold, Jacques *(Gravesham)*	Channon, Rt Hon Paul
Arnold, Sir Thomas *(Hazel Grv)*	Chapman, Sydney
Ashby, David	Churchill, Mr
Aspinwall, Jack	Clappison, James
Atkinson, David *(Bour'mouth E)*	Clark, Dr Michael *(Rochford)*
Atkinson, Peter *(Hexham)*	Clarke, Rt Hon Kenneth *(Rushcliff)*
Baker, Rt Hon K. *(Mole Valley)*	Clifton-Brown, Geoffrey
Baker, Nicholas *(Dorset North)*	Coe, Sebastian
Baldry, Tony	Colvin, Michael
Banks, Matthew *(Southport)*	Congdon, David
Banks, Robert *(Harrogate)*	Conway, Derek
Bates, Michael	Coombs, Anthony *(Wyre For'st)*
Batiste, Spencer	Coombs, Simon *(Swindon)*
Bellingham, Henry	Cope, Rt Hon Sir John
Bendall, Vivian	Cormack, Patrick
Beresford, Sir Paul	Couchman, James
Biffen, Rt Hon John	Cran, James
Blackburn, Dr John G.	Currie, Mrs Edwina *(S D'by'ire)*
Bonsor, Sir Nicholas	Curry, David *(Skipton & Ripon)*
Booth, Hartley	Davies, Quentin *(Stamford)*
Boswell, Tim	Davis, David *(Boothferry)*
Bottomley, Peter *(Eltham)*	Day, Stephen
Bottomley, Rt Hon Virginia	Deva, Nirj Joseph
Boyson, Rt Hon Sir Rhodes	Devlin, Tim
Brandreth, Gyles	Dickens, Geoffrey
Brazier, Julian	Dorrell, Stephen
Brooke, Rt Hon Peter	Douglas-Hamilton, Lord James
Brown, M. *(Brigg & Cl'thorpes)*	Dover, Den
Browning, Mrs. Angela	Duncan, Alan
Bruce, Ian *(S Dorset)*	Duncan-Smith, Iain
Budgen, Nicholas	Dunn, Bob
Burns, Simon	Durant, Sir Anthony

Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir Anthony *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, William
Hamilton, Rt Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, Sir James
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Milligan, Stephen
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon. Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'f'ld)*
Wolfson, Mark
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Timothy Wood and
Mr. Andrew Mackay.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Dr. Roger
Betts, Clive
Blair, Tony
Boateng, Paul
Boyce, Jimmy
Boyes, Roland
Bradley, Keith
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill

Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A.
Godsiff, Roger
Gould, Bryan
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Kirkwood, Archy
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Oiner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Rathbone, Tim
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Rt Hon John *(M'kl'ds E)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon John D. *(Strgfd)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Tipping, Paddy
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Winnick, David
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Jon Owen Jones and
Mr. Alan Meale.

Question accordingly agreed to.
Bill read a Second time.
Ordered,

That Clauses 42, 48, 52, 67, 115 and 183 be committed to a Committee of the whole House;

That the remainder of the Bill be committed to a Standing Committee;

That, when the provisions of the Bill considered, respectively, by the Committee of the whole House and by the Standing Committee have been reported to the House, the Bill be proceeded with as if the Bill had been reported as a whole to the House from the Standing Committee.—*[Mr. Dorrell.]*

Affordable Housing

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Chapman.]*

10.20 pm

Sir Fergus Montgomery (Altrincham and Sale): I am grateful for the opportunity to have an Adjournment debate. Usually when I have such debates, they come in the early hours of the morning, so I am pleased to have one at a civilised hour.

I hope that my hon. Friend the Under-Secretary will take note of the points that I shall make. In a perfect world, we would not have a problem about affordable housing. If the housing stock of the country were shared out carefully—*[Interruption.]*

Madam Speaker: Order. Could the door be closed? It is far too noisy and I cannot hear the hon. Gentleman.

Sir Fergus Montgomery: Thank you, Madam Speaker.

In a perfect world, we would not have a problem about affordable housing. However, problems such as the terrible increase in divorce, with the result that where one home sufficed now we need two, and the increase in the number of young people leaving home and gravitating to big cities have all led to an increase in housing problems.

Housing associations are now the main providers of new homes for people with low incomes. I have to declare an interest, as my wife is chairman of a housing association and a member of the Housing Corporation. It might be better if she were making the speech tonight instead of me, because she knows a great deal more about housing than I do. Some would say that she knows a great deal more about everything than I do, but naturally I would not accept that.

The purpose of the Adjournment debate is to highlight the concerns of housing associations over the proposed cuts in grant rates. As my hon. Friend the Minister knows, the Government provide an average of 72 per cent. of the capital cost of new housing association homes. That is due to drop to 67 per cent. in 1993-94, and the Government have announced the objective of reducing the levels of subsidy to an average—I underline "average"—60 per cent. in 1994-95 and down to an average of 55 per cent. in 1995-96. I emphasise the word "average" because it is an average for the country as a whole. In the north-west, where my constituency is, the figures would be 45 and 37 per cent. respectively.

If those figures materialised, rents on new homes built with a 55 per cent. subsidy would, on average, be 75 per cent. higher than they were last year. To put that into simple language that people understand, it would mean that a rent of £48 now would rocket to £84 a week. If that happened, it would adversely affect tenants who were working but who would find it difficult to pay such an increase in rent.

It is accepted that housing associations should be concentrating on housing for those in greatest need, which usually means the poorest families. Consequently, the high percentage of new tenants who are eligible for housing benefit is proof that housing associations are being successful in their target. However, there is concern about the cost to the Exchequer of housing benefit, and it is felt that maintaining housing association grants would reduce future housing association benefits.

My hon. Friend the Minister for Housing, who I acknowledge got an enormous amount for housing, and who is regarded as knowing more about housing than just about any other hon. Member, gave a lecture on 4 March in which he emphasised benefit tapers and work incentives. The combination of withdrawal rates for housing benefit, family credit and community charge benefits means that households in benefit need to earn about £25 a week more just to have £1 a week in disposable income. That is a horrifying figure.

The rent levels that housing associations are increasingly having to charge their tenants, especially those with children, require a higher income than the majority could ever earn to escape the severe effect of the tapers. I am told that, at current rent levels, 46 per cent. of working tenant couples with three children would need to earn £100 a week more in order to escape. At the same time, the poorest people are being put in the newest social housing at rents that make it even more difficult for them to get out of the poverty trap and to better themselves.

If the proposed cuts in housing association grants are implemented, working households would face massive rent increases. On average, in the year 1996, that group will spend 39 per cent. of their income on rent, compared with 29 per cent. last year. The percentage of new working tenants spending more than one third of their income on rent would rise from 27 per cent. last year to a massive 76 per cent. in 1996. If that happens, could the new rents to be charged be considered to be even remotely affordable?

There is also the question of housing benefit. I am glad to see my hon. Friend the Member for Bury, North (Mr. Burt)—the Under-Secretary of State for Social Security—in the Chamber, as I am glad that he is taking an interest in this matter. The National Federation of Housing Associations estimates that, if the average grant rate goes down to 55 per cent. in 1995-96, 89 per cent. of all new housing association tenants moving into new homes will be on housing benefit.

The federation makes three valid points. The first is that the percentage of all working households dependent on housing benefits would rise from 47 per cent. last year to 66 per cent. in 1996. Secondly, on average that group would qualify for just over £30 in weekly housing benefit in 1996, compared with just over £13 last year. Thirdly, the weekly income that that group would need to earn to escape any dependency on housing benefit would rise from £160 in 1992 to £224 in 1996. We come to the crunch question—in those circumstances, would it be worth new tenants having a job? I would have thought that the Government would want to encourage people to work, rather than have them stay in the benefits system.

Housing benefit is a complicated business. An article in the *Financial Times* on 21 April suggested that there were rumours that housing benefit may be the focus of attempts to make savings in the social security budget. One estimate was given of savings resulting from a steepening of the taper in the rate at which housing benefit is withdrawn as income increases, from the present 65 per cent. to 80 per cent. That would increase the maximum marginal deduction rate to 100 per cent. As a consequence, thousands more people would find themselves in a crippling poverty trap.

I shall give an example. If that happened, a single person who had a £1 increase in gross income would find that, with income tax of 25p, national insurance of 9p,

[Sir Fergus Montgomery]

housing benefit on an 80 per cent. taper of 53p, and council tax on a 20 per cent. taper of 13p, the total withdrawn from each additional £1 would be £1. That is a 100 per cent. marginal deduction rate. The person would lose all his pay increase through taxes and loss of benefit. The same would be true for families. That would severely affect work incentives.

There are other examples. A single person earning £120 a week would find that he had a weekly disposable income of less than £50. A single person earning £180 a week, with a net income of £139·28, paying £40 a week rent, council tax of £280 a year—about £5 a week—and travel expenses of £5 a week, would be left with a weekly disposable income of £89·28.

Compare that with the single person receiving £44 income support, £40 housing benefit, and £5 council tax benefit, totalling £89 per week. A single person would have to find a job paying at least £180 before he or she was even a few pennies better off in work than out of it. I cannot believe that we should be encouraging that sort of thing.

Under the capital rule, anyone with capital of £16,000 is disqualified from housing benefit. Capital below £3,000 is disregarded. With capital between £3,000 and £16,000, a notional amount of interest is assumed at the rate of £1 per week for every £250 of capital. I only wish that I could find some way of enjoying that sort of return from my savings. In fairness, that rate of tariff income is too high and is a disincentive to saving. I hope that also will be examined. It would be fairer to assume a tariff income of 50p per week for every £250 of capital.

I hope that the Minister can give some assurance to housing associations throughout the country, because they are extremely worried about the proposed reductions in grant aid. Affordable housing must be provided for the poorest people in this country, and we must ensure that the housing benefit system does not militate against those who want to work and to help themselves, and that we do not penalise the elderly who have been thrifty during their working lives.

The reduced grant rate objectives will have four main effects. They will worsen affordability problems; increase housing benefit dependency and reinforce the poverty trap; make housing association revenue streams increasingly dependent on housing benefit—making them, in the view of private investors, a political risk and diminish their quality; and create difficulty in raising private finance because of the adverse impact on loan security for private investors.

I therefore hope that the Minister will heed the warnings from housing associations throughout the country.

10.32 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Tony Baldry): I am grateful to my hon. Friend the Member for Altrincham and Sale (Sir F. Montgomery) for raising the important subject of affordable housing, which is one that we take seriously—as evidenced by the presence on the Government Front Bench of my hon. Friends the Minister for Housing and Planning and the Under-Secretary of State for Social Security, who has responsibility for housing benefit.

My hon. Friend the Member for Altrincham and Sale has always taken a close interest in housing policy and as he pointed out, his wife, Lady Montgomery, is chairman of the Manchester and district housing association and a distinguished member of the Housing Corporation. Her work is much appreciated.

Our aim is that a decent home should be within reach of every family. That commitment means using public money to best effect, which in turns means extracting the best value from every pound spent and making maximum use of private finance levered in to support public spending.

Most people prefer to own their own homes. We have expanded home ownership from 56 per cent. in 1979 to 69 per cent. today—from half to well over two thirds during the lifetime of this Government. The right to buy for council tenants, our rents to mortgages proposals, cash incentive schemes to enable council tenants to move out into owner-occupation and shared ownership schemes are all important parts of our commitment to empower those who want to own their own homes to become home owners.

With mortgage rates at their lowest for 25 years, some impressive fixed-rate mortgage deals on offer and better and better economic news, now is an excellent time for those thinking about buying their own home to do so. The evidence of increased mortgage lending suggests that people are doing exactly that.

Of course, not every household will want or be able to afford owner-occupation. We must therefore ensure that sufficient good-quality rented accommodation is available. In the private sector, we have ended 75 years of restrictive legislation that had almost killed the private rented sector, to which most people used to look first for housing. There is now evidence of an increase in the number of private lettings. We are determined to continue to reinforce a well run, well managed private rented sector to help meet the need for housing.

Many people will rightly continue to be housed by local authorities. Here we are making a gradual shift from across-the-board rent subsidies—which went indiscriminately to all tenants, whether they needed help or not—towards targeted, income-related assistance to those who genuinely need the most financial help. This means that, when tenants can afford to pay more towards their housing costs, they do so. Tenants who cannot meet the full cost of the rents will receive means-related help through housing benefit. It must be right to move subsidy away from buildings—away from bricks and mortar—towards the people who live in those buildings, and who really need the subsidy.

As enablers, local authorities are responsible for developing the housing strategies for their areas, in partnerships with a wide range of groups—in particular, housing associations. Local authorities are responsible for the efficient management of their own housing stock, and for ensuring the provision of accommodation for the statutory homeless. However—as my hon. Friend made clear—local authorities are no longer the main suppliers of new social housing for rent; that role has been taken on by housing associations.

Housing associations can attract private investment to supplement public spending, and are thus able to build more houses for rent. Over the past five years, public spending on housing association grant has been supplemented by more than £2 billion of private-sector

finance—a substantial gain to housing output at a time of public spending restraint. That private finance has made possible a great deal of additional investment in social housing.

Housing association properties have always been intended for those on limited incomes who cannot afford owner-occupation or the alternatives offered in the private rented sector. It is therefore not surprising that many housing association tenants receive housing benefit. We must remember that housing benefit goes a considerable way up the income scale. The fact that a substantial number of new tenants receive benefit demonstrates that new social housing is going to those in greatest need; but diversity in lettings has always been important, and our latest figures show that more than a quarter of new housing association lettings were made to tenants who are not on housing benefit.

My hon. Friend posed the important question, "Is it worth while for people on housing benefit to have jobs? Should we not encourage people to work rather than to depend on benefits?" I think I quote my hon. Friend reasonably accurately. I entirely agree that getting people off benefit and into employment is vital for the economy and vital for individual prosperity. Our housing benefit taper policy helps to ensure that anyone with income above income support levels will be better off in work. With the taper set at 65 per cent., no tenant, having paid his rent, will be left with an amount to live on that is lower than the appropriate income support level.

The steep taper is essential to ensure that maximum help is directed at those who most need it. At the same time, it keeps the overall cost and scope of the scheme under control. To reduce the taper to 50 per cent. would have a very substantial annual cost of no less than £340 million. I believe that our view of this issue is understandably coloured at present by the impact of the recession. We need to look beyond that to the future. As the economic cycle turns, more jobs will be created and more people will be able to get jobs to enable them to come right out of the housing benefit system, and keep a dramatically higher percentage of their income.

But people on low incomes need to know that provision is being made for them in the housing market. Our manifesto promised 153,000 new homes to rent over a period of three years. We will do much better than that. The Housing Corporation estimates that around 80,000 new homes have been provided by Housing Associations, backed by corporation and local authority housing association grant, in 1992-93 alone—nearly three times the output of the previous year.

As I have already made clear, private sector finance is important to ensure that public spending provides as many decent new homes for families as possible. Private finance enables a third more homes to be built with the available public money than would otherwise be the case. Therefore, we have to strike a balance between rent levels and the number of homes provided. If we provide Housing Association subsidy at a higher level, we must forgo extra output, and that means leaving families in bed and breakfast, or other unsatisfactory accommodation.

The key point—it is a straightforward one—in the debate is that housing associations this year, despite reductions in housing association grants, have bid by a factor of more than four and a half times for the number of schemes that can be supported by the resources available. In other words, housing associations, knowing what the grant level for this year is, have notwithstanding bid by a factor of more than a four and a half times for the number of schemes that can be supported. That clearly suggests that, whatever concerns housing associations may express in public, they have considerable confidence in their ability to make use of their resources available at lower grant rates and to achieve higher outputs.

We have made it clear that our objective is to increase the proportion of private finance input to new schemes in the future by reducing grant rates to 60 per cent. in 1994-95, but we have also always made it clear that final decisions will be taken only when we have assessed the likely impact on the ability of housing associations to raise the private finance necessary. The advice of the Housing Corporation on this matter will obviously be listened to with very great care.

But whatever the level of capital spending, we shall inevitably have to choose between the number of houses that we can build and the level of rents that are to be charged. Public investment in housing must be concerned with tackling housing need, and that means seeking as far as possible to help those in greatest need.

Last year saw the first year-on-year reduction in families being accepted as homeless by local authorities. As new homes are made available through the housing market package, the figures should continue to improve. The housing market package—announced in my right hon. Friend the Chancellor of the Exchequer's autumn statement—has meant that around 18,000 homes for rent will be made available in England. The 80 housing associations involved deserve great credit for their achievement. Purchases have been made right across the country, in almost all local authority areas, making a vital contribution to meeting local housing needs.

However, the families who may still be in unsatisfactory temporary accommodation and who need a home of their own will not thank us if we allow concern for existing tenants who are already well housed and who can afford to pay a little more towards the cost of their housing to be put ahead of the needs of those needing new homes.

I hope that I can reassure my hon. Friend that, although our objective is to increase the proportion of private finance input into new schemes because we want every pound of public money to go as far as possible in ensuring the highest possible output of new homes, I continue to make it clear that final decisions housing association grant rates will be taken only when we have assessed the likely impact on housing associations' ability to raise the necessary private finance. We are determined that housing associations shall play their full part in ensuring the greatest possible number of new homes to let, because we are committed to ensuring that a decent home is within the reach of every family.

Question put and agreed to.

Adjourned accordingly at fifteen minutes to Eleven o'clock.

House of Commons

Tuesday 27 April 1993

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

LONDON LOCAL AUTHORITIES BILL *[Lords]*
Order for Second Reading read.
To be read a Second time on Thursday 29 April.

Oral Answers to Questions

EMPLOYMENT

Labour Statistics

1. **Mr. Peter Atkinson:** To ask the Secretary of State for Employment what measures she is introducing to assist the long-term unemployed in the north of England.

The Parliamentary Under-Secretary of State for Employment (Mr. Patrick McLoughlin): New measures announced in the Budget will provide an extra 100,000 opportunities nationally for the long-term unemployed. Learning for work, community action and an expanded business start-up scheme will be available for long-term unemployed people.

Mr. Atkinson: Is my hon. Friend aware that Tyneside training and enterprise council, which I understand has been chosen for a pilot scheme for one of four workstart programmes, yesterday launched its own workstart programme, Tyneskill support, aimed at people who have been out of work for more than two years? Does my hon. Friend agree that the advantage of workstart is that it confers a double benefit—first, for the people who are helped and, secondly, in that it helps to convince employers that people who have been out of work for more than two years still retain their skills and an enthusiasm for work and should not be written off as unemployable?

Mr. McLoughlin: I entirely agree with my hon. Friend, who points out the amount of help that we give to people who are unemployed long term. Indeed, the United Kingdom has a good record compared with our European counterparts. The proportion of long-term unemployed people in the United Kingdom, at 28 per cent., is lower than in Italy, where it is 67 per cent., in Belgium, where it is 61 per cent., in Ireland, where it is 60 per cent., in Germany, where it is 45 per cent., and in the Netherlands, where it is 43 per cent. That shows that we dedicate help to the long-term unemployed.

Mr. Lewis: Does the Minister's litany of assistance include encouraging people to go on the sick register instead of the unemployment register? Will he ask his right hon. Friend the Secretary of State to order the investigation that I have requested into the scandal going on in the Employment Service in my constituency?

Mr. McLoughlin: It is rather sad that when we have seen unemployment falling for two months, the only people who complain about it, and continue to do so, are Labour Members. That is not surprising, in view of the way that they have relished it when unemployment has continued to rise.

Mr. Trotter: May I say how much Tyneside will appreciate being chosen for one of the new schemes and how appropriate it is that an area of high unemployment, with an excellent basic record of industrial relations and skills, should have the opportunity to make itself available for inward and home-based investment as the recession ends? The news will be much welcomed in the community on Tyneside.

Mr. McLoughlin: I am grateful to my hon. Friend. He is right to say that the scheme will have an important impact. We shall watch it closely to see what lessons we can learn from it.

Ms Quin: Will the Minister confirm that there is a massive problem of long-term unemployment on Tyneside and that the scheme to which the hon. Member for Hexham (Mr. Atkinson) referred aims to create 400 jobs for the long-term unemployed by July, whereas there are 32,000 long-term unemployed people on Tyneside? Will the Minister agree to support some of the ideas advanced by the Labour party to bring Government Departments together in an office in the north to identify and promote employment opportunities in the region?

Mr. McLoughlin: It would make a great difference if we started to receive some support from the Labour party for the many schemes that we try to offer long-term unemployed people. The Labour party is always lacking in enthusiasm. The hon. Lady rightly mentions the high unemployment in the northern region, but in July 1986 unemployment in that region stood at 220,000, whereas according to the latest figures it is now 166,000—25 per cent. lower. I should have thought that even the Opposition would welcome that.

Total Quality Management

2. **Mr. Stephen:** To ask the Secretary of State for Employment whether she will use the techniques of total quality management to measure the extent to which her Department is efficiently delivering the service which industry and commerce need.

The Minister of State, Department of Employment (Mr. Michael Forsyth): Total quality management has a part to play in the Department's drive to improve services and to ensure value for money.

Mr. Stephen: Will my hon. Friend ask a senior official in his Department to liaise closely with the European Foundation for Quality Management and to explore whether the excellent self-assessment model it has developed would benefit the public service?

Mr. Forsyth: Anything that improves quality management at a European level is to be welcomed. I will pass on my hon. Friend's helpful suggestion to officials in the Department.

Mr. McAllion: Does the Minister accept that his Department's ability to deliver services efficiently depends at least in part on its reputation for honesty? That being so, can he explain to the House why he allowed Sir Robin Butler, the head of the civil service, to write to civil service unions on 16 March saying that the imposition of no-strike clauses on public sector workers was not even under consideration when, 18 days earlier on 26 February, the Secretary of State for Employment had written to the Secretary of State for Education saying that she intended to amend the Employment Bill to make industrial action by public sector workers unlawful? That letter was copied and sent to Sir Robin Butler.

Either Sir Robin Butler is so inefficient that he does not even read letters from the Secretary of State for Employment which are copied and sent to him or he is deliberately covering up for the Government by misleading civil service unions. Which is it? Did the Department know about that? If so, did it consent to it?

Mr. Forsyth: The trouble with the hon. Gentleman is that when he scrabbles around in dustbins reading bits of paper, he ends up misinformed. The position that the Cabinet Secretary set out—which is that the Government have not considered introducing, nor do they have any plans to introduce, legislation to prevent industrial action in the public sector—remains the case. The hon. Gentleman is at a disadvantage in that he has relied for his information on scraps of paper that were based on leaked information.

Mr. Evennett: Does my hon. Friend agree that the training and enterprise council network is improving the quality and effectiveness of his Department's training programme? Does he agree that the job seekers charter is improving the service throughout the Employment Service? Both schemes are to be welcomed and encouraged, and show that his Department is doing a good job for people seeking jobs.

Mr. Forsyth: I agree with my hon. Friend. Since my right hon. Friend the Secretary of State took charge of the Department, the number of opportunities for the unemployed to obtain help in getting back to work or to obtain help with training has increased from around 1 million to 1,600,000. That dramatic record of achievement has been thanks to the efforts of the Employment Service, the training and enterprise councils and Ministers across the Government. I should have thought that that would be welcomed by everyone in the House.

Disabled People

3. **Mr. Wigley:** To ask the Secretary of State for Employment what progress is being made to reduce discrimination against disabled people in the context of employment; and if she will make a statement.

7. **Mr. Thurnham:** To ask the Secretary of State for Employment what measures she is taking to promote employment opportunities for people with disabilities.

Mr. Michael Forsyth: We aim to raise employers' awareness of the abilities of disabled people and to provide practical employment help and advice where necessary.

Mr. Wigley: Does the Minister accept that, either deliberately or inadvertently, a significant number of employers discriminate against disabled people in terms of employment? Does he accept that the overwhelming majority of organisations working with and on behalf of disabled people want anti-discrimination legislation? What is the Department's latest thinking on how to make that a reality?

Mr. Forsyth: I know how much time the hon. Gentleman spends on this subject, especially in his role as vice-chairman of the all-party disablement group. I accept his point that we need to do even more to encourage employers to take on disabled people and to make use of their skills. Disabled people certainly find it harder to obtain work when unemployed, especially during a recession.

I am sure that we must look at ways to reduce discrimination and to encourage opportunities for disabled people. Although it is easy to look to legislation as the answer, the hon. Gentleman needs to address some of the difficulties that arise because of the legal complexities and the costs it would impose, which may not be to the advantage of disabled people. I am happy to continue the helpful discussion going on with the hon. Gentleman and others in the House on how some of the problems may be addressed.

Mr. Thurnham: Does my hon. Friend agree that the private sector has a much better record than the public sector in employing people with disabilities? Will he recruit more disabled people in the civil service? Will he expand the successful sheltered placements scheme? Is not privatisation in the best interests of everyone, not least the disabled?

Mr. Forsyth: The answers to my hon. Friend's questions are: I am not sure, yes, yes and yes.

Mr. Galbraith: Can the Minister say why, despite the fact that only 23 per cent. of employers adhere to the quota, there have been no prosecutions whatever under the Government? Is it not time that the Government reviewed the quota system with a view to enforcing it properly?

Mr. Forsyth: We are certainly examining the quota system. The hon. Gentleman will recognise that the 3 per cent. figure relates to registered disabled. The number of people who are registered as disabled is less than 3 per cent. of the work force and, therefore, it would be mathematically impossible for all employers to meet the quota. We take seriously employers who are not meeting their obligations. We try to ensure that they do so by persuasion. The policy of not having had prosecutions reflects the conduct of every Government in the past 40 years.

Mr. Alan Howarth: Does my hon. Friend agree that the end of the recession and the extremely welcome recovery in the labour market make it an especially appropriate moment to introduce legislation to prevent discrimination in employment against disabled people? Will he reflect that the fears that have been expressed about the cost implications of such legislation are invalidated by the immense contribution that disabled people could make to

the economy and that experience shows that nothing less than anti-discrimination legislation would enable that contribution to be released?

Mr. Forsyth: I agree with my hon. Friend that enlisting the talents of disabled people is a key element in ensuring that we maximise the performance of our economy as well as meet the needs of individuals. I would want to discuss my hon. Friend's specific ideas for legislation and its form before jumping to the conclusion that he reached. I would point to some of the difficulties that have arisen in other countries as a result of perhaps not thinking the matter through as carefully as it should have been. I should be happy to meet my hon. Friend to discuss his ideas in detail.

Labour Statistics

4. **Mr. Winnick:** To ask the Secretary of State for Employment how many people were unemployed for 12 months and longer in May 1979 and at the latest available date.

The Secretary of State for Employment (Mrs. Gillian Shephard): The figures for January 1993 show a reduction of almost 10 per cent. in the number of people who have been unemployed for 12 months or more, compared with January 1983—the earliest date for which equivalent figures are available.

Mr. Winnick: Is the Secretary of State aware that it is perfectly understandable that she has not given the figure for 1979, which is 366,700? I have just obtained that information from the Library. Is it not a fact that three times as many people have been unemployed for longer than one year than when the Labour Government left office? Is not the Secretary of State ashamed of the misery and heartbreak of so many of our fellow citizens who are long-term unemployed, many of whom work on the assumption that, even with the slow recovery which is taking place, they will never be able to work again? They are the victims of the Government's economic policies.

Mrs. Shephard: I would not want in any way to minimise the difficulty for people who suffer long-term unemployment. The simple fact is that the number of long-term unemployed people is almost a quarter—24 per cent.—lower than at its peak in 1986. It is obvious from the hon. Gentleman's supplementary question that, like so many of his colleagues, he would have liked, and perhaps he was expecting, a more gloomy reply. I shall add to his all-too-obvious discomfiture by inviting him to welcome the fact that in his constituency the reduction was 21 per cent.

Mr. Bill Walker: Does my right hon. Friend agree that the only jobs provided by the Government are the jobs of those who are directly employed by the public service or the quangos and other organisations set up in the public service area and that the jobs that are provided in the economy come as a result of the Government creating low inflation, low interest rates and competitive prices, thanks to white Wednesday? Consequently, we can look forward to improvements in the United Kingdom because we are more competitive than any other country in Europe.

Mrs. Shephard: I would not want to build too much on the improvement in unemployment that we have seen for the past two months. Of course, my hon. Friend is absolutely right. It is not the Government who create jobs; it is business, industry and commerce. It ill behoves Opposition Members to pour scorn on the good economic news, which is good news for unemployed people.

Mr. Grocott: Does the Secretary of State recall that throughout the past 14 years we have had repeated assurances from the Secretary of State for Employment, two Prime Ministers and others that all the dreadful unemployment statistics were nothing whatever to do with the Government? Now that Ministers claim that there is some marginal improvement in the unemployment statistics, will the Secretary of State take this opportunity to reaffirm to the House the Government philosophy that if there is any improvement it is nothing whatever to do with the Government?

Mrs. Shephard: What is absolutely certain is that only when Opposition Members express a commitment to keep Britain competitive, reject support for the national minimum wage and, in the case of the hon. Member for Holborn and St. Pancras (Mr. Dobson), support employers can their much vaunted and so-called support for unemployed people be taken seriously.

Mr. David Evans: Does my right hon. Friend agree that of the 1 million long-term unemployed, probably half have no intention of working again and, therefore, can be termed layabouts? Do the long-term unemployment figures include the lot opposite? They have been unemployed for 14 years.

Mrs. Shephard: My hon. Friend's strictures on fraud among people who call themselves unemployed are well known. I understand his anxiety because any fraud within the unemployment or benefits system can only serve to make things worse for people who are genuinely unemployed. As for the present or prospective employment of Opposition Members, my hon. Friend has made his point.

Workstart

5. **Mr. Beith:** To ask the Secretary of State for Employment what progress has been made in setting up the workstart pilot projects.

Mrs. Gillian Shephard: I have asked the Employment Service and the two training and enterprise councils in the pilot areas to submit plans by 7 May. I hope that the first employees to be taken on under the scheme will start work by June.

Mr. Beith: Does the Secretary of State realise how dissatisfied I am, as someone who advocated a workstart scheme and supports its principles, that long-term unemployed people in Northumberland—where there are many long-term unemployed—are excluded from the scheme both in my constituency and in the constituency of Hexham, which was mentioned earlier? At what stage will she decide whether to continue the scheme and whether to extend it?

Mrs. Shephard: I hope that the right hon. Gentleman welcomes the 2 per cent. fall in unemployment in his constituency last month. I also hope that he will welcome the fact that long-term unemployed people in his

constituency and elsewhere will greatly benefit from the 1·6 million opportunities for long-term unemployed people that we now have on stream.

As for the pilots, the right hon. Gentleman will realise that a pilot is a pilot. If the pilot projects succeed, we shall certainly consider extending them.

Dr. Spink: Does my right hon. Friend agree that the return in confidence, the recovery and the workstart pilot scheme will give new opportunity, new hope and great help to the long-term unemployed in Britain?

Mrs. Shephard: I agree with my hon. Friend that the workstart pilots should be extremely useful. We will monitor them carefully to see what lessons can be learnt and, in particular, what special help, confidence and encouragement they can give to people who have been unemployed for a long time.

Mr. Tony Lloyd: Does the Secretary of State nevertheless recognise that even though workstart is only a pilot scheme, people are worried that employers are being asked simply to give an undertaking that they will not make other people unemployed in order to take on people on workstart and, I assume, an undertaking that they will not simply dismiss people at the end of the scheme? In the same vein as the Secretary of State waxed eloquent about fraud among those who claim benefit, will she wax eloquent about fraud among employers who seek to abuse the system?

Mrs. Shephard: The hon. Gentleman raises an important point. The contracts with the participating firms will naturally stipulate that existing employees must not be displaced and that the workstart participants will be considered additional to normal recruitment. As he would expect, the scheme will be subject to close and careful monitoring.

Labour Statistics

6. **Mr. Michael Brown:** To ask the Secretary of State for Employment how many new jobs have been created in the Brigg and Cleethorpes constituency since January 1992.

Mr. McLoughlin: The information is not available in the form my hon. Friend requested. However, I am sure he will welcome the news that two American firms, notably Kimberly-Clark and Paramount Packaging, have chosen to invest in his constituency, bringing 800 new jobs to the area.

Mr. Brown: Does my hon. Friend agree that the information he has just revealed suggests that the recovery in the United Kingdom is centred on my constituency? Is he aware that it is hoped that the Kimberly-Clark project will eventually employ more than 2,500 people once it is fully operational and that my right hon. Friend the President of the Board of Trade performed the topping-out ceremony at that factory just a few weeks ago? Is he further aware that a new power station was opened last week, which will employ 35 people, and that, in Cleethorpes, Allied Colloids announced that it will employ 90 people? Those jobs are in addition to those that my hon. Friend has just announced. Does he agree that the industrial recovery in the United Kingdom has begun in Brigg and Cleethorpes?

Mr. McLoughlin: My hon. Friend tempts me, but if I agreed with him wholeheartedly about Brigg and Cleethorpes I am sure that my hon. Friend the Member for Basildon (Mr. Amess) would have something to say about that. My hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown) has revealed that the changes we have made since 1979 to reform industrial relations have meant that a number of companies now find the United Kingdom the most attractive country in which to invest. Those changes have, of course, been opposed by the Labour party.

Voluntary Work

8. **Mr. Thomason:** To ask the Secretary of State for Employment what measures she is introducing to encourage voluntary work among the long-term unemployed in the west midlands.

Mrs. Gillian Shephard: We announced at the Budget the introduction of 60,000 voluntary work opportunities through community action.

Mr. Thomason: Will my right hon. Friend join me in welcoming the Budget announcement of an additional 60,000 places for the long-term unemployed? Does she agree that that welcome new intitiative should be supported on both sides of the House and not grumbled about by Opposition Members, who are in the rut of opposing everything and who fail to put forward any constructive proposals?

Mrs. Shephard: I hope that everyone will welcome the new programme. It will give unemployed people the opportunity to participate in a part-time work programme which will be supplemented each week by structured help with job search. That is a productive and useful way in which to help unemployed people and it deserves a welcome from the Opposition parties, although I doubt whether they will give it one.

Ms Short: The Secretary of State will know that many unemployed people want to do voluntary work because there are not other opportunities for them. It is an outrage, however, that there is a mass of work that needs doing in our country when we have 4 million people unemployed. When the Conservative party came to power, there were 1·2 million unemployed people. I do not know how the right hon. Lady has the cheek to stand here today and constantly insult the Labour party as though the Conservatives' record on unemployment was good. The high levels of unemployment are causing poverty and high bills for benefits and mean that production rates are too low. The Conservative Government have failed dramatically on this issue and the right hon. Lady should not boast.

Mrs. Shephard: I did say that the Opposition would not welcome this scheme and that turns out to be right. If the hon. Lady encouraged the Labour Front Bench to undertake credible economic policies, her remarks would carry much more credibility. I hope that she will at least accept that the Conservative party has introduced a vastly increased number of measures to help unemployed people and that those, combined with the vastly improved economic situation, mean that a great deal of help is available for unemployed people.

Mr. Anthony Coombs: Although I welcome the Government's further measures for the long-term unemployed, does my right hon. Friend agree that the best scope for long-term jobs for unemployed people is provided by increased competitiveness in British industry? Will she pay tribute to the enormous efforts that have been made by British industry in the past 10 years, particularly in the past two years, to improve competitiveness? It has improved to such an extent that unit labour costs in this country have not gone up; that compares with the increase of 9 per cent. in Japan and 6 per cent. in Germany. Does my right hon. Friend agrees that that improvement in competitiveness will create jobs and that it is endangered by the social chapter of which the Opposition are so fond?

Mrs. Shephard: My hon. Friend is right when he speaks of the need to keep Britain competitive and to oppose the provisions of the social chapter, which would heap ever more burdens on the heads of employers. It is important for Opposition and Conservative Members to congratulate British business on its performance—exports are up; car production is up; manufacturing productivity is up. Everything is up except the spirits of Opposition Members.

Mr. Alex Carlile: However welcome the increase in voluntary placements, does the Secretary of State agree that we should be aiming at satisfactory paid employment for as many people as possible? Will she comment on a young couple—he has a first class honours degree in history—who have escaped long-term unemployment by obtaining menial jobs in a burger bar? When will the Government ensure that young graduates in this country are able to find the jobs for which they were trained and stop committing them to the burger economy?

Mrs. Shephard: That was clearly a much rehearsed question. However, I can assure the hon. and learned Gentleman that, despite his exhortations, the Government will not espouse the cause of a national minimum wage.

9. **Mr. Spring:** To ask the Secretary of State for Employment what measures she is introducing to encourage voluntary work among the long-term unemployed in East Anglia.

Mrs. Gillian Shephard: In addition to the community action opportunities, I am making available further places on voluntary work projects in north Norfolk.

Mr. Spring: Does my right hon. Friend agree on the importance of upgrading the quality of management in the voluntary services? Will she join me in congratulating the Suffolk training and enterprise council on undertaking a number of initiatives to promote good management in the voluntary sector? It sponsored 13 managers from the voluntary services to enrol on a course to gain a certificate in business administration. Does she agree that by raising the standards of management in the voluntary sector we can help improve services, both for the long-term unemployed and for our communities at large?

Mrs. Shephard: I am very pleased to hear what my hon. Friend says about the work of the Suffolk TEC. No doubt both unemployed people and voluntary organisations stand to benefit from the new community action programme.

Pit Closures

10. **Mr. Churchill:** To ask the Secretary of State for Employment what is her estimate of job losses saved in consequence of the announcement of 25 March of the reprieve of 12 coal mines in respect of jobs *(a)* in the pits and *(b)* in related industry.

Mr. McLoughlin: The number of jobs saved in the pits and related industries will depend on how much coal British Coal can sell and how successful it is at reducing costs and improving productivity.

Mr. Churchill: While I welcome the reprieve of the 12 pits and the saving for the time being of 10,000 jobs, may I ask my hon. Friend to confirm that that will represent a saving of £400 million—one third of the £1·2 billion pledged in redundancy pay by my right hon. Friend the President of the Board of Trade in his statement on 13 October last year? Does my hon. Friend agree that that figure equates almost exactly to the figure of £300 million to £400 million in subsidy pledged by my right hon. Friend the President of the Board of Trade? Therefore, there will be no additional cost to the taxpayer.

Mr. McLoughlin: My hon. Friend adequately explains the equations that result from the White Paper recently published by the Government and endorsed by the House. There are a number of related issues; we obviously need to discover the outcome, the growth in demand for coal and how that will help to protect jobs in British Coal.

Mr. Enright: Does the Minister agree that British Coal Enterprise has so far totally failed to replace the jobs that have already been lost? Will he undertake positively to examine what British Coal Enterprise is doing, evaluate the information and see how many jobs are lost after six months and how many after one year? British Coal Enterprise creates false jobs and false hopes.

Mr. McLoughlin: I regret the false and negative way in which the hon. Gentleman approaches the issue. All our efforts to help specific areas fail to find favour with the Opposition, which is a great shame.

Mr. Dickens: Does my hon. Friend accept that despite the cuts in British Coal brought about by falling orders for British coal, the coal mining industry in this country remains one of the largest in the world, a fact which should not be forgotten?

Mr. McLoughlin: I am grateful to my hon. Friend for making that point. It is equally important to remember the great way in which British Coal has improved its productivity in the last few years, which will ensure that it sells more coal.

Mr. Ronnie Campbell: Is the Minister aware that it is a disgrace that miners' pension money should go towards policies that will result in the loss of jobs in the industry, not only in the north-east of England but throughout the country? When will he get off his backside and get something done to create work in those areas?

Mr. McLoughlin: When it comes to getting off one's backside, I wonder what the hon. Gentleman was doing between 1964 and 1970, when 277 coal mines closed in Britain.

Mr. John Marshall: Does my hon. Friend agree that it is important to consider employment in all the energy-intensive industries and in the oil and gas industries? Does he further agree that all such employment would have been hit had we listened to the Labour party and done nothing about the coal industry?

Mr. McLoughlin: I am grateful to my hon. Friend for making those points, which rightly sum up some of the questions that must be addressed by the President of the Board of Trade.

Labour Statistics

11. **Mr. Raynsford:** To ask the Secretary of State for Employment what has been the change in the number of unemployed people in Greater London in the past three years.

Mr. Michael Forsyth: In the Greater London area, seasonally adjusted claimant unemployment rose by 274,800 between March 1990 and March 1993.

Mr. Raynsford: Does the Minister recognise that in the past three years, the number of unemployed people in the London borough of Greenwich has doubled? Does he further recognise that unemployment is a corrosive force, particularly among the young, and that the unemployment level today is destructive of the social fabric? When will action be taken to bring down the level of unemployment at least to that which applied three years ago, and when will it be reduced to the level that existed in 1979?

Mr. Forsyth: The hon. Gentleman's constituency is famous for its observatory for looking into deep space. What an irony that the hon. Gentleman cannot see what is happening under his nose. Unemployment in London has fallen for the first time in three years, and he cannot even bring himself to recognise that fact.

Mr. Harry Greenway: Is the Minister aware that people in London welcome the fall in unemployment but remember in my constituency of Ealing the way in which we lost many jobs during the four years of the loony Labour left which had control there and which, at a stroke, increased local taxation by 65 to 100 per cent? That is how jobs are lost. Labour loses jobs. The Conservative party does not.

Mr. Forsyth: The way to create jobs in Britain is to ensure that we are competitive. That means controlling public expenditure and keeping taxation, including local taxation, down, and my hon. Friend is right to point out how Labour authorities have destroyed jobs the length and breadth of Britain.

Mr. Dobson: The census shows that in Greater London, 28 per cent. more people were out of work and looking for jobs than the figure produced by Department of Employment officials. Which figure was right?

Mr. Forsyth: When the figures were going up, the hon. Gentleman was happy to accept them. Only when they are going down does he cast doubt on them. [HON. MEMBERS: "Answer."] I will answer. The census figure for people not working includes people who are ill and people who are not working perhaps because they are going on holiday —*[Interruption.]* The hon. Gentleman should not try to compare apples with pears, otherwise he ends up with results that are just bananas.

Mr. Forman: Is the Minister aware that the policies of the Government for employment creation in the Greater London area will have a positive effect and that the co-operation that his Department is encouraging between further education, the training and enterprise councils and private employers can only be for the good? Is he further aware that the hon. Member for Greenwich (Mr. Raynsford) would not recognise good news if it were staring him in the face?

Mr. Forsyth: My hon. Friend is right. The key to future employment in a competitive world market lies in improving our skills. I am grateful to my hon. Friend for welcoming the innovative measures that the Chancellor announced in his Budget to allow unemployed people to become involved in further education. Education and training are the key and the Government have done more to increase education and training opportunities than any other in Europe.

Employment Action

12. **Mr. Flynn:** To ask the Secretary of State for Employment how many previously unemployed people have been employed in the employment action programme in 1991-92.

Mr. McLoughlin: Employment action ran for only six months in 1991-92. By March 1992, 19,300 people had started on the programme in England and Wales.

Mr. Flynn: Does the Minister appreciate that the scheme has been a failure and that many people who have taken part in it feel cheated and demeaned by the experience? Only one third of places were taken up in the first year and there was a 15 per cent. shortfall in the second year. Is the Minister aware that in my constituency last year there was a 16 per cent. increase in unemployment and there have been a further 200 jobs losses this month? Why do not the Government stop trying to stir up manic optimism and realise that in my constituency and many others all that has taken place is a phantom recovery?

Mr. McLoughlin: What has happened in the hon. Gentleman's constituency is that in July 1986 unemployment was 5,986 and in March 1993 unemployment was 4,530. For the sake of the Opposition, that is 24 per cent. lower than it was in 1986. Yet again, the Opposition condemn any kind of moves that we make to attempt to help those people who are unemployed. It is not surprising that no one believes what the Opposition say these days.

Workstart

13. **Mr. Gale:** To ask the Secretary of State for Employment if she will make a statement on the workstart pilot scheme established for east Kent.

Mrs. Gillian Shephard: I have asked the Employment Service for a detailed plan for the pilot scheme in east Kent by 7 May. I expect the first participants to be employed in June.

Mr. Gale: My right hon. Friend will understand that in north-east Kent we very much appreciate her

Department's recognition of our real needs. We hope that this measure will be followed by other Government measures to enable us to compete on equal terms with northern France for inward investment. Does my right hon. Friend understand that my constituents and the businesses that I represent, together with those represented by my hon. Friends the Members for Thanet, South (Mr. Aitken) and for Canterbury (Mr. Brazier), are greatly looking forward to taking part in the scheme? Will she try to find time to visit it herself once it is up and running?

Mrs. Shephard: I can assure my hon. Friend that I shall attempt to visit at an early stage all the pilot areas where workstart is to take place.

Apprenticeships

14. **Mr. Roy Hughes:** To ask the Secretary of State for Employment what recent discussions she has held with employers' organisations on measures to increase the number of young people undergoing apprenticeship training.

Mr. Michael Forsyth: The Government, working with TECs and other employers' organisations, is progressively extending youth credits to all 16 and 17-year-olds not in full-time further education.

Mr. Hughes: Does the Minister appreciate that Britain's future is tied up with education and training together with the rebuilding of our manufacturing base and, alongside that, we face ever more intense competition in international markets? Therefore, will he tell those reluctant employers who are not training sufficient numbers of their employees that they are, quite literally, failing the nation?

Mr. Forsyth: I agree with the hon. Gentleman and I shall certainly tell employers who are already doing more to do even more for training and to encourage apprenticeships. In return, I hope that the hon. Gentleman will tell those people in the Labour party and the trade unions who opposed youth training, employment training and every other Government training initiative, to change their minds and give us some support.

Mr. Streeter: Is my hon. Friend aware that in Devon and Cornwall the Government guaranteed training place scheme for 16 and 17-year-olds is working extremely well, with almost every youngster who has applied for such a place being accommodated well within six weeks? Does he agree that the Devon and Cornwall TEC is operating extremely successfully—*[Interruption.]* Does he agree that the Devon and Cornwall TEC is doing a great job and should be congratulated?

Mr. Forsyth: I agree with my hon. Friend. It is because of the work that has been done by my right hon. Friend the Secretary of State that the youth training guarantee scheme is being delivered despite the difficulties that were caused by the recession. It would be a matter of considerable support for the TECs if the House would acknowledge their splendid work, including that which my hon. Friend has outlined today.

Mr. Janner: Does the Minister know that in many great manufacturing cities such as Leicester, there has been no decrease in unemployment? Over the years, there has been a vast increase among young people desperate for work. As apprenticeships have dropped—and we know why—surely the Government could do much more to help young people to get jobs at the end of their training.

Mr. Forsyth: As the hon. and learned Gentleman will know from his role as Chairman of the Select Committee, the youth training scheme has been remarkably successful in getting young people into jobs or ensuring that they get qualifications—indeed, it has helped some three quarters of them. It is particularly surprising that Opposition Members do not know that. I agree with the hon. Gentleman's point about apprenticeships. Training in the workplace is second to none and we should encourage apprenticeships. What a pity it is that the trade union movement did so much to destroy so many apprenticeships in Britain.

PRIME MINISTER

Engagements

Q1. **Mr. Gunnell:** To ask the Prime Minister if he will list his official engagements for Tuesday 27 April.

The Prime Minister (Mr. John Major): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Gunnell: Now that there is optimism that the bulk of the Maxwell pension funding will be recovered over the next four years, is it not time to end once and for all the uncertainties felt by many of those lobbying us today? Will the Prime Minister authorise the availability of capital now, knowing full well that as funds are recovered most of that money will come back? Eighteen months is too long, for elderly people in particular, to suffer such anxiety. Will the Prime Minister end it now?

The Prime Minister: I think that the hon. Gentleman knows that over many months we have made a positive response to the Maxwell reservations. I believe that it was the right thing to do, not least setting up the Maxwell pensioners' trust, which has raised more than £6 million, and providing £2·5 million to ensure that pensions are paid. We continue to look sympathetically at the problem, but I have no fresh announcements to make today.

Sir John Wheeler: In the wake of the bomb in the City of London on Saturday, will my right hon. Friend confirm that the Government will bring forward the reinsurance scheme? Will he urge the Leader of the House to make time for legislation for that scheme as soon as possible?

The Prime Minister: The Government scheme for insurance against terrorist attacks has been providing cover since 1 January this year and the Government will fully honour their commitment under the scheme. It is, of course, a matter for individual businesses whether or not they choose to take out such cover, but everyone who has done so, or has alternative policies, will have been covered against damage caused by the Bishopsgate bomb. The Government scheme is one of reinsurance for the industry, so those who have suffered damage will need to make claims to their insurers in the usual way.

On my right hon. Friend's last point, legislation to provide for payments to be made to the insurance companies under the scheme will be brought before the

House as soon as possible. I hope that it will be possible to attract support from all parts of the House for that measure.

Mr. John Smith: Now that all six teacher and head teacher organisations have appealed to the Secretary of State for Education to suspend this year's testing and assessment arrangements under the national curriculum, will the Government for once listen to the considered professional judgment of the whole teaching profession and suspend this year's tests?

The Prime Minister: I think that the right hon. and learned Gentleman knows the importance that we put behind the principle of testing. He also knows—he will have heard the remarks of Sir Ron Dearing—that we need the experience of this year's tests to ensure that we are able to remove the unnecessary bureaucracy and make sure that the tests are right for the future. The implication of the right hon. and learned Gentleman's question is that he now accepts the principle of testing. I hope that is now so.

Mr. John Smith: Does the Prime Minister not understand that this increasingly bitter dispute is not about the principle of sensible testing but about the dogmatic insistence of an arrogant Secretary of State that his view must prevail against those of governors, teachers and parents? Why does not the Secretary of State recognise that which is recognised by everyone else—that he has lost the argument and that it is an insult to use £700,000 of taxpayers' money on futile propaganda?

The Prime Minister: I notice again that the right hon. and learned Gentleman did not indicate that he does not accept the principle. I assume that he does accept the principle of testing. In view of his question, he may care to comment on the remark by the National Union of Teachers president, who said:

"We should annihilate tests in the national curriculum."

I hope that the right hon. and learned Gentleman will now condemn that particular comment. On his further point, I must tell him that I do not think it appropriate for teachers to take industrial action at the expense of those tests.

Mr. John Smith: If the Prime Minister is so confident of parents' support, why does he not use that £700,000 to hold a ballot, to find out what parents really think? If the Government are sincere about parental choice, why not let the parents choose?

The Prime Minister: The right hon. and learned Gentleman knows as well as every other right hon. and hon. Member that two agendas are in play—that of the ordinary teacher who wants less bureaucracy, which we are considering and to which we shall respond, and that of the militants' opposition to any sort of testing or appraisal and to all our reforms. I note that the right hon. and learned Gentleman implies that he is favour of tests, but he does not have the courage to denounce the NUT and its comments about industrial action.

Mr. Cash: Will my right hon. Friend reconfirm the assurance that he gave the House unambiguously on 24 September last year, that if the Danes vote no in the second referendum it would be unacceptable for us and the rest of the Community to go ahead without Denmark, and that the Maastricht treaty could not go ahead?

The Prime Minister: Perhaps my hon. Friend has been misled by some of the reports that he may have seen this morning. The leader of the Progress party in Denmark, which my hon. Friend will know is the only Danish party opposed to the Maastricht treaty, said:

"There was nothing new in the Foreign Secretary's remarks, and they were manipulated by the press."

That was her comment, not mine. As to my hon. Friend's specific question, if he will study the transcript of the remarks made by my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs, a copy of which will be placed in the Library, he will find that my right hon. Friend made four straightforward points. First, we do not expect the Danes to vote no. Secondly, were they to do so the Maastricht treaty could not enter into force because it requires ratification by 12 member states. Thirdly, United Kingdom legislation to ratify the treaty could therefore not proceed. Finally, all 12 members of the European Community would need to hold urgent consultations about what to do next. Each of those points is self-evident. That was said by my right hon. Friend yesterday.

Q2. **Mr. McFall:** To ask the Prime Minister if he will list his official engagements for Tuesday 27 April.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. McFall: In the right hon. Gentleman's first speech as Prime Minister, he spoke of a commonsense view of life from a tolerant perspective. Now that the Scottish Conservative party has joined the massive opposition to water privatisation in Scotland, will the Prime Minister display that tolerance by recognising the genuine and universal concern felt in Scotland, where water is regarded as being for the benefit of all—not for the profit of a few? At next month's Tory conference, will the Prime Minister state that the public interest will best be served by increased investment in the present water and sewerage system? Regardless of whatever the Tories have brought to Scotland in the last 14 years, will the right hon. Gentleman confirm that we shall not witness the return of the Victorian cry of "Gardyloos!" to the streets of Edinburgh and Glasgow?

The Prime Minister: The future structure of water and sewerage services in Scotland is still under consideration. I am sure that the hon. Gentleman would not want me to go further while that matter remains under consideration.

Q3. **Mr. Rathbone:** To ask the Prime Minister if he will list his official engagements for Tuesday 27 April.

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Rathbone: Now that Britain is exporting television to Germany, lace to Brussels, cosmetics to the French and pizzas to Italy, as my right hon. Friend pointed out in Manchester last week, does he not think that all British companies now have the competitive edge to develop export markets everywhere?

The Prime Minister: My hon. Friend is entirely right to praise our exporters and to point to the opportunities for further exports. We also export more per head than Japan and now have an excellent opportunity to break into new markets and win back old ones. It was for that reason that my right hon. Friend the Chancellor increased the amount

of Export Credits Guarantee Department cover both last autumn and in the recent Budget. Manufacturing matters; exporting matters. We seek to support them both.

Q4. **Mr. Gerrard:** To ask the Prime Minister if he will list his official engagements for Tuesday 27 April.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Gerrard: Is the Prime Minister aware that very many people in London are extremely worried about the survival of the travelcard and concessionary fares after bus deregulation and rail franchising and that their fears are echoed today in the report by the Select Committee on Transport? Will the Prime Minister tell us what he intends to do to guarantee the future of the travelcard and concessionary fares schemes?

The Prime Minister: As the hon. Gentleman knows, we have to study the report of the Select Committee and then respond to it. That is what we will do.

Mr. Whittingdale: Will my right hon. Friend join me in congratulating President Yeltsin on his outstanding personal victory at the weekend? Does he agree that, in supporting President Yeltsin, the Russian people have voted in favour of democracy built on market economics? Does this not represent by far the best chance for the future of Russia?

The Prime Minister: I have no doubt that my hon. Friend is right about the last point. I have sent my warm congratulations to President Yeltsin on the outcome of the referendum. The results are remarkable. They show that the Russian people maintain their personal trust in the President and, most important, that they wish him to carry his democratic reforms further. It is a remarkable result on the back of the sacrifices that have been made towards economic transformation. I believe that the Russian people are beginning to see the benefits of individual enterprise. Success for Russia is essential for its people and equally vital for the rest of the world.

Q5. **Ms Eagle:** To ask the Prime Minister if he will list his official engagements for Tuesday 27 April.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Ms Eagle: Does the Prime Minister not find ironic that, as we celebrate the 50th anniversary of the battle of the Atlantic, we are losing the battle for our shipyards without even a fight? Given his Government's refusal to create a strategy for defence diversification, what action does the Prime Minister intend to take in response to the petition handed to him today by the save Cammel Laird community group, asking him to save the yard from closure in July?

The Prime Minister: As the hon. Lady knows, there is a problem for shipbuilding round the world as a result of the level of capacity and the level of demand. I understand the hon. Lady's concern about Cammel Laird and I know that it is shared by the hon. Member for Birkenhead (Mr. Field) and by my hon. Friend the Member for Wirral, South (Mr. Porter). The yard's future is primarily a commercial decision for Vickers Shipbuilding and Engineering Ltd. which is having to respond to that worldwide decline, which is not just a problem for the United Kingdom but one for the rest of Europe and for countries in other parts of the world. None the less, I will study with great care the letter from the Cammel Laird support group and reply in due course.

Mr. Batiste: Will my right hon. Friend reassess the case for identity cards to see whether they can give significant support to the police in their fight against crime and terrorism?

The Prime Minister: That is a matter which from time to time we will need to review. It is one which has many difficulties. We have looked at it in the past and not found it a terribly attractive proposition. I know that a constituency is demanding it. It is not something which I would wish to rule out, but it is not on our immediate agenda.

Shetland

Q6. **Mr. Wallace:** To ask the Prime Minister whether he has any plans to pay an official visit to Shetland.

The Prime Minister: I have no plans to do so at present, but my right hon. and noble Friend the Earl of Caithness visited Shetland on 29 and 30 March.

Mr. Wallace: I know that that reply will dismay my constituents. They will be dismayed to learn that, some 16 weeks after the Braer went aground, the Prime Minister has neither visited the area nor indicated any intention of doing so. *[Interruption.]*

Madam Speaker: Order.

Mr. Wallace: I shall resist the temptation to ask what would have happened if a ship had gone aground on the white cliffs of Dover. *[Interruption.]*

Madam Speaker: Order. The House must come to order and hear the hon. Gentleman out.

Mr. Wallace: If the Prime Minister came to see at first hand a community's remarkable, practical and vigorous response to the adversities that affected it on 5 January, he would be very impressed indeed. If, in the attempt to restore the economic fortunes of that community, it is necessary to embark on a marketing exercise to restore Shetland's good name for good-quality produce, will the Prime Minister repeat that the polluter should pay? If so, will he give the International Oil Pollution Compensation Fund a nudge in the right direction?

The Prime Minister: I can certainly say to the hon. Gentleman that the response of the people in the area was indeed remarkable. That was noted by my right hon. Friend the Secretary of State for Scotland, and by a number of my other right hon. Friends, all of whom visited the area in the period immediately following the tragedy.

What the hon. Gentleman neglected to mention was that an economic impact study is being mounted under the direction of Shetland Islands council, and with the participation of Shetland Enterprise and Highlands and Islands Enterprise. That will help to target resources where they are most needed, and I think that it is the right way in which to proceed for the present.

Fox Hunting (Abolition)

3.31 pm

Mr. Tony Banks (Newham, North-West): I beg to move,

That leave be given to bring in a Bill to make the hunting of foxes with dogs illegal.

Mr. Alan Duncan (Rutland and Melton): On a point of order, Madam Speaker. May I seek your guidance on the tabling of the motion in the name of the hon. Member for Newham, North-West (Mr. Banks)? It refers to the hunting of foxes with dogs. Given that anyone who knows anything about fox hunting knows that it takes place with hounds, is the motion in order? *[Interruption.]*

Madam Speaker: Order. That is a matter for dispute for the House. I want to hear what the hon. Member for Newham, North-West (Mr. Banks) has to say.

Mr. Banks: As a matter of fact, Madam Speaker, the hon. Member for Rutland and Melton (Mr. Duncan) is absolutely correct. As it appears on the Order Paper, the wording is wrong. The hon. Gentleman will soon find out, however, that I am begging to move that leave be given to bring in a Bill to make the hunting of foxes with hounds illegal.

I last attempted to make progress with such a measure on 18 July 1990. That, in turn, was the first time that a ban on fox hunting had been tried since the second world war. Since my effort in 1990, a private Member's Bill has been presented by my hon. Friend the Member for Kingston upon Hull, North (Mr. McNamara). It sought, among other things, to give wild animals the same protection against cruelty as domestic animals. It would have banned fox hunting, and a number of other disgusting so-called sports.

My hon. Friend's Bill was narrowly defeated on Second Reading, following—*[Interruption.]*

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Order!

Mr. Banks: I am most grateful to my hon. Friend.

Madam Speaker: Order. I remind the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) that there is no vacancy in this job. He seems to have forgotten that it is just a year today since the House elected me.

Mr. Banks: My hon. Friend clearly has unrequited ambitions in that respect.

The Bill presented by my hon. Friend the Member for Kingston upon Hull, North was narrowly defeated on Second Reading, following what I must concede was a spectacular whipping exercise on the part of that cross between Sir John Falstaff and Bertie Wooster, the hon. Member for Crawley (Mr. Soames), who is sitting on the Government Front Bench.

I have detailed those various attempts to secure legislation as a clear indication that those of us on both sides of the House—*[Interruption.]*

Madam Speaker: Order. I am interested in hearing what the hon. Member for Newham, North-West (Mr. Banks) has to say. I hope that the House will come to order.

Mr. Banks: I am giving the background details of the attempts that have previously been made in the House to ban fox hunting as a way of showing that those who oppose the so-called sport will never let the matter drop until this anachronistic, barbarous sporting activity has been declared illegal.

A few weeks ago, the British Field Sports Society sent out a video to every Member of Parliament in what can only be described as a desperate attempt to vindicate its wretched activities. The video was introduced by Ludovic Kennedy, a man of great reputation who, I am afraid, sullied it by agreeing to front such an obviously fraudulent presentation. I trust that his fee matched the scale of the attempted deception. May I inform those who discarded the tape unseen, or used it to tape a showing of "Blind Date", that the film has been reported to the Metropolitan police on the grounds of possible offences under the Protection of Animals Act 1911, the Wildlife and Countryside Act 1981 and the Cinematograph Films (Animals) Act 1937.

The film shows a fox being seized by the stomach. It is then subsequently ripped to pieces, although the latter sequence has been edited out. Another shot is of a fox deliberately snared in order to demonstrate the cruelty of snaring. I certainly agree that snaring is cruel, but when the House considered a ban on snares, the Bill was blocked by Members of Parliament who support the British Field Sports Society. So to fraud they add hypocrisy.

It is difficult to understand how anyone can claim to derive pleasure from hunting another creature to death in the name of sport. I try to understand the psychology but, for the life of me, I can find no point of contact whatsoever. For me, those who hunt foxes are no better, in the final analysis, than those perverts who bait badgers, course hares, hunt steers, stage dog fights and inflict mindless suffering on domestic pets and wildlife.

There seems to be a close correlation between those who take pleasure in hunting and hurting animals and those who inflict violence on other human beings. Those who ride to hounds would no doubt be outraged at such a linkage, but respect for life is indivisible. Anyone who derives pleasure from the pain and suffering experienced by a fox being hunted by a pack of hounds is on a continuum which, like it or not, ends up, in its most extreme form, with the hideous cruelties of a Bosnian massacre or a Nazi death camp.

There might be reasons for culling wild animals or controlling foxes, but to use such reasons to derive pleasure from killing them is pandering to a blood lust. To take any form of life dehumanises all of us. It lowers the threshold of our resistance to further and more objectionable forms of violence. In recent months, we have heard of appalling violence being inflicted by hired thugs on those seeking to protest against fox hunting, including the tragic deaths of two young men. Regrettably, fox hunting is still a legal activity, but protest against fox hunting is also legal, and the police have a duty to enable protest to take place without hunt-hired thugs assaulting protesters.

According to all public opinion polls, the great majority of people in this country—and, I dare say, all foxes—oppose fox hunting. It is not a town versus country argument, either. A clear majority of country dwellers also support abolition. Despite this weight of public opinion, the vile practice has survived and there is substantial, albeit declining, support for it in this House—and, no doubt, in the House of Peers.

The fact is that, although fox hunters are guilty of babarous behaviour, they are neither fools nor without political influence. Indeed, champions of the so-called sport are to be found at the very highest levels of influence and status in our society. I only hope that whoever encouraged the young princes to slaughter a few harmless rabbits recently does not go on to introduce them to the organised barbarity of fox hunting.

The fox hunters know that their days are numbered, and their arguments are becoming increasingly desperate. They say that people like me loathe the type of person who hunts. I readily confess that, in the main, they are not my favourite people, but who could loathe the hon. Member for Crawley (Mr. Soames), however much one might detest the colour of his socks on Friday or discreetly laugh at his Mr. Toad wardrobe? It is not a campaign against middle-class people—*[Interruption.]* Obviously, no one could deny the middle-class antecedents of the hon. Member for Crawley, but one often hears the argument that there are hunts up in the north-east that are based on the old mining collieries. I do not know whether hunts continue in those areas—if they do, perhaps they would prefer to hunt the President of the Board of Trade—but I condemn those hunts as much as I condemn those in the south and elsewhere.

The use of environmental and conservation arguments by the fox hunters makes me reach for my sick bag. It is no argument for fox hunting to say that foxes sometimes kill livestock and are pests. The fox is a carnivorous predator and scavanger, but far more lambs die of hypothermia, for example, than are ever taken by foxes, and those the fox takes are usually either dead or unlikely to survive.

However, the great majority of foxes live largely on beetles, frogs, rabbits, wild birds and carrion, and they are the most significant destroyers of rats and mice. They do not constitute a pest, but, if they did, there are more humane and efficient methods of controlling them other than having a bunch of yahoos on horseback, a pack of hounds and assembled motley villains charging over the rural landscape.

Of the estimated 300,000 foxes killed each year, fox hunting accounts for some 7,500 dog foxes, and cub hunting, which is especially despicable, for another 8,500. The final lie given to fox hunting as a method of pest control is that, in some parts of the country, foxes have been deliberately encouraged to provide a quarry for the hunt.

The hunting mob is running out of valid arguments and time. Only the Labour party is officially committed to banning fox hunting at the next general election. However, given the number of Tories in the House and the country and the number of Liberal Democrats, I hope that, one day soon, those two parties will also embrace the same policy of banning fox hunting. I ken we shall shortly welcome the day when we hear the last "tally-ho" and when John Peel will have to find something else to do with his horn in the morning.

Question put and agreed to.

Bill ordered to be brought in by Mr. Tony Banks, Mr. Jeremy Corbyn, Ms Dawn Primarolo, Mr. Andrew Bowden, Mr. Elliot Morley, Ms Diane Abbott, Mr. Kevin McNamara, Mrs. Alice Mahon, Mr. Alan Meale, Mrs. Anne Campbell, Mr. Simon Hughes and Mrs. Maria Fyfe.

Fox Hunting (Abolition)

Mr. Tony Banks accordingly presented a Bill to make the hunting of foxes with dogs illegal: And the same was read the First time; and ordered to be read a Second time upon Friday 7 May, and to be printed. [Bill 186.]

Orders of the Day

Non-domestic Rating (No. 2) Bill

Order for Second Reading read.

3.42 pm

The Minister for Local Government and Inner Cities (Mr. John Redwood): I beg to move, That the Bill be now read a Second time.

The Bill will freeze business rates in real terms for a further year. It honours the pledge given by my right hon. Friend the Chancellor of the Exchequer in his Budget speech on 16 March to protect businesses from the most serious consequences of the 1990 revaluation. A similar measure, which we introduced last year, was welcomed by the House, and I hope that the Bill will be equally well received.

Under the current law, business rates cannot rise each year by more than the rate of inflation if the property's valuation stays the same. The Government's success in tackling inflation means that the rises this year will be no more than 3·6 per cent. following increases of only 4·1 per cent. last year—and, of course, inflation is now lower again.

For 30 per cent. of the businesses, however, the 1990 revaluation implied larger annual increases last year and this year. Although the increases were being phased in gradually, some businesses would still have faced real-terms increases of up to 20 per cent.

Bearing in mind the effects of the recession, the Government decided last year not to add to the burden on businesses. The 1992 Act therefore froze all rates increases in real terms for 1992-93. Last year's measure was intended as a one-year respite. However, although the economy is now recovering, a full resumption of the transitional arrangements would be premature, so the Bill extends the freeze on transitional real increases for a further year.

About 250,000 shops and offices, mainly in the south of England, will benefit from the measure to the tune of more than £190 million. About 85,000 factories and warehouses, mainly in the north of England, will benefit from reductions worth more than £30 million. A further 165,000 properties will gain relief worth £120 million. Businesses in Wales will save about £9 million. The total savings for business will be £350 million this year and £225 million next year.

Mr. John Maxton (Glasgow, Cathcart): I am aware that the Bill does not cover Scotland, but can the Minister tell a good Scottish Member such as myself what the Scottish Office is doing by way of an equivalent to the Bill?

Mr. Redwood: I am happy to oblige the hon. Gentleman. As he says, there are different arrangements in Scotland. Through regulations, a comparable reduction of 2·6 per cent. in rates bills overall—the English level—will be achieved in the 1993-94 rates poundages, at a cost of £32 million. Derating has not been adjusted in line with reduced poundages, so the ratepayers will get the full benefit. I hope that that satisfies the hon. Gentleman.

The benefits in England come on top of the benefits of last year's freeze, which was worth £1,250 million over the years of its impact on its rates bills.

Many of the businesses that fared worst as a result of the recession were those facing the largest increases following the 1990 revaluation. In the six months following that revaluation, 633,000 ratepayers appealed against their valuations. I want the backlog of appeals to be cleared, as I am sure the whole House does. Of the initial 633,000 appeals, more than 525,000 have now been settled, and I am told that valuation tribunals are well on target for clearing the remainder by the end of the current year. I am sure that the House will welcome that.

In 1995, a new revaluation, based on the property market at 1 April this year, will come into effect. Rental values in depressed sectors are likely to be significantly lower than they were at the time of the previous revaluation. If that is so, the rateable values concerned will fall. That means that, as I promised last year, some businesses still in transition may never have to face the full rates liabilities implied by their 1990 valuations. I am sure that that will be most welcome to many businesses, especially the small businesses that faced the largest increases.

Mr. Michael Ancram (Devizes): I am grateful to my hon. Friend, and I am sure that many businesses in my constituency will welcome what he has said. However, does not what he has said reveal one of the difficulties of the present non-domestic rating system, in that what a business pays effectively depends on the general economic situation, and therefore on the value of the property in which it operates, rather than on anything to do with the nature of the business itself?

Not immediately, but at some time in the future, will my hon. Friend examine the basis of local taxation of businesses to find out whether there is a fairer way of assessing what they should pay for local services?

Mr. Redwood: I am afraid that I cannot promise any immediate action along those lines. We are happy with the basis of property taxation for some element of businesses' tax bills. Of course, businesses also contribute to the national exchequer through VAT and through the income tax and national insurance that their employees contribute, which businesses originally pay in employee remuneration. We feel that there is a balance in the taxation affecting businesses, their employees and their turnover. That is Parliament's and the Government's chosen method of taxation to support local authority expenditure.

However, my hon. Friend has a good point when he says that problems were caused by the 1988 valuation. The main problem arose because that valuation took place at the peak of an extremely active property market, especially in the south, and especially for shop and office properties. We trust that the valuations based on 1993 values, which do not allot such extreme relative values as between different types of properties, will remedy that.

I hope that the results will be more acceptable across the country than the results were when they were based on the high values of certain properties in 1988. A further pause in increases this year should help to smooth any changes to bills resulting from the 1995 revaluation.

We believe that the Bill will provide another valuable fillip for many businesses, and will give a further boost to

our economic recovery. My hon. Friend the Under-Secretary of State will be happy to deal with any issues that arise in the debate when he winds up. I have great pleasure in commending the Bill to the House.

4.9 pm

Mr. Doug Henderson (Newcastle upon Tyne, North): The Opposition support the general thrust of the Bill, and we shall not oppose Second Reading. However, we are concerned that businesses are becoming dependent on artificially held-back increases in rates.

Since the revaluation in 1988, which was implemented in 1990, businesses have, in addition to the original transitional limitations in 1990-91 and 1991-92, been protected by a further limitation in 1992-93. The Bill proposes another limitation in 1993-94. Businesses potentially face a large hike in business rates when the transitional arrangements expire and the next revaluation takes place in 1995.

The late Lord Ridley, who was Secretary of State for the Environment at the time, announced in 1989 the terms of the original transitional arrangements which were intended to be self-financing.

Mr. Roy Thomason (Bromsgrove): Does the hon. Gentleman agree that, in referring to the 1995 revaluation as potentially increasing the liability of the business rate payer, he is assuming a continuing increase in rental values, because the rates are based on rental values? In fact, most business rents have been stagnant over the past few years; consequently, the increase in valuation which is likely to take place in 1995 should be quite limited. The hon. Gentleman's point therefore has a limited validity.

Mr. Henderson: I do not accept that. If I replied at this stage, I should have to do so at some length. I shall give the hon. Member a flavour of what I propose to say later. Whether businesses face a hike after the implementation of the 1993 revaluation in 1995 depends very much on what happens elsewhere.

It depends on whether the real level of local authority expenditure is maintained. It depends on whether the rate poundage, as originally outlined in the Local Government Finance Act 1988, is maintained in relation to inflation. It also depends on what happens to businesses that have already had their rates bills artificially held back—I support this—because of the recession over the past two or three years.

The answer to the hon. Gentleman's question is that it very much depends on what the Government do between now and 1995, and on whether the revaluations in 1995 are based on what people actually pay in rates or on what they would have paid if there had been no transitional arrangements. I shall develop that point at a little more length later. If more hon. Members had wished to catch your eye, Madam Speaker, I might have restrained myself a little on the matter. In the circumstances, it may help the hon. Gentleman and his colleagues to be a wee bit more appreciative of some of the difficulties that they may face in the near future.

I return to what the late Lord Ridley said. He believed that the original transitional scheme would be an incentive to many businesses to flourish in the late 1980s. I realise that he had no more access to the future than any of the rest of us had. He said:

"The Local Government Finance Act provides for a uniform business rate in England and in Wales and for a revaluation of non-domestic property . . . This will provide a welcome incentive for businesses to expand in the currently less economically buoyant areas."—[*Official Report*, 15 February 1989; Vol. 147, c. 315.]

It is clear that he did not anticipate the economic events of the post-1989 period. Indeed, he predicted the opposite of what has transpired: he argued that northern business would be helped by rate reductions that could stimulate the more depressed parts of the country. The late Lord Ridley did not foresee the depth and length of the recession that would sweep through the country at the time that the business rate was introduced.

The year 1990 was a bad one for the economy, with 28,935 businesses collapsing. In 1991, the position was even worse, with 47,777 business failures during the year —an increase of 65 per cent. on the previous year. The pace of collapse quickened in the last quarter of 1991: from 900 collapses a week to 995, or 199 business collapses each working day.

All parts of the country suffered. The south-east recorded 9,722 business failures that year—an increase of 68 per cent. The east midlands recorded 2,189 failures—an increase of 79 per cent.—and the south-west had 5,415 failures—an increase of 76 per cent.

The position grew even worse in 1992 as the recession deepened, with business failures reaching an all-time high. A total of 62,767 businesses failed—a 31 per cent. increase on the previous year. London and the south-east were the areas worst hit by the hurricane of collapsing business. The south-east recorded 14,000 business failures during 1992 —a 46 per cent. increase. In 1992, 9,132 bankruptcies took place and liquidations increased by 20 per cent. to 5,000 plus.

The eastern region also recorded a dramatic increase in business failures—a 22 per cent. increase on the previous year. In London, there were 9,121 business failures in 1992 —15 per cent. of the total for the country.

Despite all the self-congratulation from the Government Front Bench, 1993 has continued to be a disastrous year for business. In the first quarter, 15,444 businesses collapsed—a rate of almost 1,300 a week. A total of 5,297 limited company liquidations were recorded, and there were 10,000 individual insolvencies, compared to 9,200 in the same quarter last year.

Dun and Bradstreet pointed out that the latest overall figures represented a 4 per cent. increase in business failures on the same period last year. London and the south-east are still suffering the worst. But beyond this region, the record of failures has also worsened, despite the soothing words of Ministers on this matter. For example, in the west midlands, there was an increase of 5·5 per cent. in the number of business failures compared to last year. In the south-west, there was an increase of 9 per cent. compared with the same period last year. In my own region, the north-east, 1,176 business failures were recorded—an increase of 3 per cent.—but bankruptcies increased by 8 per cent.

Not only did the late Lord Ridley get wrong the level of aggregate demand in the economy: he and the Government completely failed to predict that the 1990-93 recession would hit the southern parts of the country worse than the north. Yet many areas in the south face the largest increases in business rate bills arising from the introduction of the national business rate in 1990.

The original transitional release scheme was therefore wholly inappropriate in the economic circumstances of the

[Mr. Henderson]

country. The limitations and reductions of rate bills in the north acted against northern-based companies holding on in the recession because they needed the full stimulus of any reductions. Even with the original limitations contained in the original transitional arrangement scheme, the increases in the south served to put great pressure on many companies which faced extremely serious problems and could ill afford even the limited increase.

I want to be fair to the Minister by saying that, during the Second Reading of the Bill on non-domestic rates which was before the House last year, he recognised that the Government had allowed the country to sink into a deep recession and that, as a consequence, the original transitional scheme was wholly inappropriate and therefore had to be modified. He told the House on 19 May:

"I know that the recession has created difficulties for many businesses and some of those that would have faced the largest increases this year have been particularly hard hit in the recession. The Government have therefore decided that their costs this year should not be worsened by any real increases in the business rates."—[*Official Report*, 19 May 1992; Vol. 208, c. 204.]

The Minister's proposals to limit increases in rates to inflation will be welcomed by businesses throughout the country. Businesses look to that assistance to help them recover from the battering that they received from the recession. They also recognise that the net cost to the taxpayer will not be as has been suggested in the accompanying papers, for every business that is saved by the measure will continue to contribute rates and other taxes on which the Exchequer depends. The multiplier effect in local economies will help other companies.

The Minister's proposals might excite the ashes of John Maynard Keynes. However, to save the hon. Gentleman's blushes among his erstwhile friends and colleagues, I shall not press the point too far. I would hate to be responsible for any provocation that might compel the hon. Gentleman to renege on his conversion or to make his task of getting the Bill through another place more difficult, even if it receives the support of the House of Commons.

As the Minister knows all too well, some noble Lords and at least one right hon. and noble Lady in the other House currently delight in opposition to Maastricht but might re-focus to delight in opposition to the Non-Domestic Rating (No. 2) Bill. I am sure that the business community, the Government and the Opposition would not want to incite such opposition to the Bill.

Another worrying impact of the recession is the general and projected decline in business rate revenue. That partly addresses the point raised by the hon. Member for Bromsgrove (Mr. Thomason). The aggregate business rate revenue fell from £12·4 billion in 1991-92 to £12·3 billion in 1992-93. In 1993-94, according to the Government's figures, it will fall to £11·6 billion. Does the Minister agree that that has serious consequences for Government revenues in general?

Does the Minister acknowledge that, if local authority resources are to be maintained, one of several things must happen? The shortfall must be made up by central Government grant, by raising more revenue from council tax or by increasing the poundage beyond the rate of inflation to compensate for the impact of the narrower business tax base—that avenue might create additional problems—or the books will have to be squared by forcing a cut in local authority resources.

Does the Minister agree that there are, indeed, severe potential major problems ahead? Does he agree that, if there is to be stability in the business community, it is important that the Government state their future policy well in advance, so that business can plan accordingly?

In his statement on local authority finance to the House in November last year, the Secretary of State said that there would be no cuts in services if councils were run efficiently. The Minister and I discussed the matter at some length only a week last Friday in a debate in the House. There were arguments about whether services were cut by councils which were efficient or only by councils which were inefficient.

Setting aside that argument, I said in that debate, and I repeat today, that cuts were made by councils in many parts of the country, and severe cuts were made by some Conservative authorities. Even if the Minister has been unable to meet his stated policy this year, can he give us some assurances for the future?

Mr. Redwood: Clause 2 makes similar arrangements to those last year, to ensure that the rates pool does not suffer from the decision to forgo the extra increases on properties suffering from the revaluations. So we have made our position clear. The rates pool will be compensated through that mechanism. But is the hon. Gentleman saying that it is Labour party policy not only to support that compensation but to urge higher real rates increases for businesses in order to allow higher local authority expenditure? That would be interesting, and the House should know.

Mr. Henderson: It is always interesting to be questioned about Labour party policy. I do not intend to detain the House all afternoon, but I shall mention Labour party policy later, and I shall consider the local determination of rates—a method which, as I shall demonstrate, is supported by some Conservative Members.

The basic issue is what the Government's policy will be if cuts are made. Can the Minister assure the House that the Government will maintain the real level of local authority expenditure as a proportion of our gross domestic product? If so, will he assure the House that, if business rate revenue continues to fall, as the Government's own figures predict, the Government will increase their subventions to local authorities in one way or another to compensate for that shortfall?

If the Minister cannot give that assurance, is he prepared to commit himself to making that argument to the Chancellor, with a view to a relevant announcement in the joint Budget and expenditure statement in the autumn? Will he stress to the Chancellor the need to maintain the real level of local authority resources?

If there is a shortfall as a result of the existing way in which revenue is gained and as a result of a fall in business rate revenue because of the recession, will the Minister make proposals to allow the Government to compensate for any subsequent losses?

On the question of the transitional arrangements covering business rate increases, will the Minister give a commitment that there will be no sudden elimination of

the limitation on increases? Does he accept that, if that were to happen, many companies, especially in the south, would face a sharp hike in their rates?

If the Minister accepts the case for a stable and predictable business rate, which is especially important to the small business community, is he prepared to say how the 1995 revaluation in the business rate will be approached? The small business community considers such stability to be crucial to its economy, and I hope that the Minister will accept the strength of its argument, which is frequently presented to politicians and others, and rightly so.

I hope that the Minister will recognise—if he does not, his officials certainly will—that, even if the transitional arrangements had been allowed to work through, about 160,000 businesses would still have had the increase in their rates deferred until the end of 1994-95. The Association of Metropolitan Authorities estimates that, following the two-year freeze in real increases, which the Labour party supports, about 350,000 businesses will not even pay full rates under the 1990 revaluation when the new 1995 revaluation comes into force. The London Chamber of Commerce and Industry has stressed that point, and noted:

"The Uniform Business Rate still presents enormous problems for London businesses, particularly when the new valuations are brought in."

Can the Minister tell us whether there will be transitional arrangements after 1995? Are the Government prepared to contribute additional funds to the national business rate pool to assist businesses that face sharp increases? If transitional arrangements are intended after 1995—this relates to what I said in answer to the hon. Member for Bromsgrove—will they be based on the actual rate payments made under the various schemes in 1994-95 or will they be made on the basis of what the bills would have been had the full effects of the 1990 revaluation worked through the system?

That also relates to the point that the Minister tempted me to discuss when he intervened, and what was said by his hon. Friend the Member for Devizes (Mr. Ancram), who is sitting to the rear and left of the Minister—perhaps that hon. Gentleman is to the left of the Minister in all senses: he certainly used to be when he was on the other side of the border.

Is the Minister prepared to review the system? Is he prepared to consider giving local councils full responsibility for setting the business rate? Over the past two or three years, it has sometimes been suggested that anyone making such a proposition must be off his head and would not receive the support of the business community. But that is not really what the business community believes. It recognises that there is considerable advantage in the business rate being determined by local councils.

I do not want to detain the House for too long, but I have quotes from two representative business organisations. I do not necessarily concur with their views on other matters, but I think that they speak much sense on this issue. In its recent submission on local government affairs, the Institute of Directors said:

"We consider that on balance there is more to be gained than lost by reverting to non-domestic rates being determined by the individual local authorities".

In its submission on local authority policy, the London Chamber of Commerce and Industry states:

"The Chamber would like to see a return to local revenue raising and accountability for at least 50 per cent. of all local government expenditure. This could be done if both the council tax and business rate were controlled locally. The voice of business could then be heard, and in a real sense accountability could be reintroduced . . . Changes along those lines would ensure that locally raised rates were spent in the areas of need, and reflect the local economy . . . the Chamber strongly recommends that the Government includes a fundamental reassessment of the present arrangements as part of its overall view of local government finance."

It is not only Opposition Members who subscribe to the cause of determining rates at local level. Conservative Members who are closely associated with such organisations make the same submissions, and many in the business community have made it clear that they do not want to be determined by central Government, but want to allow reasonable local discretion.

Does the Minister agree that it is advantageous to allow local councils to make decisions, as they know more about their business community, and they know how much the business community can afford to pay in rates? It would be extremely stupid of them not to take that into account when setting the rates. It would be counter-productive in economic terms, as, if they made the rates too high, companies would run into difficulties, which would produce a lower net revenue. That would be a pointless exercise, and local government would be stupid to make such a mistake—indeed, it is not doing so.

Not long ago, the Minister was praising the way in which local government approached many issues. He has done so at political conferences, in press releases and elsewhere. Some of us have sometimes been tempted to question the authenticity of his apparent conversion to local government. Setting that aside, the Minister—and, indeed, the Prime Minister—have made the case for local government.

The Opposition support the measure, but would it not be wise to consider the longer term to discover whether there are better and more flexible ways of determining business rates, so that local communities and local business needs can be taken into account? The London Chamber of Commerce and Industry also referred to democracy. If local democracy is to mean anything, local people must have the ability and right to determine the level of services they want, and how much the business community should contribute to them.

It is clear that the Government are intent on pressing on with seemingly endless changes in the rules governing local authorities. It is no surprise to me that the business community is still subject to the unstable business rate levels caused by the Local Government Finance Act 1988. It is also clear that the House will face further requests to support further legislation to change the rules relating to the business rate.

I am clear that a return to the local determination of business rate is a more democratic policy and will, in the long term, reduce the involvement of the House in such matters. But until then, business will need assistance in shielding itself from severe hikes in business rates. If the Bill gives a measure of support, it has our general approval.

4.15 pm

Mr. Roy Thomason (Bromsgrove): I had not intended to participate in the debate until I heard the hon. Member for Newcastle upon Tyne, North (Mr. Henderson) say that Opposition Members intended to support the Bill. I was immediately filled with suspicion, bearing in mind their

[Mr. Roy Thomason]

long history of changing policies, but always opposing the present rating system for businesses. I was minded to intervene on hearing that change of tack emerging from the Opposition.

The hon. Member for Newcastle upon Tyne, North referred to the former Secretary of State for the Environment, Nicholas Ridley, and compared the differences between the rates charged in different parts of the country and the adjustments that would take place between north and south. Perhaps the hon. Gentleman forgot the horror that many business people felt when they saw their rates bills before the new legislation was introduced.

Perhaps the hon. Gentleman forgot, for example, that in Conservative-controlled Kensington and Chelsea, the rates for a business similar to one in Labour-controlled Sheffield would have been 117p instead of 347p in the pound. There was by no means a level playing field. A considerable additional burden was placed on businesses in a Labour-controlled authority such as Sheffield compared with businesses in Kensington and Chelsea and that situation could be replicated throughout the country. There was a wide variety of business rates.

The reason for that was the old valuation. The difference of two, three or even four times the amount of rates in the pound charged was related not to the ability of a business to make payments in relation to its turnover or profit. It followed that there was gross unfairness between businesses in different parts of the country as to what they were paying in local authority business rates and the amount that they were reasonably able to pay as a proportion of their gross profit. The issue had to be resolved.

Labour Members have said in the past that they wished to introduce a form of property tax and that they did not want the sort of measure that is now before the House. They said that their new property tax would be based on capital values and would be handed over for local government to determine levels of payment. For many years, as a former chairman of the Association of District Councils, I defended the role of local government and viewed with concern the removal of its right to determine business rates. But I concede that the change, made necessary by the wide discrepancies to which I referred, has been a success.

Under the old system, in many Labour-controlled authorities the majority of ratepayers were in receipt of benefits, which meant that they were cushioned from the charge, so the business proportion of the community bore a much heavier part of the rate charge. Would the Labour party advocate a return to that system?

The Liberals suggest that we could overcome the problem not by adopting the type of measure that is before the House, but by introducing site value taxation. How would that work? That question cannot adequately be answered because site value taxation is a totally unworkable proposition. For example, take a corner sweet shop and a large tower block adjacent to it, value the site of those two units, which per square foot might be identical, and charge a rate based on that site value. The little corner shop might be occupying an old building of limited capital value in total, whereas the office block might be a substantial and expensive block. But under the Liberal scheme they would both pay an identical amount of business rates on a square foot basis.

That is nonsense. It bears no relationship to ability to pay or to the use of the land and it often bears no relationship to the potential use of the land. The corner sweet shop may be occupied by a lessee who cannot redevelop the land and thereby release the capital values to justify the payment of a higher business rate.

It follows that there is no easy solution to the problem of business rates. There is no quick answer to the problem of how businesses should contribute, justly and equitably, to the costs of the local community. We need to find a fair and reasonable solution. The one before us is the best to date.

I am concerned that the Labour party's proposals will go back to the bad old days of greatly varying charges according to the accident of a local authority's political control. The hon. Member for Newcastle upon Tyne, North quoted with approbation various business organisations which had said that they wanted to participate in local government and saw the payment of locally based taxes as the answer. I question that because there is no connection between the charge and elections. There is no proper accountability if it is not electorally based.

A business man or woman may have business premises in one local authority, but be a council tax payer in a different authority, so the local authority in which his business is based will not be democratically accountable to him or her. The proposal to charge a business rate on their premises gives them no say or opportunity to participate in the decision making of the council of the authority in which their business premises are situated. That is a grave weakness of the Labour party's present position.

I welcome any proposition that will allow businesses to participate in local government. That must be a way ahead. But I am worried that democratic accountability may no longer be maintained through the ballot box. If the hon. Member for Newcastle upon Tyne, North was proposing that business people had some business vote and that councillors received their franchise by virtue of the business rate, that might be an argument to be listened to, if not in the end supported. But he has not pursued that to its proper conclusion.

I am therefore left with concern that some authorities that have clearly shown themselves to be anti-business would use any new proposal to weaken the economic strength of businesses within their community.

It is true that some in the Labour party have belatedly appreciated the importance of a thriving business community. Sadly, that is not always reflected on Labour benches in council chambers throughout the country. A movement away from the present system must therefore be undertaken with great care.

I started by describing the important link between the rate paid by businesses in different parts of the country. I mentioned in an earlier intervention that the 1995 revaluation was not a factor that should be taken into account in assessing to any great degree the levels of business rates. We had to assume that there would be no substantial difference between the 1990 and 1995 values put on properties owing to stagnant rent levels.

There is of course the question of how much the Government should properly contribute to local government expenses by virtue of the lower yield that that will

produce from business premises. It would be of assistance to those in local government if, in replying to the debate, or, more appropriately, on some future occasion after consultation, my hon. Friend the Minister could let us know the Government's long-term views on creating a balance between the yield from the council tax, grant and the business rate in supporting local government services.

There is no doubt that the yield from the council tax is excessively small as a proportion of local government income. Therefore, the gearing can create distortions and the element of democratic accountability to which I referred earlier may be weakened when such a large part of the total local government income is generated by resources outside those determined by people elected to their council. However, those are wide issues and perhaps it would not be appropriate for me to spend long on them this afternoon, although there may be some who would prefer it if I did.

In joining colleagues in all parts of the House in supporting this measure, I hope that in future the Opposition will take a more realistic and fair approach to businesses and their relationship with local government. We commend the Government for once again protecting the interests of businesses this year at a time of critical importance to them. I trust that the measure will receive universal support.

4.26 pm

Mr. Paul Tyler (North Cornwall): I, too, am glad to welcome the measure, but I am particularly glad to welcome the terms in which the Minister introduced it. Unlike some of the cuckoos of spring from whom we have heard so much in the past 24 hours, who have been bawling the fact the whole economy is now on the road to recovery, the Minister was frank enough to say that a full resumption of UBR increases would be premature. He made it quite clear that, as far as the universal business rate and its impact on businesses were concerned, recovery has not taken place, is not taking place and is not likely to take place in the near future. I welcome the more realistic, if slightly more pessimistic, way in which the Minister introduced the measure.

This is our annual occasion to take stock of where the uniform business rate has led us and I shall touch on three aspects, the first of which is accountability. That was mentioned by the hon. Member for Bromsgrove (Mr. Thomason), who was a notable leader of the Association of District Councils.

I recall a criticism of that body, the Association of County Councils and the Association of Metropolitan Authorities at the time of the introduction of the non-domestic rate, the uniform business rate and the poll tax in 1990 in the interests of accountability. It was claimed that the link to the electorate was destroyed because so much of the decision-making was centralised in London and so little was left to the council chambers of which the hon. Gentleman was such a spendid ornament. That argument must bring us to the test of how the average elector, an individual or from a business, actually influences the UBR for his or her area.

Next week there is to be an election in all the shire counties of England and Wales. Can the elector, by putting his cross against a particular candidate, influence the level of UBR?

Of course not. He cannot make any difference to the way in which that particular council approaches the problem of raising revenue from the business community. The only thing that he can do next week—the Government may regret this—is to demonstrate his contempt for that inelastic system by voting against the governing party. If the elector considers that the system is unfair or is being misused, that is the only way in which the elector can fight back.

The system was introduced because of the ludicrous antics of a small minority of loony left Labour councils. The idea was that businesses needed to be protected against a minority elected under the first-past-the-post system, which then abused their majority position.

The accident of political control mentioned by the hon. Member for Bromsgrove (Mr. Thomason) is entirely the product of low turnout and an inefficient, non-proportional election system, but to use the UBR and centralised control as a way of getting back at the vast majority of conscientious local authorities which are run by Conservatives, Liberal Democrats, or the saner parts of the Labour party—or a combination of them—seems an extraordinary way of using a sledgehammer to crack a particularly cracked nut.

Mr. Redwood: Does the hon. Gentleman agree that a vote for his party is a vote for site value rating, which means slaughtering our high street greengrocers, bakers and butchers by forcing them out of business by inappropriately high levels of tax, because their sites would be more valuable for other uses? What does the hon. Gentleman have to say about that? Does he agree that our proposals are much better for the business community, which is why people will vote Conservative?

Mr. Tyler: That is patent nonsense, as the Minister knows full well. I wish that it were possible next week to change the Government of the day, but we shall not be able to do that. I do not know whether there is an election in the Minister's area next week.

Mr. Redwood *indicated assent.*

Mr. Tyler: There will be in my own. As an elector, I shall have a clear choice between electing representatives of the three main parties. One party's candidate supports the status quo, as represented by the measure before us, but we have no way of amending, altering ameliorating or changing the application of that policy in our area. My party is prepared to fight for more local accountability —not just for businesses but for the whole community.

I will not be drawn into the argument about site value taxation. The hon. Member for Bromsgrove—who has left the Chamber—knows full well that he was talking nonsense when he said it was impossible and impracticable. He denied not just the evidence of professional local authority valuers who have made sure that it would be possible to introduce the scheme, but the experience of many countries, including New Zealand and parts of the United States, which operate it most effectively. It is nonsense to suggest that the system would have the effect he claimed.

Mr. Redwood: If the Liberal Democratic party is interested only in local issues, why does its manifesto for the county elections devote a great deal of time and energy to making the case for proportional representation and local income tax—which are clearly national issues that

[Mr. Redwood]

the hon. Gentleman's party is trying to influence? Why will not he come clean about the Liberal Democrats' proposals for small businesses which would be deeply damaging to many small firms that provide excellent services in the high streets of this country?

Mr. Tyler: If I launched forth on a restatement of our manifesto, I would be called to order. We have made it clear on successive occasions in House and outside that the main basis for local authority funding at local level should be based on a local income tax.

We do not believe that the current system—be it the council tax, or the wholly discredited poll tax that the Minister and his colleagues foisted on the country on a minority vote—is appropriate. Our system would be much more appropriate. In addition, land value taxation is a much more effective system for identifying the benefit given to the individual, commercial ratepayer by the council services and planning consents given. If there is no outstanding planning consent giving an enhanced value to a particular property, it does not release that value and engage the land value taxation at a higher level. It is nonsense to suggest that the system would squeeze out small shopkeepers.

I also wish to refer to the anomalies in the present system. I am especially concerned with the holiday industry, having some responsibilities for the matter in the House and in my constituency. It is extraordinary that, since the introduction of the uniform business rate, the inflexibility of the system has meant that hotels and guest houses which have been pushed by the recession into reducing their months of opening find that there is no change in their rate burden. If an hotel in Newquay was operating on a 12-month basis in 1988, employing people and letting its rooms all the year round, but has now, as a result of the recession, had to cut back and close for perhaps eight months of the year, such is the absurdity and inflexibility of the UBR system that the hotelier still pays the rate for the full 12 months' opening.

The argument, in case the Minister thinks that I have not heard it, goes thus. Because the hotelier is in theory sitting beside his telephone in January waiting for a booking to be made for July, August or September, it is suggested that the whole hotel is therefore in business and must still be rated at the full valuation set in 1988 and introduced in 1990. It will be obvious that in such circumstances the relationship to his ability to pay—his profitability, turnover or whatever may be the test—is absolutely nil. There is no connection whatever.

The hotelier's attempts to appeal against the system, based on experience in our area, seem doomed to failure. The only way in which some change may be made is if there is a material change of business. I know of a case in my constituency of someone who has had a tea room in the front room and, in days gone by, was able to operate it every week of the year has now decided that, because of the recession and the consequent reduction in the disposable income of visitors, the room will be used for domestic purposes during the winter months. There is then a possibility of some form of appeal. Otherwise, the inflexibility of the system is extraordinary.

Another anomaly has been brought to our attention by the Confederation of British Industry, usually very supportive of Government policy. It points out in its current brief that the setting of half rates on empty shops and offices in England and Wales is absurd. It says:

"The rationale behind this practice is flawed, going against the principle that rates are a tax on beneficial occupation. Moreover, in current market conditions its application is penal. Many businesses, in all sectors, are facing empty rates bills amounting to about £450 million in addition to other onerous costs of holding properties which they are trying to rent or sell, hitherto with little success."

Another cause for serious concern across all parties, as far as I know, is the arrangements for hardship relief. Last week the Federation of Small Businesses, whose policy chairman hails from Torquay in the south-west of England, pointed out that huge numbers of smaller businesses have been badly affected by the uniform business rates that they have been called upon to pay and that the response of local authorities has been exceedingly patchy, to say the least, because the system is not fully funded by the Exchequer, is not fully understood and, as a result, is not fully operational.

The Minister will agree, I think, that section 49, on hardship relief, is not being adequately used by local authorities largely because, in very constrained times, when all their resources are restricted, even the limited contribution that they must make—which they must get from their council tax payers or by some other means—is considerable. As hon. Members know,

"remission . . . on grounds of hardship should be the exception rather than the rule".

I quote from the Department's "Non-domestic Rates Discretionary Rate Relief" practice note on the subject. As hon. Members also know, not only must the individual ratepayer prove that he is suffering hardship; but if the uniform business rate were imposed in all its rigour, the wider community—council tax payers in the area—would also suffer hardship. The example often quoted is that of a post office which, if the uniform business rate were imposed to the full extent, would disappear—and perhaps the only shop would go with it—and the whole community around it would suffer. That is a valid case, and I will come back to it in a moment.

At present, the hardship restrictions are being so narrowly drawn that many local councils are not using them at all. I note that authorities of all political colours include both the best, at the top of the league, and the worst, at the bottom. This is not a party political point and I hope that the Minister will look sympathetically at how the hardship relief can be more effectively defined so that all parties in local government can use it to better effect.

The Minister referred to appeals. That is my next "A". The Department was able to give my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) some figures. It is a staggering fact that there are nearly half a million outstanding uniform business rate appeals. I was pleased to hear the Minister say in his introduction that he is determined to remove the backlog by the end of this financial year. I am sure that many hon. Members will want to hold him to that.

The appeals system is extraordinarily cumbersome and very narrowly defined. I do not know if I am alone in the House—I suspect that I am this evening—but, just before the general election, I fought an appeal, not on behalf of a constituent but on behalf of a postmistress who ran a tiny post office at Trekenner, which is in Lezant, just outside my constituency. The experience of that appeal is

one that I will never forget. I have never been subjected to such an extraordinary, surrealist exchange of non-information.

Let me illustrate it for the benefit of the House. The valuation officer produced a splendid tabulation of a number of comparative premises—post offices and shops from different parts of Cornwall—and it was on the basis of those calculations that he was proposing the entry in the rating list of some £300 for one room. The room had previously been the dining room of the postmistress and her husband. They had decided, in the interests of security, that it was no longer sufficient to use the dining room table and that, for obvious reasons, they should have some form of protection. They therefore decided to erect a screen and a counter, although the room still had in it the deep freeze, their records of dog and sheep breeding, and parish council minutes and other information. It was still, to all intents and purposes, part of the domestic premises.

Because there was a screen that could not be taken down at night, and therefore they could no longer have a dinner party there even if they wanted to, it was suggested by the valuation officers that that one room was effectively a business premise.

Our first argument that a post office which opened only for limited hours was hardly a business, but rather a social service, was kicked out by the tribunal—not because it was unsympathetic, but because of the inflexibility of the system. Our second argument was that, despite the position of the counter, the premises were still largely for domestic use and could be used for domestic purposes when the post office was not open. That, too, was thrown out.

I am shortening the long proceedings in the interests of brevity—I know that many Conservative Members wish to speak. The final session of the tribunal hearing was devoted to the actual figure to be applied to the premises and a schedule of different figures for similar premises was produced in evidence. I noticed in one column of the criteria to be used the magic initials "SPOT". I am not a professional valuer or an advocate—I am a mere politician—and I wondered whether I should draw attention to this form of description. I imagined that it meant "scientific and professional objective test", or some such.

I screwed up my courage and said to the chairman of the tribunal, "I do not understand what SPOT means. No doubt you and the other members of the tribunal fully understand." The chairman took counsel from his clerk, as was appropriate, and from other members, and they said, "Mr. Tyler, we have to confess that we do not know either." After a great deal of humming and ha-ing, the valuation officer admitted that SPOT meant that he had made it up on the spot. Nevertheless, I obtained a reduction.

The basis of the valuation and the inadequacy of the appeal system causing tremendous anxiety, confusion and anger in the business community. The fact that it is still taking so long to get a hearing and an answer—despite the Minister's assurances—makes the position worse.

To show that I am by no means parochial, I shall refer to an example from another part of the country, and go from north Cornwall to Newbury. It is a random example, but it may be of interest to members of other parties.

Newbury was an area of considerable economic success, but small businesses in Berkshire are suffering, as in many other parts of the country, from the delayed reaction to the effects of the recession. As a result, registered unemployment has risen from 861 in February 1990 to 4,033 in February 1993. It is clear from the continuing business failures in the area that a large number of newly unemployed come from the small business sector. We cannot be sure of the exact numbers of small businessess that are now failing in the Newbury constituency, but the local chamber of commerce reports no let-up whatsoever in the recession in the past few weeks. Its monitoring suggests that 16 local firms went under in February this year, compared with an average of 10·5 in 1992.

Councils throughout the country have been trying to mitigate the worst effects of the uniform business rate and I am delighted to note that Newbury district council—which, like my own in north Cornwall, has a strong Liberal Democrat presence—has used the hardship relief to the full. But how much more could be done if it were more effective than it is at present?

We all look forward to the revaluation and the effect that it will have on the 1995 figures, but unless the three As—accountability, anomalies and the appeals system—are addressed, we may end up with just a revamp of the present system. Meanwhile, the lack of local flexibility, the lack of willingness to tackle the sort of anomalies I have described and the continued lack of realistic assessments in the valuation and appeals procedure are doing great damage to small businesses throughout the country.

4.48 pm

Mr. James Hill (Southampton, Test): I have taken on board much of what hon. Members on both sides of the House have said about how the business man should be represented in local authorities. In the mid-1960s, there was a local government vote for business men. It seemed to work very well and I have no criticism of it. I fought a ward in which local business men voted. I was not elected. Nevertheless, they exercised their democratic right to pay rates and at the same time influence the local authority. That influenced the local authority in many ways, although it did not disregard local business men completely.

It is a totally different story now. My Labour-controlled local authority definitely disregards local business men. It has many schemes afoot. Behind closed doors, it formulates economic and planning policies without consulting the local business hierarchy. For years, the Southampton chamber of commerce has said that it would like more representation in the civic centre, but it just does not get it. However, there will come a day when business men rise up and say, "If we are expected to pay a considerable uniform business rate, we must have a voice in what is being planned by the local authority."

As we know, the introduction of the uniform business rate came as an extreme shock to the business community. It came in at a very high level. Business men were shaken to the core. It was introduced halfway through the recession, so it was impossible for them to find the additional money. I am pleased that the Chancellor of the Exchequer has listened to the pleas of various chambers of commerce, the Confederation of British Industry and other bodies such as the Institute of Directors, with the result that, for the second year running, the uniform business rate has not been increased.

That is very satisfactory for business men who run small businesses. I am not so concerned about the

[Mr. James Hill]

multinationals that can open or close factories at the stroke of a pen on paper, but I am very concerned about the man who runs the local greengrocery or newspaper business. To him, the uniform business rate is another heavy burden of taxation.

The Chancellor in his wisdom has relieved the burden on such businesses in England by £329 million. Taken together with the help in last year's Budget, nearly £1·8 billion has been provided to help to reduce the bills of business ratepayers. Much of the help, I am pleased to say, is going to businesses in the south of England, which has been hit particularly hard by the recession, for unemployment in the south is well over 10 per cent.

Under the Bill and the transitional arrangements, the bills of 530,000 properties will rise by no more than 3·5 per cent. in 1993-94. When the Government decided to grasp the nettle, they found that the bone of contention was that the old rating system was unreliable. Councils used the business rate to subsidise increased spending, at no political cost to themselves, and obscured from voters the true cost of local authority expenditure.

Business rates were also unfair. Neighbouring properties with equivalent rating valuations but in different authorities, found that their business rate bills were not the same. That led to the complete distortion of trading competition. Business rates increased dramatically year by year, often at short notice. Notice amounted to only a few weeks and the business rate bore no relationship to the services provided.

I hate to say this, but Labour councils that set high business rates drove businesses and jobs from areas that could not afford to lose them. I have figures for Labour-controlled councils, but we do not want to get involved in that debate, because in this one we ought to congratulate the Government on ensuring that the uniform business rate is to be held at a level that businesses can afford.

Businesses in England will, overall, pay £800 million less in 1993-94 than they would have paid if business rates had risen in line with council spending, as they did before the introduction of the uniform business rate. I hope that I have got that point over to the media. In 1990-91, savings amounting to £1 billion were made; in 1991-92 they amounted to £850 million. If business rates had risen in line with council spending—I must admit that my council is probably one of the worst councils to which to refer —business bills since 1990 would have amounted to more than £2·5 billion extra. Business rates nationally rose by some 37·4 per cent., in real terms.

Market rents and rateable values are inextricably linked. No one can get away with saying, "I can pay a high uniform business rate and a low rent." It is amusing to note that the Southampton, Test Conservative association headquarters paid far less in rent than it did in uniform business rate. That was the position at the beginning, but the two are now beginning to square up.

As we have heard several times during the debate, local authorities have the power to reduce or remit rates when businesses face hardship but, dare I say it, some councils, or even individual councillors, have no great liking for business. They exploit the poor. They take money out of the pockets of those who earn and put it into their own. The very smell of business makes them adopt a very poor attitude towards it. We must ensure that local councils implement the hardship provisions to the full.

Today we have heard something about the policy of the Liberal Democrats. I do not know why, but there is an enormous burst of Liberal Democrat propaganda at the moment. I cannot understand it. The Liberal Democrats virtually go to sleep for four years between each general election, but they are wide awake again now. Site value rating was a nonsense. It was proved categorically, even to a Liberal Democrat council, that the Institute of Fiscal Studies and the Institute of Revenues, Rating and Valuation have explicitly rejected site value rating as unworkable and have warned that,

"as with rental revaluation, there may be little market information on site values in some areas."

If a tobacconist's shop has a rather large garden, one can say with certainty that its site value is not the same as that of a factory that has a rather large garden alongside.

The expansion of a business depends on the capital that the business can expend. A small business man cannot explain to his bank manager that, if he would only give him another £250,000, he could develop the land on the site, so the site value rating system is particularly unworkable and, after a short time, would be regarded as completely unfair.

I have had strong dialogue with my local chamber of commerce, which is very aware that the difference between profit and loss could be in the rating system itself. It is not possible for businesses always to make profits of several hundred per cent. or, indeed, anything like that amount. Many small businesses could be teetering on the edge of bankruptcy simply because of high uniform business rates.

We have made a good stab at solving the problem. The Chancellor has made an excellent effort to control it, and it must be controlled. Local authorities must use the hardship provisions available under their mandate and all councils, whether Labour, Liberal Democrat or Conservative, must appreciate the fact that chambers of commerce and business men should be involved in all dialogue about plans whether for the city centre or for the transportation infrastructure.

The proposals are excellent, and I shall have no hesitation in voting for them.

5.1 pm

Mrs. Angela Knight (Erewash): This is an appropriate debate for today, as the headlines in so many newspapers are telling us that the recession is over. Indeed, the figures for sales, output, productivity and growth all point in that direction. Unemployment is also down, not only in my constituency of Erewash but in Newbury.

Mr. Simon Burns (Chelmsford): Has my hon. Friend had the opportunity to read the Newbury declaration of the right hon. Member for Yeovil (Mr. Ashdown) in which he states that the Liberal Democrats wish for honesty in politics, among other things? I am not sure whether the hon. Member for North Cornwall (Mr. Tyler) deliberately sought to mislead the House or whether he merely made a mistake. In his catalogue of gloom and doom, which was aimed not at the Chamber but down the road in Berkshire and Newbury, he quoted an unemployment figure of 4,033. It was typical of the Liberal Democrats because that was the figure for February. March's figures show a fall in

unemployment of 77 to 3,956 in Newbury, which is a bit of good news that the hon. Gentleman was not prepared to share with the House.

Mrs. Knight: My hon. Friend makes an excellent point, and I hope that the hon. Member for North Cornwall (Mr. Tyler) will withdraw his remark.

Mr. Tyler: I am sorry that the hon. Lady has been so misled by the hon. Member for Chelmsford (Mr. Burns). The change from March 1990 to March 1993 is almost precisely the same figure as that to which he referred, so my argument stands. If the hon. Gentleman makes the comparison, he will see that I am right. There has been a substantial increase in the past three years. The figure may have marginally decreased over the past month but, as Ministers keep telling us, one month does not make a whole year.

Mrs. Knight: The hon. Member for North Cornwall has made it clear that he does not welcome a fall in unemployment, whereas my colleagues look forward to further falls in Newbury, Erewash and elsewhere.

In the east midlands, companies, institutions and organisations—be it the Confederation of British Industry, the chambers of commerce or the businesses themselves—have quietly been saying for some time that the recession is over. In my constituency, lace manufacturers, car component and iron pipe manufacturers, and the retail and housing sectors are all improving. They now have fuller order books and they are anticipating continuing improvements in the economy.

I listened carefully to the speech by the hon. Member for North Cornwall and I was sorry that he did not elaborate on his party's site valuation proposals. My hon. Friend the Member for Southampton, Test (Mr. Hill) made it clear why the hon. Gentleman had kept quiet. It is very important to consider those valuation proposals carefully because, under the Liberal party's system of site value rating, smaller businesses could be charged the same rate for a one-storey shop as a multinational corporation will be charged for an office block. If the same rate is charged for an economically under-utilised site such as a garage as for an office block, which the Liberals propose, it will create a strong incentive to overdevelop land. That is not what I would wish to see, and I suggest that the Liberal Democrats re-examine their proposals more closely.

I should like to consider UBR from another angle. I represent an area that has made substantial gains as a consequence of the introduction of the uniform business rate. Companies in the midlands and the north were very highly rated for many years because of the way in which their local authorities chose to levy excessive rates on local businesses. Often, companies in the midlands and the north despaired of anything being done to prevent such excessive rates being levied, and when the late Lord Ridley introduced the uniform business rate, they welcomed the fact that it would enable them to expand in the historically more depressed parts of the country. Last year, there were accelerated gains for the gainers, and companies in my constituency and across the east midlands welcomed the changes.

I have a personal interest in these matters because of the many years I spent working in industry. I have a further interest because I come from the north and now represent a constituency there. It is not an exaggeration to say that, for many years, businesses in that area were badly affected by high rates or that companies were leaving and taking with them the jobs that they would otherwise have created.

My hon. Friend the Member for Bromsgrove (Mr. Thomason) gave some examples of the variations in rates between one authority and another. However, the problem was not only the rates themselves but the fear of what would happen next year. Local authorities would decide how much they wanted to spend and, once they had decided that, would levy a high rate, much of the burden of which would fall heavily on the business community. That meant that the business community was unable to plan ahead properly. Of course, the high-rated areas were Labour controlled, so the move to the uniform business rate was absolutely essential.

I was very worried by the proposal by the hon. Member for Newcastle upon Tyne, North (Mr. Henderson) that the business rate should once again become the responsibility of local authorities. He presented his case in a moderate, reasonable and restrained manner, but many of his colleagues in local government are not reasonable or restrained individuals. Those people, whose actions penalised companies, cannot be allowed to regain control of the business rate and therefore over the economy of the local area.

The hon. Member for North Cornwall—[HON. MEMBERS: "Where is he?"]—has sadly seen fit to leave the Chamber rather than listen to the debate on the rating system proposed by his party.

Mr. Burns: Does my hon. Friend accept that, given the importance of the Bill and the impact that it will have on businesses, it is rather strange that the Liberals seem to care so little that they cannot be bothered to be in the Chamber for the whole debate?

Mrs. Knight: My hon. Friend makes a good point. The Liberals' absence shows the contempt with which they treat business.

The hon. Member for North Cornwall said that all local authorities should not be condemned because of the failings of a few. He has now returned to the Chamber, and I tell him that it was not just a few local authorities that failed. Too many failed their areas by levying too high a rate. In any event, what would the hon. Gentleman's proposals, or those of the Labour party, do for companies in areas where the local authorities continue to penalise companies in that way? They would leave companies to suffer the sort of interference and penalty through high rates, which would prevent businesses from expanding. It is essential that the business rate be kept independent of local authorities.

I shall examine briefly local authority expenditure in my area.

Mr. Tyler: Is the hon. Lady saying that the Conservative councillors elected next week—if any are elected—are not to be trusted to decide the level of the business rate in their areas?

Mrs. Knight: The hon. Gentleman has deliberately chosen to mislead the House by misrepresenting my argument. I shall return to the subject of local authority expenditure in my area.

Mr. George Mudie (Leeds, East): Will the hon. Lady give way?

Mrs. Knight: If I may expand my argument for a moment, I shall give way later.

What exercises my constituents and other residents of the county is their concern for the way in which the county council spends money on education or; in some parts it fails to do so. They are also worried about the way in which the local police force has been hampered in the excellent job that it does by the county council's failure to give it the funds that it requires. That is what is happening now, and that is why business rates should not be put back into local authorities' hands.

There are many competent local authorities in this country but, sadly, there have been too many excesses and too much mismanagement.

Dame Elaine Kellett-Bowman (Lancaster): Does my hon. Friend agree that the county council's policy of paying for nuclear-free zones is of no advantage to business men in Lancashire?

Mrs. Knight: My hon. Friend makes an excellent point. We all know how well she speaks for Lancashire, how supportive she is of local people in that county, and how well she exposes the failings of Lancashire county council, as she has just done.

In an ideal world, everyone would have a say in local government and in how money raised locally should be spent. However, we all know that that is not the reality. In practice there are low turn-outs at election time and many areas have been held year after year in the grip of the same group of councillors. I do not believe that the House could seriously propose to leave business to its fate under local authorities, as the hon. Member for Newcastle upon Tyne, North (Mr. Henderson) has suggested.

I do not think that there is any such thing as welcome taxation. Surely no one would put up his hand and ask to be taxed more heavily. But in local taxation as in national taxation, there has to be fairness, and there is fairness in the uniform business rate, which has been seen across the midlands and the north of England. If one talks to the business community and to business organisations, as my hon. Friends and I do, they tell us that their overheads must be kept down. They say that interest rates, too, must be kept down, and the Chancellor of the Exchequer has achieved that over the past few months. Business men also want their rates bills to be frozen, which is what the Bill proposes.

Mr. Mudie: Does the hon. Lady agree that those same business men are the first to criticise, vocally and in the press, the standards of the children coming through our education system? Are they not the first to say that those standards should be improved? Yet the same business men who criticise the education system are those who tell the hon. Lady that although they want standards to rise, not only will they not contribute more, but they wish to contribute less.

Mrs. Knight: The hon. Gentleman is correct to say that the business community criticises education standards; that is why it is so important that tests take place this summer in our schools for seven-year-olds such as my son and for 14-year-olds. I hope that the hon. Gentleman will support his business community and join my hon. Friends and myself in urging all the teaching unions to forget about the boycott and to get on with testing those children. However, we had the education debate last week, so I must return to business rates.

It is stability in the rating system that is so important to businesses. That gives them the opportunity to plan for their future. It is important to ensure that there are no big increases, and no big changes year after year in companies' business rates. The UBR and the changes proposed today make an important contribution in that respect.

5.16 pm

Mr. Paul Murphy (Torfaen): I am pleased to be able to say that the Opposition will support the Government on the Bill, and I am pleased, too, that the Parliamentary Under-Secretary of State for the Environment, the hon. Member for Hornchurch (Mr. Squire), is present, as he was a year ago almost to the day, when we dealt with the Non-Domestic Rating Act. I suppose that this is his annual foray into matters Welsh. I shall not go too deeply into such matters, but I shall make one or two general points about what has occurred in this interesting if short debate.

My hon. Friend the Member for Newcastle upon Tyne, North (Mr. Henderson), and the hon. Members for Southampton, Test (Mr. Hill) and for North Cornwall (Mr. Tyler) all, rightly, referred to the recession and to the fact that small businesses—and, indeed, other business—had been seriously affected by it over the past few years. The newspapers this morning all say something along the lines of, "Recession is over—official".

However, in Wales there are still some 50,000 young people unemployed, we have lost 30,000 manufacturing jobs, unemployment costs us £1·2 billion and there are 17 claimants chasing every job, and businesses have gone under at an alarming rate—there were 2,425 business failures recorded during 1992, which represents an increase of 26 per cent. on the 1991 figure, and there were 1,728 bankruptcies, which represents a 38 per cent. increase. I fancy that, if the journalists came to Wales and wrote headlines saying that the recession was over, the idea would be seen to be nonsense.

None the less, we welcome the Bill, as we welcomed last year's Non-Domestic Rating Act, because it will ease the burden on small businesses. But we must ponder the amount of money that will be made available. For example, the Government can now find £9 million this year and £5 million next year to make up the shortfall to local authorities. That contrasts significantly with the statements and debates that took place in the Chamber some months ago when we debated the revenue support grant settlement for Welsh local authorities.

The counties and districts in Wales agree that that was the worst settlement ever. There have been cuts in education, in social services, in the police force and in all the services that are vital to the business community—and vital too, of course, for inward investment.

The hon. Member for Erewash (Mrs. Knight)—*[Interruption.]* The name of her constituency is as difficult to pronounce as the name of my own. The hon. Lady mentioned stability. Businesses in Wales are yearning for stability in the local government system, yet stability is the very thing that we have not had in local government finance. In 1988, the Under-Secretary of State and I served

on the Committee that considered the poll tax during its three-month passage through the House. We agreed then on the issues—as, in a sense, we agree today.

There have been enormous changes to local government finance in just a few years. The hon. Member for Bromsgrove (Mr. Thomason) referred to changes that my party might want to introduce in local government financial institutions. When we consider the huge change that occurred as a result of the fiasco of the poll tax, any change that we might bring about would pale into insignificance. Billions of pounds were squandered on having first to prop up the poll tax and then to replace it altogether.

My fear is that the local government financial system in Wales, and in Britain generally, is becoming discredited. In Wales especially, but also in England, one aspect is the so-called "gearing" effect. It means that local councils can do virtually nothing unless they increase their local taxes dramatically. That has distorted local government finance, and has meant that local authorities no longer have a proper revenue-raising function. In Wales, a 1 per cent. increase in expenditure means an increase of about 9 per cent. in the council tax.

Yesterday, for the first time ever in the Principality, the Secretary of State for Wales announced his ideas about which local authorities should be capped. Only one authority out of 45 in Wales has been capped and it is the authority of the Minister of State, Welsh Office. It is an authority that is not controlled by any one political party. The decision has meant that the whole subject of capping has been discredited in Wales, as has the fact that the Secretary of State is having to take Gwent county council to court over its budget. The whole thing is a sorry mess, and the sooner we get some stability in local government finance, the better for businesses and the better for our communities.

In many parts of the country, business rate arrears are high. Local authorities find it increasingly difficult to collect business rates. There is an increasing gap between business rate payers and council tax payers. In Gwent, for example, business rates over the past three years have increased by 1·6 per cent., whereas local council tax payers have had to face a 53 per cent. increase.

The chief question, which has exercised the minds of hon. Members who have contributed to this short debate, concerns the nature of the business rate and what we want it to be. It is not a local business rate; it is a national business tax. It bears no relation to the way in which rates used to operate, or to the way in which the council tax operates.

I believe that there is a vital link between local businesses and the local community, and that the link has been broken by the new business rate. All local authorities provide for businesses an educated work force, roads and infrastructure. In Wales, local authorities play an especially important role in economic development and inward investment. All my experience in 15 years as a member of a local authority was that local authorities and the business community saw great advantages in that direct link.

Large multinational companies in my own constituency agreed tremendously with what the local authorities were doing. They were very much involved in local authority matters, including the sponsorship of council activities. The sooner the link between business people and local authorities disappears, the worse it will be for democracy.

The business rate is no longer related to commercial activity or to a particular district. There may be a great steelworks or a massive factory in an area. It may provide employment, but it may also disturb the area. The fact that the business rate is now collected centrally in Cardiff or in London means not only that there is no link between business and the community, but that there is no link between commercial activity and the business rate.

The business rate should relate to the ability of business people to pay it. There should be a system of rebates related to the profitability of businesses with an annual turnover below a specific level. We are firmly of the view——

Mr. Simon Burns (Chelmsford): I have listened carefully to the hon. Gentleman speaking up for businesses. The Labour party speaking up for the interests of business is about as convincing as Herod being in charge of a nursery.

Mr. Murphy: All I can do is describe my experience over many years, since local government organisation, of the relationship between my local authority, whether the county council or the district council, and the businesses in the area. I believe that the relationship has been healthy. That experience may not be repeated throughout the length and breadth of the country, but local government and local democracy are all about diversity. The great harm that has come from having a uniform business rate is that individual local authorities cannot determine their rate locally; they cannot set it, and they cannot collect it.

I am not the only person who makes that point. Sir John Banham, for example, said recently that the present system

"reflects neither the ability to pay nor the level and quality of the local services businesses receive."

He has a role to play in local government reorganisation in the months ahead.

Mr. Thomason: Does the hon. Gentleman agree that it was this Government who introduced a consultative procedure on local authority budgets with businesses, and that that procedure was opposed by many in the Labour party?

Mr. Murphy: Opposition comes to different things in different ways. The Under-Secretary of State was a firm opponent of the poll tax when it was introduced in 1988. The Government saw the error of their ways and rightly appointed the hon. Gentleman to be a very good Minister. There are differences in view on all these matters across the country.

As I said, it is healthy for a diversity of views to be held on these matters by local authorities in England and in Wales. That is what local accountability and local democracy are all about. Businesses play a vital role in our communities, and that is why we support the Bill.

The Secretary of State for Wales acknowledges that belief, because he appoints many business people to quangos in the Principality. The White Paper on Welsh local government reform is the only indicator of how the Government intend to develop their ideas on the future shape of local government. They propose a system of unitary local authorities which will be responsible for raising their own revenue.

When the Secretary of State for Wales reforms local government, he has a golden opportunity to set an example to the rest of the country, and to have another

[Mr. Murphy]

look at the system of local government finance. I am not saying that the Government must change the council tax —they will not—but there are changes to be made. The simplification of the grant system would be something that hon. Members on both sides and members of local authorities throughout Britain would welcome.

There is a case for the business rate to be examined, as my hon. Friend the Member for Newcastle upon Tyne, North (Mr. Henderson) said, and to be brought back into the local community. That opportunity should not be wasted. I urge the Secretary of State for Wales and the Government generally to rethink the whole question of local government finance when the reforms are introduced.

We support the Bill, but we recognise that it is a short-term expedient. It does not answer all the problems that face the country and local government in terms of how to finance local government, and it does not explain what the relationship between businesses and local authorities should be. I hope that the Government will address those matters in the months ahead.

5.29 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Robin Squire): It is a great pleasure to follow the hon. Member for Torfaen (Mr. Murphy). As he said, we have followed each other for several years both in our previous role as Back Benchers and as "Box and Cox", or whatever the phrase is. It is nice to do so. He raised points to which I shall refer in my speech, as have other hon. Members.

I shall start by reminding the House that the Bill will provide a further £350 million boost to businesses this year on top of the £1·25 billion package that was introduced last year. We calculate that it will ease rate bills for some 400,000 small business premises and 100,000 larger ones.

As with the changes we made last year, local authorities will not suffer from the reduction in non-domestic rate income brought about by the Bill. The Government are committed to refunding the national pool to the extent of the estimated loss. We will also allow local authorities to net off their reasonable costs of re-billing from their national non-domestic rate payments.

We will need a short period—about a month—after enactment to introduce regulations governing the adjustment of rate bills that have already been issued and to enable local authorities to recalculate their contributions to the non-domestic rating pool. We will bring the Act into force in parallel with those regulations. Once in force, the Act will have retrospective effect to 1 April and authorities will be required to give refunds to ratepayers who have overpaid instalments in the meantime.

The debate was interesting, and I shall refer to some of the earlier speeches. The first Opposition speaker, the hon. Member for Newcastle upon Tyne, North (Mr. Henderson), highlighted some of the sad realities of the recent recession. There is no division between Conservative Members and Labour Members on that. The recession has had a terrible impact on a number of businesses and on many individuals.

In the context of the Bill, let us not forget—as some of my hon. Friends rightly reminded the House—that before the uniform business rate, many businesses were being hammered year after year by Labour councils up and down the country. The figures are clear. Between 1979-80 and 1989-90—the last year of the old system—locally set non-domestic poundages rose by 37·4 per cent. more than inflation on a compound basis nationally. Some of my hon. Friends who spoke today were councillors in opposition and saw that at first hand. My hon. Friend the Member for Erewash (Mrs. Knight) immediately comes to mind.

By replacing locally set non-domestic rate poundages with uniform national poundages which cannot increase faster than inflation and by pooling and redistributing the proceeds of the business rate on a per capita basis, it is no longer possible for authorities to increase expenditure, knowing that businesses will meet much of the extra cost.

Mr. Dennis Turner (Wolverhampton, South-East): Will the hon. Gentleman give way?

Mr. Squire: I shall willingly give way to the hon. Gentleman when I have finished this point. Although he has just come in, we would not like to disappoint him. If the uniform business rate had not been introduced, businesses would have paid £842 million more in 1992-93 and £797 million more in 1993-94.

Mr. Turner: I shall simply make this point. It is the height of cheek and hypocrisy for Conservative Members and the Minister to blame Labour local authorities for increasing rates during the period to which he referred, when in fact it is a direct result of the Government's failure properly to fund local government. The Minister should tell us how much was lost to local government in rate support grant settlement over that period. Every year, your Government cut support for local government. When Labour and Conservative local authorities had to increase rates, it was a direct result of your Government's policy.

Mr. Deputy Speaker (Mr. Michael Morris): Order. It is the hon. Member's Government, not "your" Government or my Government.

Mr. Turner: Indeed, I am referring to the Minister's Government. How can the Minister use such cheek to imply that it was Labour local authorities' fault that rates increased during the period he quoted, when he knows that it was a direct result of his Government's failure properly to fund local government?

Mr. Squire: The hon. Gentleman was entertaining but not factually correct. I recommend that he go to the Library. He will find that the amount of support for local government during much of the period to which I referred increased rather than decreased. To help him a little more, I suggest that, if he looks under S for Sheffield, he will find a prime suspect in the area to which I was referring.

Mr. Henderson: I refer the Minister to his figures about the savings to business as a result of the introduction of the business rate. Does he accept that those figures must be put in the context of a subsidy from central Government and taxpayers generally? During the debate on the Non-Domestic Rating Bill on 2 June 1992, the Minister for Local Government and Inner Cities made it clear that the cost to the central Exchequer of protecting the business community from the introduction of the national business rate was £1,250 million, which is almost greater than the figure that the Under-Secretary of State claimed was saved by the business community. What has happened is that,

generally, the taxpayer has subsidised the business community. I do not necessarily disagree with that, but the figures must be put in that context.

Mr. Squire: That is an interesting interpretation. I think other hon. Members will agree that there is a significant difference between the amount of Exchequer support which we are debating now, and which we debated on an almost identical Bill last year—the hon. Gentleman quoted the correct figure—and the tendency, until recently, for a number of local authorities to let rip as far as the private sector was concerned. That is the context in which I am speaking.

Before I leave that aspect of the debate I shall refer to the democratic argument. I note that Labour Members want to revert to such a system and suggested that in some way it would bring greater accountability. Frankly, I do not accept that. My hon. Friend the Member for Southampton, Test (Mr. Hill) has said that there is no such thing as a business vote—nor is there any intention of introducing one. In the absence of such a vote, the concept of accountability as I understand it would be sadly lacking if such a proposal were entertained.

Mr. Murphy: It is important to understand the point that we made earlier about the gearing effect. Having taken control of the business rate away from local authorities, the amount of money that is left for local authorities to control is limited. That distorts the local government finance system.

Mr. Squire: It is an arithmetical fact that there is a gearing effect in England, Wales and Scotland—I cannot deny that. That does not, in itself, deny the advantages which the concept of the uniform business rate has brought to businesses in general.

I was referring to the speech of the hon. Member for Newcastle upon Tyne, North. I welcome his welcome for the measure, which was echoed by hon. Members on both sides of the House. He rightly said that the measure would be welcomed by businesses across the country. He then tried to get me to estimate the national non-domestic rate for 1994-95. His tongue might have been slightly in his cheek at the time. He knows that it is unrealistic to estimate that rate at present. Obviously, we must continue to be guided by the state of the economy and the impact of residual increases on big and small businesses. The hon. Gentleman will know that, under legislation previously passed, the maximum will be limited to the inflation rate, rather than the impact of past revaluation.

It is a little early to say what transitional arrangements may be needed to phase in the results of the 1995 revaluation. We have always said that we will examine the outcome of the revaluation before deciding whether transitional relief will be needed. By April 1995, many businesses will not have reached their full bills under the 1990 rating list, as the hon. Gentleman said. That is one factor that we will need to take into account, although many businesses may well find that their post-1995 bills are much reduced, reflecting relative changes in business rates between the valuations.

I can reassure the hon. Gentleman on his specific point. If any business which faces an increase under the 1990 revaluation does not reach its full payment, any increases under the 1995 revaluation will be by comparison with the amount paid in 1994-95 rather than the amount that would have been paid if protection had not been available.

The hon. Member for North Cornwall (Mr. Tyler) referred to the fall in business rate revenue. The distributable amount of business rates has fallen since 1991-92. That is, indeed, partly the result of the recession, which has led to an increase in empty property relief. A second factor which is equally important is the effect of rating appeals. Increasing numbers of appeals are now being decided, as my hon. Friend the Minister for Local Government and Inner Cities said.

Repayment of rates following appeals may relate to the whole period from 1 April 1990, but the entire cost falls in the year in which the repayment is made. Therefore, the yield of business rates is likely to rise again once the peak of appeals has passed. Any changes in business rate yield will, of course, be compensated for by revenue support grant pound for pound within the published plans for external finance.

My hon. Friend the Member for Bromsgrove (Mr. Thomason) spoke with all the experience of a former senior local authority councillor. I assure my hon. Friend that, notwithstanding his nervousness at the appearance of support from the Opposition Front Bench, he is right to support the Bill. He pointed out how much impact the measure would have and how welcome it would be to business ratepayers in general.

My hon. Friend was the first hon. Member in the debate to highlight the failings of site value rating, which subsequently became almost a separate debate in itself. I wish to put on record just some of the reasons why site value rating would be a poor system and a poor substitute for the current system which is the subject of the Bill.

Site value rating would be a tax on a small number of owners rather than on many occupiers. It would be a hidden tax on the latter through rents. We would need a register of beneficial owners. Site value rating would involve indentifying the development potential of each and every parcel of land. It would require detailed evidence of land sales and prices in each area. It would be unfair to owners if existing convenants and contractual arrangements meant that land could not realise its development potential.

Perhaps as importantly, if site value rating was limited to where planning or zoning permission had been obtained, any competitor, other developer or business could apply for planning permission on someone else's site. The consequence could be to drive the business out. That seems a strange way to encourage business. I urge the Liberal party to rethink.

Mr. Tyler: I am grateful to the Minister and his colleagues for paying so much attention to my party's policies. That is a new experience for me. I wish to pursue the Minister's last point because I know something about planning. Is he aware that it is now widely regarded as unacceptable for someone who has no interest in land to be in a position to make a planning application for it? If that is the Minister's main objection, as it seems to be, does he accept that there is in any case considerable anxiety about that feature of the planning system?

Mr. Squire: I listed several reasons why site value rating was inadequate. On the hon. Gentleman's specific point, he will be aware that it is likely that more than one person will have an interest in any site, land or property. It could be a tenant, the landlord or a putative purchaser. A range of people could have an interest. The hon. Gentleman

[Mr. Squire]

described the existing law. I was simply interpreting his remarks. It was not clear whether in the event of a Liberal Democrat Government being elected—the House should not hold its breath—site value rating would be introduced.

I am grateful to the hon. Member for North Cornwall for welcoming the measure, in company with the other hon. Members who spoke. However, it was a bit rich, virtually in his first minute and the day after quarterly GDP figures were announced showing an increase for the first time in three years, for the hon. Gentleman to suggest that my hon. Friend the Minister had denied a recovery. It is simply untrue. My hon. Friend not only highlighted it, but put it in context, as a re-reading of *Hansard* will show.

It is possible that the recovery is badly timed for the Liberal Democrats whether in the context of the county council elections or that of the Newbury by-election. However, the hon. Gentleman will understand if I say that the vast majority of people welcome the recovery notwithstanding any difficulties that it may give the hon. Gentleman.

The hon. Gentleman said that it was interesting that, out of all the figures for Newbury, we mentioned the figures for only one month. But the figures have fallen for two months and Newbury's rate of unemployment at 7·1 per cent. is well below both the Great Britain and EC averages. I shall be delighted if the hon. Gentleman's speech is widely circulated in Newbury in the next two weeks. It will not add one vote to the Liberal Democrats' likely haul.

Mr. Tyler: Of course we all welcome any reductions in unemployment, even if they are only in one or two months. I wish that we had a dramatic reduction in unemployment in my constituency, but sadly that is not the case. In my speech—I am sure that the Minister was paying careful attention—I compared the position of small businesses before the introduction of the uniform business rate in 1990 with now. That is why I picked 1990 and 1993. I made a comparison over a three-year period. I know that the Minister is an honourable, honest and fair-minded man. He will accept that over a three-year period there has been a substantial increase in business rates, whether one takes February, March or any other month.

Mr. Squire: I am not sure whether I should continue with my modest, up-beat comments based on fact or look backwards to what has happened in the past three years. I judge that on balance most people prefer to look forward rather than back, so I shall keep going with my speech.

The hon. Member for North Cornwall made some comments about tourism. Seasonality of use is taken into account in rates assessments. If a holiday resort is open for only a limited period in the year, that will be reflected in rents and hence in rateable values. Any change in economic circumstances such as a shorter summer season is taken into account at revaluation. Any change made within the life of an existing list would cause a loss of revenue from rates which would have to be made up elsewhere in the tax system. That would be unfair.

The hon. Member for North Cornwall correctly pointed out that several local authorities under all forms of political control had been rather slow in applying section 49 and providing hardship relief. I underline from the Dispatch Box that hardship relief is available where there is genuine hardship. I was not sure whether the hon. Gentleman suggested that because the take-up had been low, the Government should centralise hardship relief. I hope that he was not suggesting that. If he was, it runs counter to the actions of the Government in devolving decision making to local authorities. It also runs against what his party normally stands for.

Mr. Tyler: I am grateful to the Minister for giving way yet again. As he seems to be so interested in my speech, I hope that he will forgive me for interrupting. The point that I made was clear. If the Government were prepared, within the criteria, to fund hardship relief 100 per cent., clearly local authorities would feel a great deal less inhibited in providing the hardship relief which he and I agree should be available.

Mr. Squire: The whole point of the system—I know that the hon. Gentleman knows this—is that it gives local authorities discretion to determine hardship. If we provided 100 per cent. support, we would do precisely what I thought that the hon. Gentleman would not support and take the decision into central Government. Hardship is better determined by a local authority. I join the hon. Gentleman in urging its wider use by local authorities.

My hon. Friends the Members for Test and for Erewash made strong speeches, drawing on their experience of small business and local government. They correctly spelt out the gain that businesses will make under the measure.

The hon. Member for Torfaen spoke, as I expected him to do, about the gearing effect and the relationship especially in Wales between central and local government support for local government expenditure. He will know that prior to setting the levels of total standard spending and aggregate external finance for 1993-94, the Secretary of State for Wales took account of the view expressed by Welsh local authority associations that the proportion of revenue raised locally in Wales should be increased. The lower level of increase in the additional aggregate external finance of 1·7 per cent., relevant to that of the total standard spending, means that Welsh local authorities are able, on average, to raise about 10 per cent. of their income from the council tax, which represents an increase of more than 1 per cent. on the figure for 1992-93.

The hon. Gentleman also raised the spectre of further reform of local government finance. I beg the hon. Gentleman as a Minister and as an individual, although I am not allowed to hold a separate view, to ignore that siren call. The hon. Gentleman and I have sat on many Committees and we know perhaps better than other hon. Members just how difficult it is to reform that system. I believe that the system now in place for the collection of local business and personal taxation will last and will be welcomed by the overwhelming majority of people.

The overall effect of the Bill is that no business will end up paying more rates in real terms this year than it did last. The Bill is important and worth while. It is well targeted on those businesses that have borne much of the brunt of the recession and I urge the House to support it.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 61 (Committal of Bills).

Non-Domestic Rating (No. 2) Bill

[Money]

Queen's recommendation having been signified—

5.51 pm

The Minister for Local Government and Inner Cities (Mr. John Redwood): I beg to move,

That, for the purposes of any Act resulting from the Non-Domestic Rating (No. 2) Bill, it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to the Act in the sums so payable out of money so provided under any other Act.

It gives me great pleasure to move the resolution so that the money is available to provide the relief that business is seeking—the relief that the House seems to favour.

The Bill has two main financial consequences. The big one is the reduction in the amount of money to the rates pool, which the Bill will make good. The second is that there will be some additional expenditure to local authorities in implementing the Bill, and we are proposing to allow authorities to set that expenditure against the pool to adjust the rates bills. I hope that the House will welcome those two features, which are reflected in clauses 2 and 3.

The cost of making good the shortfall for the pool in England is estimated to be £340 million in 1993-94 and £220 million in 1994-95. That is on top of the substantial relief that was made available last year as a result of a similar Bill to which my hon. Friend the Parliamentary Under-Secretary of State for the Environment has already referred. In Wales, which has separate pooling arrangements, the cost will be £9 million in 1993-94 and £5 million in 1994-95.

The money issues were given prominence on Second Reading. It is interesting that the Liberal party in particular favours a different approach to the financing of local government—one which would be deeply damaging to many businesses. The hon. Member for North Cornwall (Mr. Tyler) seemed to be particularly interested in Newbury and in Berkshire. He failed to tell the House, or the people of Newbury, however, about the impact of his proposals upon the butchers, the greengrocers and the grocers of that town.

Dame Elaine Kellett-Bowman (Lancashire): It would be disastrous.

Mr. Redwood: Yes, my hon. Friend is correct. It would put such businesses under intense pressure. We are glad that Liberal policies are not threats but spectres, or their effects would be considerably more serious.

We can always tell when there is a by-election, county council election or even a general election in the offing, because it is then, in spring time, that we begin to see the first "Focuses". They come out of the woodwork after a year of absence and a year of neglect and appear in Newbury or wherever else containing all sorts of claims about how the Liberals have done everything that has, in fact, been done by the Conservative party for the good of local people.

The Liberals claim the credit, but they do not do the work, as is evident from the "Focus" publications. I am sure that another "Focus" will be issued to say that the Liberals were behind the money resolution, which is so instrumental in helping local business.

Site value rating should be condemned by all men and women of good will and by all sensible parties in the House, because it would be extremely damaging. It is symptomatic of the Liberal party that it usually supports the Labour party in local government. Recently, I believe that the Liberals have encouraged the Labour party to withdraw candidates from the county elections in Berkshire. Obviously, they have struck some kind of deal.

When we hear about Liberal party policies, they seem to be Labour policies in fiscal drag. They are dressed up in a new kind of style, with local income tax and site value rating on top of the other imposts that the Labour party would like to impose. As always, it is the Liberals who want other people's money. They may well vote for the money resolution today, but, secretly, they would like to impose far more taxes and to waste far more money.

As my hon. Friend the Under-Secretary has already said, it is a curious paradox, some might say that it was a two-faced approach, that the Liberal party reveal. It claims that it wants much more devolution and local autonomy, but as soon as any measure offers such autonomy to Liberal councils, the Liberal party will not use its local discretion and gets its spokesman to come to the House to say that the Government must order councils to exercise such autonomy.

Mr. Paul Tyler (North Cornwall): The Minister's claims are erroneous, as is his interpretation of his colleague's remarks. The Under-Secretary said that parties of all colours in government in local councils throughout the country have used the hardship relief. In my speech on Second Reading, I was able to quote the impeccable record of Newbury district council and North Cornwall district council on their use of the hardship relief. The Under-Secretary was right to acknowledge that.

Why is the Minister trying to stir things up? He said that election time was when "Focus" appeared, but that is not the case in my part of the country. It appears throughout the year. We always know when the Government are expecting a defeat at the hands of the electorate, however, because they attack us.

Mr. Deputy Speaker (Mr. Michael Morris): Order. We are actually debating the money resolution.

Mr. Redwood: I thought that a little circumlocution about the money might be appropriate at this stage. As I understand it, there is no great pressure on our parliamentary business, and I thought that it was important to elucidate these crucial——

Mr. Deputy Speaker: Order. The Chair allows no circumlocution dependent on time. I am afraid that the Minister must stay in order regardless of the time factor.

Mr. Redwood: I shall, of course, endeavour to do that —and with your guidance, Mr. Deputy Speaker, how can I fail?

The money issues at stake are clear. The hon. Member for North Cornwall has said that more use should be made of hardship relief. He said that that should be incorporated in Government proposals in a Government mandate to local government. I am sure that he would like that proposal to be added to the money resolution, if that were possible.

The answer to that request is that the powers are there, and councils can use them if they see fit. That is local judgment and local autonomy in action, and I cannot understand why the hon. Gentleman wanted us to insist that that power be used. Now he is, as always,

[Mr. Redwood]

backtracking on this very point. He now accepts that there is local discretion, and he is trying to claim that Liberal councils use it well.

The money resolution is important for business and the continuing economic recovery. It is an important means of building on the improved figures and prospects that we have seen in recent weeks. It is important that the House now gives more stability to local authority taxation and expenditure measures. The resolution is part of that process, and it will mean that local government has the money for the job so that the burden on business is not unacceptably high. I have pleasure in commending the resolution to the House.

5.58 pm

Mr. Doug Henderson (Newcastle upon Tyne, North): We have witnessed a somewhat unorthodox approach to a money resolution. I did not intend to speak, but I feel bound to make some response to some of the Minister's remarks. I shall endeavour, Mr. Deputy Speaker, not to circumlocute; I am sure that, if I do, you will bring me back into line.

A number of cuckoos have been flying around Westminster and Fleet street, and Wapping, I suppose, over the past two days, and it seems that one of them has got into the House. Claims are being made about the recovery from which the country is now beginning to benefit. The Opposition want to see the economy recovering, business pulling itself out of recession and output picking up. We want jobs to be created in our economy.

The statistics announced by the Government yesterday —a 0·2 per cent. increase in output in the first quarter of 1993—have been mentioned. There has been a 0·2 per cent. increase in output in the first quarter of 1993, but does that constitute the beginning of a recovery? That is the question that businesses will be asking as they face business rates.

It is interesting to note the way in which the Government claim that a 0·2 per cent. increase in output —if my arithmetic is correct, that means a 0·8 per cent. annual increase in output—constitutes a recovery in Britain. When Germany and France enjoyed increases in output of 1 per cent. and 1·5 per cent., the Government said that those statistics represented part of the world recession and constituted a recession in those countries. There seems to be some contradiction in the Government's position. I hope that the House will reflect on that when it considers the money resolution.

The Opposition supported the Non-Domestic Rating (No. 2) Bill as a means of assisting the business community, and they also wish to extend their support to the money resolution. However, we wish that the Government—and, perhaps, the Liberal Members——

Dame Elaine Kellett-Bowman: There is only one.

Mr. Henderson: Yes, there seems to be only one Liberal Member. I wish that they would stick to the business before us, not squabble over one election that will take place on 6 May. The country and the business community will look to the state of the country on 6 May, and the verdict delivered in the other county council elections may be different from that given in one specific part of the country.

Question put and agreed to.

Resolved,

That, for the purposes of any Act resulting from the Non-Domestic Rating (No. 2) Bill, it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to the Act in the sums so payable out of money so provided under any other Act.

Disability (Grants) Bill

Not amended (in Standing Committee), considered.

[MR. MICHAEL MORRIS *in the Chair.*]

Clause 1

GRANTS TO CERTAIN ORGANISATIONS CONCERNED WITH DISABLED PERSONS

6.2 pm

Mr. Barry Sheerman (Huddersfield): I beg to move amendment No. 1, in page 1, leave out line 13 and insert 'to enable payments to be made to or for the benefit of people with disabilities for the purpose of promoting their independence and freedom of choice.'.

In Committee, we were disappointed that we were not successful in amending the Bill despite the debate that we had on Second Reading and the obvious shared concerns expressed in Committee. When it came to the crucial act of voting, the Government were not flexible. On a Bill that covers many aspects on caring for the severely disabled, we hoped for some compromise and flexibility from the Government.

The key words in the amendment are "independence and freedom of choice".

I note that the Minister for Social Security and Disabled People agrees with me. In the foreword of the Greenwich personal evaluation scheme, which was published recently, he said:

"This report on Personal Assistance schemes shows that as well as being cost-effective, some schemes offer disabled people a greater degree of independence."

The Minister will know that the amendment is designed to reintroduce into the debate the important change in the way in which disabled people view the sort of help and support that they need and receive, and the way in which they receive it. That merely scratches at the surface of a fundamental change that has taken place in the sphere of disability in recent years. The debate is continuing, not only in the form of the Bill that we are discussing, but in another place, where a different Bill was recently debated which was designed to address the same subject: how people receive the help necessary for them to continue to live lives that are full and give them the opportunity to use all their potential.

I do not wish to speak merely as the shadow Minister and say what I believe to be the main concerns of disabled people and those who support them. I prefer to act as a mouthpiece and tell the House the comments that have been made in favour of direct payments by the people affected by them. They have expressed their views far more eloquently than I could hope to do.

Two disabled people were quoted in Anne Kesselbaum's report, "Cash for Care". They said:

"It makes us feel in control of our lives; gives us back the feeling of being people and not a pathetic handicapped family . . .

If you have a carer you feel safe with, you know your quality of life is better. It opens things up. Your personality changes, you laugh."

Some of those comments go to the heart of the subject.

Jane Campbell, a disabled person, said in conversation with Lord McColl:

"Employing your own personal care assistants places negotiations on a very different plane. You are not asking for favours or desperately attempting to change the (statutory) home carers rota so as to enjoy another hour at that party. Instead, you are setting your schedule for the day, which you know will be adhered to by your employee, with whom you have agreed a one to one contract of employment.

Whereas my traditional form of help gave me no privacy, and was often loaded with what people thought 'best for me', I now decide my own priorities, and I feel I have an equal say in how my home and my family life is run."

Those are moving words from disabled people who want the sort of care on which the amendment focuses. She concludes:

"This is, I believe, fundamental to one's dignity and sense of belonging and contributing."

A young lady, Maria, was interviewed by Jenny Morris for the Rowntree trust's report, "Community Care or Independent Living", and said:

"It means I can get up in the morning when I want to, go to bed in the evening when I want to, and lead the kind of life that I want to."

That is a true testimony of the power given to the disabled when they can receive money from the independent living fund. I should be out of order if I strayed too far, but that example shows the amount of power that is handed to disabled people when a local authority social services department can provide cash for disabled people to allow to make their own decisions and to draw up contracts of employment to meet their needs. In the same interview, Vicky, a disabled person, said:

"Independent living means that I employ people, and basically that they are here to do the physical things that I can't do, which allows me to have the lifestyle that I choose."

The important common factor running through all the quotations is that, given the money to employ their own care assistants, people with disabilities enter into a one-to-one, employer-employee relationship with their helper. They can specify exactly the sort of care that they want, and in what form they want it. They can specify the exact hours when they want that help. Last, but certainly not least, they can ensure that the person helping them, who spends much time in their house—and sometimes lives in it—and helps them to perform intimate functions, is someone with whom they feel happy and comfortable. Surely that is something that every hon. Member should want for the severely disabled people of our country.

I do not wish to delay this stage of the Bill. I give a final quotation which illustrates the sort of horror story that can occur when a disabled person does not have full control over the care contract and those who fulfil it:

"The home help came to me one day when my bed was wet and I asked her to change the sheets. She refused. She said, 'Today is not the day we change the bedlinen.' I asked if she expected me to go to sleep in a wet bed. She said, 'Well, I'm not changing it.'"

Clearly, that is untypical. We appreciate that the vast majority of local authority carers are genuinely caring and compassionate people. I simply point out what can happen. When it happens, the disabled have fewer powers to seek redress and prevent the atrocity recurring than if they employ their own helpers.

In a recent Friday debate, my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris) introduced a Bill that would have established a commission for disabled people to have their grievances inquired into and righted. That measure was voted down at the behest of the Government, so the disabled do not even have that avenue to pursue. When such a ghastly experience occurs and a disabled person is unable to have carried out by her carer the sort of basic task that I have

[Mr. Barry Sheerman]

described, it is regarded by many of us as a minor atrocity, because it combines physical discomfort with personal humiliation to a quite intolerable degree.

In his Second Reading speech, the Minister referred to local authorities being in the driving seat. As the Bill proceeded through its brief Committee stage—we did not prolong the proceedings; it went through in two very civilised sessions—we got the impression that the Minister made a slip of the tongue or, if that was not the case, that he regretted what he said when he referred to the need for local authorities to be in the driving seat.

The thrust of our argument in Committee—unfortunately, we were not successful in getting it accepted—was that disabled people should be in the driving seat. The experiment conducted by the independent living fund showed that empowering people to make their own arrangements costs dramatically less than providing the service direct. In other words, when people can choose and draw up their own contracts with the people of their choice, the Exchequer can make a saving of between 20 and 50 per cent. of the cost. People make more sensible decisions than bureaucracy makes for them.

The Minister has seen the evidence. He saw much of it in the debate on cash payments in another place. Apart from the case made by the Minister in that debate, the view was unanimous, on the evidence before the other place, that cash payments are effective, are empowering and save money.

The argument adduced throughout our debates leads us to believe that, secretly, the Minister is on our side. Indeed, it is rumoured that some of his colleagues are on his side. Clearly, if they were not whipped, many Conservative Members would be with us—I have particularly in mind the all-party amendment that was voted down by the Government majority in Committee.

We are willing to believe that, but for some evil power lurking in the Treasury, many Ministers and Conservative Members would be with us. I give the Minister the benefit of the doubt on that issue. But if that is not the case, we deserve a thorough explanation today. If I am right, and it is the fault of the Treasury, we are left to wonder what sort of people are making decisions in the Treasury under Conservative rule. What kind of Treasury official or Minister would consider the research and the figures and say, "This is not permissible because it would save money"? Let us be clear: as I have explained, it would save money.

6.15 pm

I am talking of an innovation that is tried and tested. The independent living fund tried it for five years, and local authorities have tried it to good effect. Suddenly the Government realised that some local authorities were giving direct cash payments, and said that that was outside the letter of the law. What sort of Treasury official, in this day and age, could look at the facts, which clearly show a saving to the Government of 20 to 50 per cent., and still refuse to make a change in the law that would bring about such a saving?

Are we not, in the closing years of this century, enlightened enough to ask who the people are who are making such decisions behind the closed doors of the Treasury? Why are they allowed to be in the driving seat? This is not a question of local authorities or disabled people being in the driving seat. Treasury mandarins are in control. That is why we believe that they are the evil influence. They are stopping the acceptance of consensus for an obvious sensible way forward.

The amendment would give the Government at this late stage a chance to make a change. We hope that they will respond in a positive manner.

Mr. Alan Howarth (Stratford-on-Avon): I apologise for arriving late for the debate, which started earlier than I had expected. Even so, I hope that I may crave the indulgence of hon. Members and make a contribution because it is an extremely important subject and I hope that, as a result of the consensus that undoubtedly exists across the Floor of the House, the Government will find it possible to concede the case for direct payments, and will respond positively.

The case for the amendment is well rehearsed and familiar. The arguments for it are so solid and the case against it so insubstantial that it seems strange that it remains necessary to debate it, but we must do so. The moral case is too important to neglect and the case in terms of practical efficiency and good value for money alone should be recognised and accepted by the Government.

The moral case should be restated, being the most important part of the argument. The principle at stake is the dignity of the individual. The argument essentially is that direct payments by local authorities to severely disabled people would enable them to enjoy as much as possible of the autonomy that able-bodied people assume as a right for themselves. The point was eloquently expressed by Lord McColl, Baroness O'Cathain, Lady Darcy de Knayth, Lady Masham and others in the debate last week in the other place on the Disabled Persons (Services) (No. 2) Bill:

The issue for us is whether we are to empower those of our fellow men and women who happen to suffer from severe physical disability to live as independently as they may and on terms as equal as possible with everyone else. What do we mean by policies of care? Is care merely to be an expression of an authoritarian and patronising attitude that says, "We who are in charge will take care of your problem. Indeed, we will take care of the problem that you are"? Or is care to be a manifestation of compassion, of a fellow feeling that impels us to act imaginatively to help someone who faces exceptional difficulties to meet his or her needs?

To give the simplest instance, are we to enable a physically disabled person to make his own decision about when he gets up in the morning and goes to bed at night? Or are we to decide that for him? Or for her? In an impressive and moving account of the transformation rendered to her life as a result of direct payments, Jane Campbell recently wrote:

"Almost overnight I gained full control over my physical and to some extent mental being. Can you imagine that until the age of 29 everything I wanted to do from getting out of bed to attending an important meeting had to be negotiated? . . . . Employing your own personal care assistants places negotiation on a different plane. You are not asking for favours or desperately attempting to change the (statutory) home carers rota. . . . Whereas my traditional form of help gave me no privacy and was often loaded with what people thought was 'best for me', I now decide my routines and I feel I have an equal say in how my home and my family life is run. This is, I believe, fundamental to one's dignity".

Ann Kestenbaum, in the case studies that she describes in "Cash for Care", quotes Mr. M's wife, aged 48, suffering

from rheumatoid arthritis, heart condition and leg fractures as saying that having control of their own resources

"makes us feel in control of our lives. Gives us back the feeling of being people and not a pathetic handicapped family."

Ms K, who suffers from a spinal injury, says:

"Having the cash to pay for the things you need means you have standing."

Jenny Morris in "Community Care or Independent Living?" quotes Jack as saying:

"I am a husband, a father and a breadwinner. And 10 years ago I was in an institution where I could not even decide when I would go to the toilet. . . . You know you can't really understand it if you haven't done it. . . . Your whole life changes."

Jane Campbell endorses Jack's point impressively. She says:

"Contributing, of course, is the biggest gift that direct payments has awarded me. . . . I have been able to take up a demanding full-time job that is equal to my skills."

She works as a training director and she chairs the British Council of Organisations of Disabled People.

The moral, practical and financial arguments all reinforce each other. Jack and Jane contribute their skills to the betterment of society. They pay taxes. Jane attests that less stress as a result of less dependence on others and more control over her own body has had beneficial effects on her health.

Lord McColl, whose view on the point must carry particular weight, observed in last week's debate:

"a high morale directly enhances the body's defences against illnesses of all kinds. As a result, people have fewer illnesses and thereby save the National Health Service money."

The arguments in favour of independent living are familiar to the Government. My right hon. Friend the Minister for Social Security and Disabled People inaugurated the independent living fund, something of which he is proud, and justly so.

The Under-Secretary of State for Health, Baroness Cumberlege, replying to the debate in the other place last week was emphatic when she said:

"We fully support the aim of enabling disabled people to live independently and to exercise choice. We wish to give local authorities freedom and flexibility to meet those choices in innovative ways and to see disabled people placed at the centre of decision making."

That statement is consistent with numerous other ministerial utterances and, I believe, truly reflects the spirit in which Ministers have sought to establish care in the community. What, therefore, is puzzling and deeply unsatisfactory is that Ministers, who express enthusiasm for independent living and scepticism about bureaucratic procedures and solutions, continue to refuse to allow local authority social services departments to make direct cash payments to severely disabled people.

I shall examine the objections that Ministers have put forward to direct payments by local authorities. The speech by the Under-Secretary of State in another place last Wednesday was the fullest and latest rehearsal of those objections.

The Minister made the point that social services departments and the social security system have different roles. She said:

"Social services departments arrange exactly that—services. The Benefits Agency provides cash benefits. It is the business of the social security system to provide cash to support individuals in need. It is not the business of local authorities."—[*Official Report, House of Lords*, 21 April 1993; Vol. 544, c. 1663-64.]

That seems to me a descriptive observation rather than an argument against change. Moreover, it is not entirely accurate as a description of the status quo. Local authorities make cash payments in certain instances and they do so under recent legislation—the Children Act 1989. Local authorities make payments to children leaving care. They make cash payments to foster parents. They also make cash payments to voluntary organisations. So, the Government cannot pray in aid as a principle of administration that local authorities should not make cash payments.

The Government have themselves legislated to enable local authorities to make payments to children and to able-bodied adults. I cannot imagine under what principle of administration disabled people alone should be excluded from receiving cash payments from local authorities.

In any case, even if the Minister's descriptive statement is broadly valid, that is not an argument for persisting slavishly with a fixed conception of the respective roles of different public service organisations. The Under-Secretary of State talked of the Government's fear of "imbalance", as if the existing bureaucratic structure were a thing of such beauty that its preservation had to be the paramount consideration, more important than finding better ways to help disabled people. Doubtless there were powerful reasons for that broad division of labour in the past, but society and its needs and our conception of how to meet them have moved on.

Throughout the 1980s my right hon. Friends have encouraged us to think of Government as enabler rather than provider and have encouraged those in the public service to think in terms of outputs and value for money rather than inputs.

Only yesterday, in an article in *The Times*, my right hon. Friend the Chancellor of the Duchy of Lancaster inveighed against the bureaucratic top-down model of governmental provision. He condemned the inadequacy of

"rule-bound, hierarchical, uncompetitive old style service providers".

He went on:

"Any organisation that governs its employees by detailed rule books in the end will promote only the best operator of rules, not the innovator or the creator. Any organisation that believes it is accountable only upwards, to those who set the rules, will treat its citizen customers as troublemakers".

My right hon. Friend is right. For corroborative evidence, he need only read "Squaring the Circle", a study of needs assessment by Kathryn Ellis of the university of Birmingham for the Rowntree Foundation. She demonstrates the procrustean approach of social services staff, fitting clients into rigid categories of need, defined by pre-existing bureaucratic structures and assessment categories. Disabled clients who did not fit in and who expressed views of their own were dismissed as "demanding", "fussy", and "manipulative".

My right hon. Friend the Chancellor of the Duchy of Lancaster went on to emphasise the need to delegate financial responsibility down and measure outcomes.

In *The Times* today, my right hon. Friend the Chief Secretary to the Treasury is reported as saying of the Government's review of the welfare state:

"We will consider all options . . . which will have the purpose of meeting our objectives, one of which is to focus benefits increasingly on those in need . . . we wqant to ensure people have greater control of their own resources".

[Mr. Alan Howarth]

So Cabinet Ministers are actively repudiating the status quo which the Under-Secretary of State was briefed to pray in aid last week.

The Under-Secretary of State went on to say that local authorities are providers, enablers and facilitators of care services. That is right and as it should be. But if local authorities are to be enablers and facilitators, the Under-Secretary of State undermined her own argument against them making direct payments to clients because enabling and facilitating is exactly what that process involves.

As the House knows, the Association of Directors of Social Services is unanimous in its support for direct payments by its departments. It passed a formal resolution to that effect last autumn. It is keen to move with the times.

I spoke yesterday to Mr. David Mason, director of social services for Warwickshire county council, who confirmed his urgent hope that the Government will change their mind on this subject. As he said to me,

"choice and empowerment come through purchasing power".

The Under-Secretary of State raised, however, another objection, which the Government have advanced repeatedly. She said that it would be difficult for local authorities to define eligibility for direct payments. I find that a singularly unpersuasive argument in the context of the Government's policy of care in the community. The essence and great virtue of the policy is that local authority social services departments are to lead in assessing the needs of individual clients. Their daily duty and activity, enjoined on them by the Government, will be to assess need and, therefore, eligibility for help of one kind or another.

But the Government have another argument to show that it could not be done. The Minister said that it would be difficult for local authorities to manage a general system of cash payments. That is an Aunt Sally. We are not talking about a general system. We are talking about a strictly finite and relatively small number of cases. In "Cause for Concern", published in March, Pauline Thompson provides the number of clients of the previous independent living fund authority by authority.

The largest number was in Birmingham, where there are 424; in my county of Warwickshire, there are 79; the smallest number was in Barking and Dagenham, where there are nine. Nor need the Treasury fear any opening of the floodgates. Mercifully, there are not large numbers of severely disabled people in this country and, of them, only a limited proportion want to handle their own budgets and employ their own assistants. When Kingston-upon-Thames social services department made inquiries as to how many severely disabled people might wish to take advantage of such an option, 12 said that they would.

6.30 pm

The Treasury continues all the same to fear that costs would run out of control. Last week the Parliamentary Under-Secretary of State said the local authorities would find it difficult to carry out the necessary monitoring to keep control over public funds. Again, that is an odd assertion. It would be easier for local authorities to monitor and control individual budgets assigned to clients than it is for them to keep control over the costs of their own in-house services. There is no problem whatsoever in requiring clients to keep funds provided by social services departments and the ILF in a separate bank account and to be provided with regular statements, receipts and timesheets.

If the Treasury did not spend its time inventing imaginary difficulties, it would see that direct payments enable a given level of care to be achieved at less cost than the cost of publicly provided services. Evidence for that has been impressively marshalled by Jenny Morris, Ann Kestenbaum and Victoria Phillips. I shall not elaborate that part of the argument except to make the obvious point that there is far greater flexibility in pay rates and job descriptions for people employed directly by clients than there is for local authority employees.

My right hon. Friend the Minister for Social Security and Disabled People, in his foreword to the "Evaluation of Personal Assistant Schemes" in Greenwich by Mike Oliver and Gerry Zarb, endorsed their cost-effectiveness. That report suggests that, for its £5 million-plus home help budget, Greenwich council could have purchased 665,912 hours of work; for the same amount the personal assistant scheme could have brought 1,450,569 hours. Similarly, the personal assistant scheme could have bought twice the number of care attendant hours.

Under the scheme that the Government are now introducing, there will be an incentive for councils to inflate their costs, to bring the cost of care packages above the £200 threshold for a contribution from the ILF 1993 fund.

In the debate in another place, the Minister also raised as an objection to direct payments that they would be at odds with the idea of a flexible response to individual circumstances and that somehow they would entail the creation of a separate social security system within social services with its accompanying rigidity. That would seem to be a through-the-looking-glass argument. A wealth of evidence demonstrates that cash payments which enable clients to manage their own arrangements for assistance provide enhanced flexibility. It is one of the strongest arguments in favour of direct payments.

Ann Kenstenbaum writes:

"Some of these arrangements are very flexible. Although the ILF award is assessed on the basis of regular hours of need, clients very often see their care needs in much less rigid terms. This is certainly true where care is essentially respite, allowing a family carer to have a break and get out of the house. It is also the case where a client's state of health and therefore care needs vary from one week to the next, or where a client leads a relatively active life engaging in different activities for which different hours of help are needed."

She goes on to describe the problems of rigidity in the provision of services by social services departments.

Mrs. B, with rheumatoid arthritis, is quoted as saying:

"Home helps are bound by too many rules. . . . You couldn't expect a home help to be so flexible because of the other people they have to see."

Mrs. J says:

"As a home help, she had to refuse to clean windows. Now (employed privately) if she is asked to do something, she just does it."

Miss C sums up the problem of rigid practices among local authority employees:

"They canna do this, canna do that.".

Those complaints take us into the arguments against yet another objection by the Government. The Under-Secretary of State said that cash payments by the social services department would be unnecessary because the new

scheme ensures that in future the two parts of the package, cash from the ILF and services from the local authority, will be brought together

"so that the client receives a coherent package of care agreed jointly by the disabled person, the local authority and the new fund."

But this could have been designed as a model of cumbersome, time-consuming and expensive bureaucracy. I do not believe that care packages can be most cost-effectively designed if they are made up of £200 of services and extra cash put in from the ILF.

The Minister went on to emphasise that she would expect the disabled person to have

"as great a say as possible as to who is to be employed to provide the care."

She added:

"There is no reason why a care assistant should not be personally chosen by the disabled person."

I find it hard to credit that disabled clients will actually decide who is to be employed by local authorities. But if they are to have a say, why not go the whole way to autonomy? Would it not be less costly, administratively simpler and morally better for disabled people to employ their assistants?

The argument to which the Minister appeared to attach the greatest weight was that, while

"in individual cases disabled people may be able to use money more effectively than certain authorities"—

a grudging but useful acknowledgement—there is a risk that they will

"adversely affect authorities' ability to match their resources to all local needs, not just those of people receiving direct payments."—[*Official Report, House of Lords*, 21 April 1993; Vol. 544, c. 1664-65.]

That would be a powerful argument if it were true, but the Association of Directors of Social Services does not believe it to be valid. The truth is that many social services departments will find it extremely difficult to play their part in providing services to severely disabled people. To do so requires specialist resources and expertise.

One of the most important and worrying findings in Pauline Thompson's recent survey is that only a minority of severely disabled people receive services from their local authority. The case for allowing severely disabled people who wish to do so to design and manage their own care arrangements becomes all the more powerful. To the extent that social services departments do not have to commit staff and time to detailed organisation of care for people with complex needs, so they will be able to address themselves more fully to the huge range of their other responsibilities.

The Minister's one other argument was that it would not be right to expand authorities' "already very full agendas" by asking them to take on responsibility for cash payments. Would that the Government had always been so concerned not to impose on local authorities. But they need not be fearful of doing so in this instance. They would be easing the enormous burden that they have laid on local authorities with care in the community.

I apologise for having dealt with these arguments somewhat laboriously. But it is an important issue, and they are the arguments that the Government have so far invited us to accept. I cannot accept them, because they disintegrate as one looks at them. I do not think that the Ministers who have advanced them believe in them either. Lady Cumberlege said that she was sad to have to reject the case made by every speaker in last week's debate. She asked their Lordships not to shoot the messenger. I certainly have not meant to do that; she is held in warm personal regard.

However, it is our duty to debate the policy. If parliamentary debate is to count for anything, I hope that my right hon. and hon. Friends will heed the arguments that have been put forward from all parties and in both Houses. Early-day motion 1673 on independent living has been signed by 146 hon. Members of all parties. I hope that Ministers will respond positively to those arguments and views now because it is an urgent issue. My hon. Friend the Minister the hon. Member for Bury, North (Mr. Burt), has said that the Government's position is not irreversible. Care in the community and the new independent living fund must be established on a sensible basis. We cannot continue to defer to the obstinate obscurantism of a departmental tradition which dates from 1948.

Ms Liz Lynne (Rochdale): I shall not detain the House for long, as the arguments have been well rehearsed by hon. Members on all sides of the House.

Direct payments to people with disabilities will help them to lead individual lives in the same way as everybody else. We all know that, and I believe the Minister is well aware of it. I hope that the Government will change their mind about the amendment, as it will empower people with disabilities and help them to feel as if we treat them as normal human beings, because that is what they are. If we do not allow them to manage their own lives, we are saying that they do not have the same rights as us.

One of the arguments was that it is not cost-effective, but it is very cost-effective. If people with disabilities do not stay in their own homes and cannot manage their own budgets, they will probably have to go into residential accommodation and that will cost a great deal more. I hope that the Government take that on board. If disabled people do not go into residential accommodation, yet again the carers will have to cope. The carers, who carry the burden all the time, will have to meet those needs. Under new community care legislation, much respite care will be cut because of insufficient Government funding. I urge the Government to change their mind.

I do not accept that there would be a lack of accountability. It will be far easier for an individual to liaise with his or her local authority than for the local authority to liaise with the provider of services. The individual can be in constant contact with the social services department as to his or her needs and the services that it is buying in. That argument also goes by the board.

Only a small number of people are involved, and for the Government to deny them a proper standard of living is extremely heartless. Cash payments are already made under the Children Act 1989, so a precedent has been set. I hope that the Minister will tell the Treasury that costs will not run out of control. There are too few people involved for that to happen. Disabled people should be able to enjoy their dignity and to manage their own lives. That is why I put my name to the amendment.

Mr. Paul Flynn (Newport, West): There is unanimity on this issue on all parts of the House, and I will emphasise some of the points made with great force by other hon. Members in the belief that, as we say in Wales, "Dgtal donc a dgrr y garreg"—constant knocking breaks the stone. The stone that we have to crack is a strange and uncharacteristic stubbornness among Ministers.

[Mr. Paul Flynn]

Clause 1 gives the Secretary of State the power to make grants to the funds

"for such purposes as the Secretary of State may determine."

The amendment would define those purposes as

"promoting . . . independence and freedom of choice"

among the disabled. I am sure that we will share that aspiration.

The importance of the disabled receiving cash payments wherever possible is that they can make their own decisions—something very much with the grain of Government thinking on so many other issues—as to how the money should be spent and the services needed can best be provided.

The old ILF made payments direct to the person concerned, and that was a successful arrangement. The extension fund will continue to make such payments to those already receiving them, and the 1993 fund will make payments to the disabled and to third parties—and is likely to do so in most cases. The reason is that part of the money required will be provided by local authorities, which cannot make cash payments to the disabled but only provide services.

The 1993 fund trustees will probably feel that it makes more sense to deliver the full package in kind rather than part of it being paid in cash and the rest in kind. The solution is to give local authorities the power to make cash payments, as they can in Scotland. Ministers virtually conceded that that will have to be done sooner or later but, for reasons that perplex us, they have refused to do it now.

On Second Reading, the Minister of State said:

"Whatever may happen in the future, at a time when local authorities are taking on so many extra responsibilities in relation to community care, it is surely a mistake to add to those responsibilities a duty to manage cash."—[*Official Report*, 15 March 1993; Vol. 221, c. 42.]

However, local authorities will have to "manage cash", whether they are making payments to their own employees, other organisations, or the disabled themselves. Making it possible for local authorities to pay money to the disabled where they think that is right will not add to their burdens. On the contrary, it will make their task easier if some people can organise their own services rather than rely on their local authority to do that for them.

In Committee, the Minister was even more forthcoming:

"No one who has stayed in close touch with the work of the independent living fund can be unaware of the importance of cash, as opposed to services, to empower disabled people to have control over their lives . . . current legislation does not enable local authorities to dispense cash . . .I suspect that that argument will be pursued with vigour by my hon. Friends, as well as by Opposition Members, who hold strong views on the matter, which will not go away. I recognise that the provision of cash maximises the freedom, the choice and the empowerment of disabled people. Current legislation does not provide for that and the Bill does not deal with it. However, I have noted carefully the hon. Gentleman's remarks."—[*Official Report, Standing Committee A*, 25 March 1993; c. 52.]

The Bill cannot deal with that point because of the narrow drafting of its long title—hence the amendment's indirect wording. However, there is nothing to prevent the Minister from giving an undertaking tonight that that point will be dealt with by suitable legislation at the earliest opportunity. We are only asking the Minister to confront the logic of his own persuasive arguments.

6.45 pm

The Minister for Social Security and Disabled People (Mr. Nicholas Scott): I recognise the importance of debating this subject, which is in many ways central to community care. However, a number of problems confront me in respect of particular amendments. As the House will be aware, we are four weeks into the new care in the community arrangements. It would be unrealistic for the House to expect me to accept this evening amendments introduced at such an early point in those new arrangements.

Nevertheless, I acknowledge the debate's importance and the powerful speeches made by hon. Members on both sides of the House in support of the narrower point—although I understand why the amendment was drafted in the way that it was—of whether cash alone, a mixture of cash and services, or just services should be the response to meeting the needs of disabled people.

If I were tempted to accept the amendment and it were passed, that would involve changes to the activities of the trustees, who have all been appointed, and would involve the Charity Commissioners. That would not be an overriding consideration, but it would present problems, given that the trustees have held their first meeting and are deciding the way ahead. For those narrow reasons—I will come to the broader issues—it would be inappropriate to accept the amendment.

Mr. Alan Howarth: I appreciate my right hon. Friend's point about the practical difficulties of altering the terms of the trust just after it has been established—clearly the new trustees and their staff want to get on with the job on the terms already defined. However, is not the important issue of parliamentary accountability in question, in establishing the rules of the fund by way of a trust deed? Does my hon. Friend agree that it is important that there should be accountability to Parliament for publicly provided funds and that there should be scope from time to time to change the trustees' terms of reference?

Mr. Scott: There may be occasions during the life of the fund when, if there were strong and overwhelming feelings in the House, it would be necessary to alter the terms on which trustees settle matters. But it would be somewhat premature and untidy if, four weeks into the new arrrangements, we were to be persuaded to go down that route. Incidentally, I am not saying that I necessarily believe that the arguments being advanced at the moment will in due course be necessary, but at least for the time being I can rest on the fact that the timing would be singularly inappropriate at the moment.

The main debate that we have had today, however, is on the question of cash. Illumination has been provided by the debate in another place and by debates in Committee and the debate this evening has brought home how cash delivered by the predecessor independent living fund empowered people to make choices about the care with which they were provided. I, too, have read the reports and views of Ann Kestenbaum, Pauline Thompson and others. Nobody can read them without being impressed by the power of their arguments. They are extremely moving as well as persuasive. But I hope that the House will be prepared to accept that, persuasive and moving though the arguments may be, we are at present in a new situation, with care in the community operating in its infancy.

The hon. Member for Huddersfield (Mr. Sheerman) and other hon. Members have made the point that, all too often in the past, the provision of care services by local authorities has tended to be inflexible. Sometimes, as in the example quoted by the hon. Member, it has even been uncaring and unresponsive to the varying needs of disabled people. I accept that such cases are in the minority and that many social service workers and carers employed by local authorities are immensely committed to their task and carry out their duties carefully and with flexibility.

Overall, however, I believe that the attitudes of local authorities have been changing and will continue to move away from what one might call the rather authoritarian attitude that has characterised some provision in the past, with local authorities deciding the disabled persons' needs and how they will be met. That is not a total caricature of the attitude of some local authorities to the provision of care, whether it be because of budgetary constraints or because of attitudes among some professionals, who believe that they can say what is best for those in their care.

We must recognise that, under the new community care arrangements, local authorities will increasingly become enablers rather than providers in the care business. They will be looking to organisations, private organisations, perhaps specially set up to provide care, perhaps voluntary organisations that can move into the business of providing care. We already know of some national organisations that are establishing schemes for looking after the group of disabled people in their particular remit; in some ways that could be a better path than local authorities seeking to provide all the services themselves. Local authorities becoming facilitators rather than providers will therefore be a very important part of this new approach. The fact that they must spend some 85 per cent. of the ring-fenced money in the non-public sector will be an important encouragement to move in that direction.

As we discuss this matter today we share a common aim: that the people who need help and caring services receive them. I do not apologise for repeating what I have said before: my colleagues in the Department of Health and I, as Minister for Disabled People, are anxious to see that package of services are arrived at after proper consultation with the recipient of the care packages and that local authorities will assess the needs through their own social workers and will then explain to the disabled person what they feel able to provide, but ask for his views and offer to make such changes as they feel they can.

Above that package of care, if the needs are in excess of the benchmark, the independent living fund, the 1993 fund, will be able to come in and provide the necessary extra cash. That will introduce the element of flexibility which has been so important.

The cash argument is unlikely to disappear simply because I am unable to accept these arguments. I am trying to deal with the matter on its merits at the moment. I believe that we should give the new arrangements a fair and clear run-in. But nobody who has been involved in the workings of the independent living fund over the whole of its life could fail to understand the importance of cash in the lives of many disabled people. It is important that instead of the fund coming entirely to an end when community care was introduced a month ago, we were able to have both the extension fund and the 1993 fund, in order to preserve this concept.

The Government will certainly monitor the impact of the new arrangements. Bearing in mind the strength of the views expressed across the House this evening, I have a feeling that I will be constantly reminded of the arguments that have been put forward and that the Government will have to reconsider this from time to time to see whether the new arrangements are bearing up or what changes may be necessary.

I thank all those who have contributed to the debate this evening. I end by reminding the House that although some examples have been put forward of local authorities being able to make cash payments, in general—Scotland is an exception—it is illegal for local authorities to make regular cash payments to individuals. They can make one-off payments in certain circumstances, but the concept of regular cash payments inherent in the arguments put forward this evening is at present generally illegal. If local authorities can devise schemes that are lawful, I will certainly not oppose their working with disabled people to work out innovative ways of giving disabled people more control over their care packages.

I have tried to respond to the debate, but, because I am unable to accept the amendments or the idea of introducing changes so early in the life of the community care arrangements, I must ask the House to reject the amendments. I hope that I do so with some tone of sympathy in my voice and some understanding of the arguments that have been put forward.

Mr. Sheerman: We are disappointed that the Minister has been unable to accept the amendments. Sometimes one listens to the speeches of the right hon. Gentleman and one tries to decode them as he is speaking. I feel that what he has said this evening needs some decoding. There is a sense in which he seems to be saying to the House, in a very quiet voice buried somewhere in the speech, that he is convinced of what the hon. Member for Stratford-on-Avon (Mr. Howarth) said in a very good speech and that he accepts that the moral case, as debated here and in Committee, has been made for accepting the principle embodied in the amendment. So I am encouraged by that voice in the right hon. Gentleman's speech.

However, we are not very impressed by some of the reasons for failing to act now. I am tempted to quote the immortal bard and say, "It's not our fault, guv," when the Minister points out that we are a month into community care and it is all too late. He could have prepared for this a year ago. He knew that the independent living fund was coming to the end of its five years and he had plenty of time to prepare. He has had a year since the general election. So he has no excuse not to have all this up and running, thought through and implemented a long time before now. He says that it is all very difficult because we are a month into community care and all the problems there.

There is an argument to be made—I will not elaborate too much, because we will come back to it on Third Reading—that the independent living fund was seen pragmatically as a great success, a great empowerer of disabled people. The independent living fund ran with great success for five years and the principles embodied in it could have been part of the doctrine that has now been introduced.

Another point about planning is that the Government —knowing that the independent living fund was coming to the end of its five-year life and that the community care package was coming in at the same time—could have extended the independent living fund for a short time until the community care package had bedded down. That is an

[Mr. Sheerman]

argument that we have heard time and again from professionals—allow community care to bed down for a period and assess the match or mismatch between that and the independent living fund. I know that the Minister has heard that argument many times from many quarters.

The Minister said that his imagination had been illuminated by the debate, but he has given a catalogue of reasons for not being able to implement any of the suggestions at the present time.

7 pm

My final point concerns the changed nature of local authorities. It is interesting that a Minister in the present Government should acknowledge that local authorities actually can and do do a good job. The Labour party has been saying that for 14 years, long and hard. Local authorities believe that cash payment is the best way to enable and facilitate this group of severely disabled people.

Consequently, local authorities, the Association of Metropolitan Authorities, the Association of Directors of Social Services and all the other organisations that have been quoted by hon. Members on both sides of the House are telling the Minister that the most effective way for severely disabled people to be helped is by the provision of cash by local authorities. I was encouraged by the Minister's closing remark—and I will be reading his speech very carefully tomorrow—that if arrangements were made by local authorities, by way of a trust or whatever, which will facilitate certain kinds of payments, he would not wish to stop that.

That is the only encouragement that I have been given, however, so we will be pushing this amendment to a vote.

Question put, That the amendment be made:—

The House divided: Ayes 193, Noes 259.

Division No. 250] **[7.2 pm**

AYES

Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alton, David
Anderson, Donald *(Swansea E)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A. J.
Benton, Joe
Betts, Clive
Blunkett, David
Boyce, Jimmy
Boyes, Roland
Bradley, Keith
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clarke, Eric *(Midlothian)*
Clelland, David
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Denham, John
Dewar, Donald
Dixon, Don
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Ewing, Mrs Margaret
Fatchett, Derek
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
George, Bruce
Gerrard, Neil
Godman, Dr Norman A.
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hanson, David
Hardy, Peter
Harvey, Nick
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley N)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Jones, Barry *(Alyn and D'side)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kirkwood, Archy
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
Madden, Max
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Hara, Edward
Oiner, William
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Raynsford, Nick
Redmond, Martin
Robertson, George *(Hamilton)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Sheerman, Barry
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Trimble, David
Turner, Dennis
Tyler, Paul
Wallace, James
Wardell, Gareth *(Gower)*
Watson, Mike
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Joe Owen Jones and
Mr. Eric Illsley.

NOES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley

Boswell, Tim
Bottomley, Peter *(Eltham)*
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Durant, Sir Anthony
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorst, John
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Ralph *(North Norfolk)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Merchant, Piers
Milligan, Stephen
Mills, Iain
Mitchell, Andrew *(Gedling)*
Moate, Sir Roger
Monro, Sir Hector
Moss, Malcolm
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon. Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'f'ld)*
Wolfson, Mark
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Timothy Wood and
Mr. Robert Hughes.

Question accordingly negatived.

7.15 pm

Mr. Keith Bradley (Manchester, Withington): I beg to move amendment No. 2, in page 1, line 16, at end insert—

'(2A) Any grant made to the Independent Living (1993) Fund shall be subject to the condition that the Secretary of State shall have exercised his power under Clause 15 of the deed establishing that fund to revoke Clause 4(1)(d) of that deed.'.

Mr. Deputy Speaker: I understand that it will be convenient to discuss at the same time the following amendments: No. 3, in page 1, line 16, at end insert—

'(2A) Any grant made to the Independent Living (1993) Fund shall be subject to the condition that the relevant maximum sum referred to in Clause 4(1)(a) of the deed establishing the Independent Living (1993) Fund shall be not less than £500.'.

No. 4, in page 1, line 16, at end insert—

'(2A) Any grant made to the Independent Living (1993) Fund shall be subject to the condition that the Secretary of State shall have exercised his power under Clause 15 of the deed establishing that fund to revoke Clause 4(1)(c) of that deed.'.

Mr. Bradley: I am pleased to explain amendments Nos. 2, 3 and 4, which have been grouped together. As with amendment No. 1, it will be noted that these amendments command all-party support. Because of that, I hope that the Government will yet again listen carefully to the arguments on the amendments and that they will view their consequences sympathetically, with a view to accepting them and incorporating them in the successor funds to the independent living fund. *[Interruption.]*

[Mr. Bradley]

The three amendments cover three important areas of consideration, which—*[Interruption.]*

Mr. Deputy Speaker: Order. A few sub-committees seem to be taking place throughout the Chamber. I am having difficulty in hearing the hon. Member for Manchester, Withington (Mr. Bradley). Will those hon. Members who are leaving the Chamber please leave quietly, and will those who intend to remain here please listen to the hon. Gentleman?

Mr. Bradley: Thank you, Mr. Deputy Speaker. The amendments are extremely important for disabled people. I hope that those hon. Members who stay in the Chamber intend to make a contribution to the debate and to support the needs of disabled people, since the passing of these amendments would improve their lives in the future.

The amendments cover three different areas, but they have been linked because of the detailed debate in Committee on these issues. At this point, we should pay tribute to the many organisations that represent disabled people. They have done an immense amount of work in support of the amendments. I must also thank the Committee and those who spoke on Second Reading. I pay tribute to Age Concern, the Alzheimer's Disease Society, the Carers National Association, Caring Costs, The Spinal Injuries Association, the all-party disablement group and many other organisations that have worked so hard to ensure that there is detailed and informed scrutiny of the legislation, in particular these amendments.

The amendments cover three crucial matters. The first is the outrageous fact that the successor 1993 fund will not apply to anyone over working age, which basically means anyone over 65. The second is that a £500 limit is to be set on the total package of care from the local authority and the independent living fund together. The third is the important fact that, if the total package of care exceeds the £500 limit, the total burden of care falls back on the local authority. The problem is that there is no opportunity for the local authority to top up the care package above the £500 limit, and I shall deal in more detail with that issue later. I want especially to talk about the important concept of the sandwich, which was introduced in Committee.

Amendment No. 2 deals with the appalling situation identified by all the groups that represent disabled people in any way—that the successor fund will not apply to anyone over the age of 65. There is absolutely no justification for excluding older people from help with the extra costs of disability. The Government's decision amounts to unwarranted discrimination and penalises people for being old and for being disabled.

Statistics relating to the old independent living fund show that one in three—or 34 per cent.—of people who received help from the fund were over 65. Therefore, under the old fund the Government recognised the needs of people over 65 but are now denying them future help from the successor fund. That must be severely condemned on Report.

Disability should not be considered an inevitable part of aging. The majority of older people are not disabled. The Office of Population Censuses and Survey's disability study showed that only a third of people over 60 have a disability and that many older people live full and active lives into their 70s and beyond. For the minority who are disabled, their special needs and extra expenses do not decrease as they grow older.

The Government have made their own estimates of the cost of extending the fund to the over-65s. It is staggering that they estimate that extending the successor fund to new cases to cover people over retirement age will cost only £2 million in 1993-94, £6 million in total in 1994-95 and only £9 million in total in 1995-96. That information was provided in a written answer on 5 December 1992. In the context of the overall needs of disabled people, they are extremely modest sums in terms of the Government's total expenditure, and I urge the Government to think again about extending the scheme to the over-65s.

Again on their own estimates, the Government are expecting a total of only 1,500 cases a year to benefit from the fund. Extending the fund to the over-65s is hardly going to take public expenditure through the roof. I know that the Government have had to reign in public expenditure but, surely, the modest sums that I have mentioned could be included in that expenditure and the total package of care for disabled people.

On Second Reading and in Committee the Government argued that they thought it right to target resources on those who had become disabled earlier in life, who have higher care costs than older people and who have not been able to build savings or acquire pension rights. The Government have repeatedly stated that pensioners have had large increases in average incomes and that more people have had an opportunity to build sufficient income for their retirement to be able to afford the extra costs of disability. That is why the Government believe that they should not extend the fund to the over-65s.

However, many older people have not had that opportunity or the opportunity to benefit from the state earnings-related pension or the growing availability of occupational personal pension schemes. Many older people have been unable to acquire significant entitlement for their retirement because of unemployment, low pay, caring responsibilities or illness, so the evidence refutes the Government's argument that people over 65 have extra resources and will be able to look after themselves. That is clearly not the case. The Government should think again and try to include the over-65s in the successor fund.

Mr. Dafydd Wigley (Caernarfon): Does the hon. Gentleman agree that it is ironic that, because of the recent reduction in interest rates, some elderly people who have made personal provision by way of savings are finding that their savings are generating much less income and that they are now in difficulty? Does not that support his argument?

Mr. Bradley: The hon. Gentleman is absolutely right. It is ironic that, as inflation comes down, the amount of money on which people have become used to living also falls dramatically. Many elderly people have come to my advice surgeries recently, asking how they will manage on a reduced income which they have no way of boosting. They have their total capital on which they can receive interest and they have no other resources to help them with the escalating costs of disability as they get older. I hope that the Government will listen carefully to our arguments with a view to extending the fund to the over-65s.

As we made clear in the debate on amendment No. 1, we believe that the decision to limit the fund to the

under-65s was Treasury-led. The Treasury has limited the amount of money and told Ministers that they must find a way of fitting the number of claimants into the pot. I do not believe for a moment that Ministers have done so with any great optimism or welcome, but they have used age as the cut-off mechanism for reducing the money involved. I hope that Ministers will put pressure on the Treasury to allow them the meagre extra resources to extend the fund to the over-65s.

I deal briefly with amendments Nos. 3 and 4, which would avoid the arbitrary limit of £500 being set on available care. We believe strongly that such a limit flies in the face of the purpose of the successor fund, which is to allow people to live independently. If there is a £500 limit and if it is exceeded, local authorities will obviously have to consider the relative and comparative costs of independent living and residential care. If it is found that the latter is cheaper than the costs that exceed the £500 limit, there will be pressure on local authorities to push people into residential care which flies in the face of the philosophy behind community care and any continuation of the independent living fund.

There was absolute uproar about the comments by the Minister for Social Security and Disabled People in an Adjournment debate on the independent living fund, introduced by my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris) on 25 February. The Minister said:

"I do not believe that . . . there is anything offensive in our setting an upper limit beyond which it is not unreasonable that people who need help should have to look to other sources to maintain their independence in the community, or to decide, sometimes reluctantly, that the time has come for them to go into residential care."—[*Official Report*, 25 February 1993; Vol. 219, c. 1126.]

The Minister may regret his words because of the outrage expressed by many groups representing disabled people. They know that those resources do not exist and that residential care is probably the only option. We should be doing all in our power to ensure that that is not the consequence of limiting to £500 the amount that can be spent.

7.30 pm

It is crucial that we consider how the allocation will operate within the £500. There was much debate about that in Committee, but I believe that there is still confusion among local authorities, care groups and disabled people's groups about how things will work in practice.

As I understand it, the £500 care package is split into two key elements, one of which consists of £200 worth of services provided by the local authority. The previous debate has thrown a little light on that matter, and it may now be possible for local authorities to translate that £200 into cash. We shall work closely with local authorities when we have carefully read the report of the debate, to work out how the arrangement will operate. The second element is a top-up of £300 in cash from the fund.

However, if the total package of care assessed for an individual will cost more than £500 the whole cost of that care falls back on the local authority and no contribution will be made from the independent living fund (1993). We believe that the concept of the sandwich that the Government have introduced is not real. As we said in Committee, it may be a Danish sandwich—an open sandwich with no slice of bread on the top. It will certainly not be a good British sandwich with a piece of bread, a filling and another piece of bread on top. I know that we are all moving into Europe, and that Maastricht is almost behind us, but there is a limit on how far we shall push our European credentials tonight.

I want the Government to be clear about the fact that the sandwich concept does not exist, because there is no opportunity for the local authority to come back and put a top layer on to the £300 element from the independent living fund. There is no opportunity for the local authority to top up the bread base—the £200—again. It is absurd not to allow the local authority to top up the sum to £600 or £700 if the cost goes beyond £500.

I emphasise again that, if that does not happen, the real consequence may be that the individual—we are talking here about the most disabled people, whose care packages may be the most costly—and indeed the whole group will be forced into residential care because of the comparison between the costs of the package of care put together by the local authority and the costs of residential care. Because local authorities are working within cash-limited budgets they will be forced to consider seriously the residential care option rather than the option of real independence, which we should all strive to bring about, and the empowerment of the individual—that is a phrase that we have heard many times—to ensure that he or she gets the best care possible in the community.

We have advanced strong arguments both in Committee and on Report about why the Government should think carefully again about the amendments. When we discuss the future of community care and how the independent living fund relates to it we all have the interests of disabled people and their carers at heart. I hope that the Minister will respond in the spirit in which the amendments were tabled, and according to the spirit in which the Government are shifting rapidly towards agreement on cash payments. I hope that he will recognise that, within the assistance provided by the local authority, there should be a cash element and also an opportunity for the local authority to come back and top up the total package, while the £300 contribution from the independent living fund continues to be made. Most crucially, all those arrangements should be extended to cover people over 65.

Mr. Alfred Morris (Manchester, Wythenshawe): For the severely disabled people they seek to help, every one of this group of amendments is profoundly important. They are all about protecting independence and freedom of choice for people whose claim to the attention of this House should be the priority of priorities.

Amendment No. 2 gives the House an opportunity to debate again an upper age limit which the organisations that work to help severly disabled people over 65 condemn as discriminatory and in conflict with natural justice. The Alzheimer's Disease Society, of which I am an honorary officer, says:

"We believe the age-limit for applications to the successor bodies of the ILF penalises people for being old".

It makes that sad comment by reference to the cases of elderly disabled people of very high dependency which the Bill, as drafted, will totally exclude from the help they need, and the Society adds:

"Such age discrimination is a crude example of a Government minimising public expenditure at the expense of an extremely needful group of people".

Some of the organisations that speak for elderly disabled people of high dependency feel so strongly about

[Mr. Alfred Morris]

the age limit imposed by this Bill that they are already said to be thinking of involving the European Court of Human Rights if the Bill reaches the statute book in its present form. That must be of deep concern to right hon. and hon. Members on both sides of the House. I hope that it will also persuade the Government to think again about their stance on this issue both at Second Reading and in Committee.

Ministers will know that there is equally strong feeling in the voluntary sector about the maximum sum of £500 imposed by the Bill on help for personal assistance services to enable severely disabled people to live, as they undoubtedly want to live, in their own homes instead of being shut away in institutions. The Government have been told by the British Council of Organisations of Disabled People, for example, that it is actively considering a reference of this further issue to the European Court of Human Rights if the Bill goes unamended into law.

In the Adjournment Debate I initiated on the future of the independent living fund on 25 February, the Minister for Social Security and Disabled People said—I make no apology for recalling his words again—that in cases where severely disabled people need more than £500 to retain their independence, there is nothing

"offensive in our setting an upper limit beyond which it is not unreasonable that people who need help should . . . decide, sometimes reluctantly, that the time has come for them to go into residential care."—[*Official Report*, 25 February 1993; Vol. 219, c. 1126.]

All the major organisations of and for disabled people, as my hon. Friend the Member for Manchester, Withington (Mr. Bradley) said, have reacted with anger and disbelief to that statement. The Spinal Injuries Association, for example, which is held in the highest regard on both sides of the House, has described the statement as "most shocking" and asks whether

"£500 is now the going price for freedom in this country?"

Mr. Scott: That has been quoted twice, but the fact is that that is not the only option available at that juncture. It is still possible for the local authority that would resume responsibility for the provision of care at that stage to decide, taking account of the needs and of the finances available, that it still wishes to retain the independence of that person within the community rather than making provision for residential care. That is still a choice open to the local authority at that stage.

Mr. Morris: I have heard about the "sandwich" concept and even more about the resource constraints on local authorities. They put it to me, as they do to other right hon. and hon. Members, that they are already finding it extremely difficult to meet their legal duties under existing law. I shall come in more detail to the difficulties of local authorities as I proceed.

The Spinal Injuries Association is not alone in bitterly criticising the imposition of the £500 limit. Other organisations have described it as "forced incarceration" and "imprisonment without crime". At the very least, I hope that the Government will accept that it will be demeaning not only for them, but for this House as well, if the question of what is permissible treatment of severely disabled people in this country has ultimately to be decided not here but in the European Court.

There is widespread concern and dismay not only about the ceiling of £500 which the Government are imposing, but also the effects of this policy for severely disabled people who have been receiving direct payments from their local authorities to buy in the personal help they need to remain living in their own homes. Again as the Government must know, some authorities have been making direct payments for this purpose over a long period. Will they be allowed to go on doing so? If not, will they be required to provide personal assistance themselves or to arrange for a third party to do so in lieu of the direct payments they have been making to disabled people?

If provision by the local authority is to continue, will disabled people be able to select their own personal assistants as they do now under the existing ILF arrangements? If they are not to have this right, then ipso facto the Government are seeking to create two classes of disabled people. That local authorities overwhelmingly support direct payments, the House should be in no doubt. In a recent survey by the Disablement Income Group of 68 directors of social services, it was found that 58 supported the principle of direct payments.

There is, however, an even more fundamental objection to the Government's apparent determination to end the direct payments that local authorities have been making to disabled people. It is a legal one of which the right hon. Gentleman, if no one else here tonight, must be fully aware. I say this because he will have been advised, as I was as the Minister, that when a local authority has identified and accepted a disabled person's need, it is the legal duty of the authority to meet that need. That is the legal advice given to me as the Minister, as I informed the House in the debate on the Second Reading of the Chronically Sick and Disabled Persons (Amendment) Bill at column 1923 on 2 February 1979. I have checked, on several occasions since then, that identical legal advice has been given to all my successors as Minister since 1979, including the Prime Minister when he was Minister for Social Security and the Disabled in 1987.

The direct payments made by local authorities have been made, in each case, after identifying and accepting need. Moreover, for them now to reduce or withdraw that help could put them in conflict with the law. This is because, like me, all my successors as Minister have been legally advised that for a local authority to withdraw, or even to reduce, help it has been giving a disabled person is unlawful if there is no diminution in his or her needs.

Yet this is the position into which many local authorities may be forced by what the Government are proposing. Indeed the trustees of the independent living fund (1993) are being asked to participate with local authorities in the taking of decisions that could be legally challenged. Their power to provide financial assistance is strictly prescribed as follows:

"The Trustees will negotiate and agree the financial assistance they provide pursuant to the Power (in the Deed) on the basis that:

if the relevant local authority ceases to provide the Threshold Sum (as defined in the Deed) the Trustee will cease to provide such financial assistance . . . the Trustees may cease to provide all or any such financial assistance without notice if they think fit."

So if a local authority fails to provide at least £200 a week, the trustees will cease to provide assistance and the need the local authority has identified, and for which a disabled person has been assessed, could go unmet, in straight conflict with the legal advice given to me and all

my successors as Minister. I am not being hypothetical but addressing an existing difficulty for many local authorities, and the legal implications are extremely serious. Indeed, in a recent survey of directors of social services, who were asked how confident they were that their local authorities would be able to provide help at the £200 level for everyone who was assessed as needing at least that much, only one director was "very confident", 25 were only "fairly confident" and 32 were "not confident".

7.45 pm

Thus, many local authorities could find themselves in legal difficulties through no fault of their own. For this I do not directly blame the Minister; indeed, I was very kind to him at Second Reading in saying that this is, in truth, a Treasury and not a DSS Bill. It is incontestably a Treasury Bill in the sense that it was the Chancellor who decided how much would be spent on independence and choice for disabled people. He decided what Peter Large, speaking for the Disablement Income Group, has described as the "beggarly" sum of £4 million to be allocated to the ILF (1993); and it is the Chancellor who must take main responsibility for what the Bill proposes.

It is, however, for the Minister for Disabled People or his nominee to reply to this debate tonight and I trust that he will address the very real concerns of disabled people and their organisations, as well as those of local authorities, that I have raised. I commend the amendments to the House.

Mr. Alan Howarth: The House will be relieved to know that I do not intend to speak on this group of amendments at anything like the length I spoke on amendment No. 1. However, there are one or two arguments to which I wish to draw attention and others that have already been put forward which I wish to reinforce.

Amendment No. 2 concerns the ineligibility of people over 65. I appreciate my right hon. Friend's concern to provide better help to younger, severely disabled people. The whole House must endorse that objective. However, I say with respect that it is not clear to me that that provides an argument for excluding people over 65 from becoming eligible for receiving support from the new independent living fund.

After all, if the argument for supporting younger people is that they will not have had the opportunity to build up savings, we should remember that elderly people who would be eligible for support from the independent living fund would not have been able to amass substantial savings. As I understand it, they must be eligible for income support, and they would not be eligible for income support if they had accumulated substantial personal capital. I do not quite follow my right hon. Friend's argument on this point.

I find it hard—indeed, impossible—to see how we can justify denying people who become severely disabled after the age of 65 the opportunity for independent living. The Government's continuing insistence that they are not prepared to allow social services departments to make direct payments is relevant to this. I contend that independent living in the proper and full sense involves having control of one's own resources.

Although, as my right hon. Friend said during an intervention in the speech by the right hon. Member for Manchester, Wythenshawe (Mr. Morris), it would be possible for social services departments to support people to live in the community, my fear is that if those severely disabled people who were so supported did not have control of their own budgets and were not able to design and manage their own care packages, they would be in danger of being effectively institutionalised in the community. That is not care in the community in the sense that any of us understand it.

I do not understand why the Government want to create two categories of people over 65: those who might in some sense—it is a strange use of the term—be regarded as "fortunate" because they became severely disabled before 65 and are, therefore, eligible for financial support from the fund, and the rest. It seems to be an arbitrary distinction and I cannot imagine any satisfactory defence for it.

If the argument is about cost, it does not seem to be a sufficiently powerful one because, on the Government's figures, the cost of extending eligibility to people over 65 to become recipients of grants from the new fund would not be exorbitant. On the Government's figures, it will be an extra £2 million in the first year, rising to £9 million in 1995-96. While I fully appreciate the importance of firm discipline in controlling the costs of the massive social security budget, the figure of £9 million of 1995-96 is effectively invisible in the context of a Department of Social Services budget of £80 billion.

Amendments Nos. 3 and 4 relate to the £500 limit. I put it to my right hon. Friend the Minister that he and his colleagues, especially those in the Treasury, need not fear the cost of lifting that limit because the numbers in question are small. In the context of total public expenditure on welfare, we are talking about something that will be hardly discernible.

Indeed, while we must always seek to find solutions that are cost-effective as well as humane, domiciliary care is cheaper and therefore more cost-effective than residential care in almost every instance. I cannot understand the argument for setting the limit, which seems to be an arbitrary one, on £500 with the combined value of the package of services from the Department of Social Services and grant from the independent living fund. On the contrary, it seems to be a waste of public resources effectively to drive people into residential care.

The most important argument is a morale one. Surely, if anything, there is a greater moral imperative to enable the most extremely disabled people to live independently in the full sense that I described earlier. I ask my right hon. Friend this question: has any similar ceiling been set for any other category of clients? I am not aware that it is so. If no such ceiling has been set, why do the Government propose to set a ceiling on the package of support from those two sources which would be available to severely disabled people?

Mr. Wigley: I shall intervene briefly because, unfortunately, I have had little opportunity to take part in this debate, not having been on the Committee. I support the amendments which have been tabled. I shall refer to a few points that have been made and perhaps elaborate on them.

The argument against an arbitrary cut-off at the age of 65 is strong. There is a growing concern among elderly people and those organisations campaigning on their behalf that there appear to be more instances of this approach—a cut-off at a certain age, at the age of 65 or thereabouts. We are familiar with a cut-off on age with

[Mr. Wigley]

regard to the mobility allowance in the past and the mobility element in the present disability living allowance. Such a cut-off causes considerable rancour. All hon. Members will have had constituents coming to them and saying, "I am aged 67 or 68. I have identical circumstances to another person who is a few years younger who has suffered a disability. He or she gets a mobility allowance: I do not."

A cut-off based on age can be unfair. We know, from the representations that we have received from organisations on behalf of elderly and disabled people, of the feeling that there is discrimination in the national health service against older people. There is an assumption that when people reach a certain point they are bound to start disintegrating and may well have to live with worse circumstances than would have been acceptable at a slightly younger age. That is causing concern.

For a cut-off at the age of 65 to be built in merely to make a modest saving of less than £10 million a year, the Government must re-examine the matter. After all, the policy relates to care in the community and the changes are meant to take into account the needs of individuals. Packages are meant to be tailored to individual needs and enable people to stay in the community. That should be equally applicable to a large number of people over the age of 65, as it is to people below the age of 65. Sixty-five is not an age at which one should expect life to come to an end or a significant deterioration to take place thereafter. Many people over 65 have an active life and a major contribution to make. The fact that some disabilities may impinge on some aspects of those lives should not mean that they are regarded as needing less support than those at a slightly younger age.

Reference has been made to the cost of disability in general. Certainly, it is a significant cost. However, many aspects of life cost more as people get older—for example, the cost of heating—and, inevitably, people of a greater age face a greater burden. That will not be helped by the imposition of VAT on fuels that the Government have introduced, which will hit elderly people especially hard. I had hoped that the Government would take on board the need to ensure that there is no unnecessary demarcation against people above a certain age threshold. The cut-off seems to be an unnecessary demarcation. I put it to the Minister that, perhaps in another place, the Government can re-examine the matter if they cannot accept the wording of the amendment tonight.

I was impressed by the argument put forward by the right hon. Member for Manchester, Wythenshawe (Mr. Morris) with regard to the possibility of legal cases. The last thing that local authorities need is to be tied down with fighting legal cases. They have enough on their hands in ensuring that client groups get the necessary services and attention and the full focus of their attention, rather than being sidetracked into such cases. We seem to be spoiling this specific ship for a penn'orth of tar. I implore the Minister to re-examine the matter.

Mr. Flynn: The three fine amendments deal with many aspects of the Bill, which has been discussed at various stages. The Government's view is unclear. It is difficult to deal with this uncanny situation in which hon. Members from four parties are saying the same thing in remarkably similar speeches and only the Government are opposing them.

Amendment No. 2 provides an opportunity to remove the indefensible age limit. In Committee, the Minister of State defended the age limit on the ground of priorities, arguing that, first, younger disabled people were more likely to need longer-term care and, secondly, those who were disabled early in life had lost the opportunity to earn or save, have occupation pensions or provide for their own retirement. For the reasons given eloquently in previous speeches, I will not go into much detail about the faulty thinking behind those two conclusions.

The implication of the Government's thinking is still not clear. Is it that local authorities, in deciding what needs will be met, will give lower priority to those over 65 so that funding from the independent living fund is not required by that age group because their needs will remain unmet? If it is implied that local authorities will discriminate against those over 65, it makes a mockery of the whole community care strategy for elderly people.

There is an alternative interpretation—that local authorities will give equal priority to those over 65 but will bear the whole cost, rather than sharing it with the independent living fund. If that is the implication, it is unrealistic: it will not happen. In deciding what services local authorities can provide, they are bound to be influenced by the availability or non-availability of grants from the independent living fund. Therefore, in practice elderly people will receive less adequate services than younger people with precisely the same needs. That cannot be fair or just.

Where part of the domiciliary service is met by the independent living fund, the local authority will have less incentive to remove people from their home and place them in institutions. So the age limit on ILF payments will make elderly people more likely to be offered institutional care than younger people with similar disabilities. Can that be what the Government intend? Is it their view that institutions are a bad thing, but that they are good enough for the over 65s? I look forward to the Minister's reply to that question.

Amendment No. 3 deals with clause 4(1)(a) of the trust deed, which says:

> "No candidate shall be paid more than the relevant Maximum Sum in respect of any week".

The maximum sum is £300 or a larger sum fixed by the Secretary of State. That is on top of the £200 threshold sum paid by the local authority. That makes in total a maximum of £500 per week that can be spent on any individual.

8 pm

In Committee, an amendment was tabled requiring the Secretary of State to rescind clause 4(1)(a) of the trust deed, thus removing the maximum sum altogether. Sadly, the amendment was defeated. Hence we have tabled this more modest amendment, which would raised the maximum sum to at least £500, making a total of £700 when the local authority's £200 contribution was added.

The Minister of State told the Committee that there would be only a handful of cases in which the total cost would exceed £500. So the number of cases in which the total cost would exceed £700 would be very small.

Therefore, the effect of amendment No. 3 would be virtually the same as if there were no maximum sum. The consequences in monetary terms would be slight.

As all payments from the 1993 fund will be made at the trustee's discretion, doing away with the maximum would not mean that every application, however large, would be met in full. It would simply mean that the trustees would be allowed to decide each application on its merits. It would give them a little more flexibility, taking into account the size of their annual budget and the number of applications received. Amendment No. 3 is an eminently sensible amendment.

Amendment No. 4 deals with the concept that the Minister of State introduced in Committee. It would be helpful for the House to consider what happened on the two days of the Committee. During the first day, the Opposition Front-Bench spokesman moved an amendment to remove the £300 maximum sum. My hon. Friend the Member for Manchester, Withington (Mr. Bradley) concluded his speech at five minutes to one. The Minister of State proposed that the debate be adjourned so that he could give "a considered response" at the next sitting. Between that sitting and the next, the Minister had the vision of a sandwich which he introduced to us at the beginning of the proceedings at the next sitting on 25 March.

So the concept of the sandwich was not an off-the-cuff reaction but a carefully prepared response. He assured the Committee that the effect of the maximum payment would not be to force people into residential care. In introducing the concept of the sandwich, he said:

"I shall give the Committee a concept, which should be easily understood, of how the new system will work. The independent living (1993) fund will, in a sense, be the filling of the sandwich, with bread on both sides, which will be provided by local authorities. Below £200, the local authority will have the responsibility to provide the services that disabled people need in order to maintain themselves in the community. Once the £500 maximum is reached, the responsibility will again revert to local authorities, which will have to decide whether domiciliary or residential care would be the most appropriate support."—[*Official Report, Standing Committee A*, 25 March 1993; c. 36.]

Later in the debate, the Minister had to amend his concept. Perhaps it is fair to say that he admitted that there had been inaccuracy in what he had said. Certainly, he had got the concept wrong, even if it was not inaccurate. He said that if the total cost was more than £500, far from the ILF providing the filling in the sandwich, it would not be allowed to make any contribution. Instead of a sandwich there would be two slices of bread with nothing in the middle.

That is very different from the concept of the open sandwich—the rather non-communautaire suggestion made by my hon. Friend the Member for Withington. It would be a vegetarian sandwich, a dieter's sandwich or a Chelsea sandwich. It would be an entirely unsatisfactory sandwich, because it would have no filling. That is the effect of clause 4(1)(c) of the trust deed, which amendment No. 4 seeks to remove.

It is not surprising that the Minister got it wrong. The sandwich concept is a revealing visual aid. It not only makes sense but it is the only way in which the fund could operate fairly and effectively as a support to the most severely disabled people and to the local authorities responsible for providing them with community care.

Amendment No. 4 would not affect the £300 maximum payment. If the total weekly cost of care was more than £500, the ILF could still pay only the £300. But the local authority would be able to decide whether to provide the top slice of the sandwich or alternatively to offer institutional care. The Minister told the Committee that there would be only a handful of cases in which the total cost would exceed £500. So the sums of money involved are relatively small. The money would be spent on enabling a handful of severely disabled people to live independently. The view that they should be able to do so is shared by hon. Members in all corners of the House.

One hopes that the amendments, which are supported by all parties in the House except the Government—or one might say that they are opposed only by the Treasury—will be accepted.

Ms Lynne: Like other hon. Members, I shall not speak for long on the amendments. I cannot understand the reason for the age limit. There seems to be no rhyme or reason for it. The Government's figures, which have already been quoted, show that extending ILF to people over 65 would cost £2 million in 1993-94, rising to £9 million in 1995-96. That is hardly an enormous sum of money when one considers the budget with which the Government are dealing in the Bill. It can be classed as peanuts.

The Government argue that they should target resources on younger people. They argue that older people have had time to save. I argue the reverse. Many people with disabilities have not had time to save. Many of them have been unemployed. Many of them have not been able to work for their living, or they have been on low pay. Many have had caring responsibilities. It does not necessarily follow that someone who is older has been able to save a great deal of money, or even any money.

The income of older people with disabilities continues to be lower than that of people below pension age. Surveys have shown that the income of single disabled pensioners is 88 per cent. that of younger disabled people. Furthermore, older people have already suffered discrimination in the benefits system. For example, they cannot claim disability living allowance. They cannot claim invalid care allowance for the first time after reaching 65 and are thereby excluded from claiming carer premiums. Therefore, I urge the Government to change their mind.

I also urge the Government to change their mind on the £500 limit. Again, I cannot understand the reason for it. It would not cost the Government a great deal of money to remove it. The fund will assist only if local authorities provide £200 worth of services. I should like some clarification of that. It appears from Government guidelines that if the cost of meeting needs goes beyond £500, the ILF will not provide any money and the disabled person will have to rely on the local authority.

I see no justification for that. How was that £500 limit decided upon? Was it an arbitrary figure plucked out of the air? It certainly appears to have been. In an article on 4 February in *Social Work Today*, a Department of Social Security spokesperson was quoted as saying that fewer than 1 per cent. of current ILF clients claimed more than £500. The Minister has agreed that the number of claimants is small, so it would not cost the Government a great deal of money to remove the cash limit of £500.

Is there any evidence that residential accommodation will be a cheaper option? I doubt it very much. The

[Ms Lynne]

Minister also appears to believe that it will not be cheaper, so why will the ILF be cash-limited? I hope that the Minister will answer those questions.

In terms of caring for people with learning difficulties, the ILF client costs, on average, £140 a week. Those in residential care cost, on average, £272. Once again, no saving is involved. Surely the savings made in the vast majority of cases will more than offset the extra costs of a few exceptional cases.

I do not believe that people's civil rights should be cash-limited, but I fear very much that that is what the Government will end up doing unless they accept the amendments.

The Parliamentary Under-Secretary of State for Social Security (Mr. Alistair Burt): I am glad to have the opportunity to reply to the debate, which has, once again, been characterised by contributions from a succession of speakers who have a knowledge and understanding of disability and matters related to it.

Those hon. Members are beguiling in their different ways. I particularly enjoy the speeches of the hon. Member for Newport, West (Mr. Flynn). He sets up such outrageous false premises about what the Government intend to do that no reasonable individual could gainsay what he said if there was a ha'penny of truth in the case that he set out. That is why he is so beguiling. I shall seek to reassure the House that there was not a scintilla of truth in what he suggested were the Government's proposals. There is no need for us to be beguiled by his arguments.

A variety of hon. Members have spoken with their usual care and passion. The hon. Member for Manchester, Withington (Mr. Bradley), who moved the amendments, has good knowledge of this subject and we had good debates in Committee. The right hon. Member for Manchester, Wythenshawe (Mr. Morris) is well known for his experience in this subject. My hon. Friend the Member for Stratford-on-Avon (Mr. Howarth), who made a significant contribution on Second Reading, also spoke, as did the hon. Member for Newport, West, to whom I have already referred. The hon. Member for Rochdale (Ms Lynne), my constituency neighbour, speaks well on these matters for her party.

Mr. Alfred Morris: The Minister has forgotten the hon. Member for Caernarfon (Mr. Wigley).

Mr. Burt: I am a doctor's son and bad handwriting is hereditary. I did not see that I had written the name of the hon. Member for Caernarfon (Mr. Wigley). I apologise to him. He always speaks with knowledge and great integrity on this matter. I enjoyed his comments.

I preface my remarks by repeating what I said on Second Reading, because the idea that community care does not exist tends to lie behind all the amendments. It is felt that the ILF is the only thing upon which people may depend when they are in need. I stress, once again, that the ILF is a sandwich—I shall talk about that in detail later—which is additional to care that is now provided in a different way.

Community care will provide individual, specialised care for those who need it. It will be based on an assessment of need. It does not imply residential care beyond a certain financial limit, but that local authorities and those responsible for the care of the elderly and the disabled will be able to consider people individually in a way that was not possible before. The ILF is a useful adjunct to that process, but the arrangements for that fund cannot in any way be considered as independent of community care. I sometimes feel that the misapprehensions about the National Health Service and Community Care Act 1990 are based on that basic misunderstanding of Government policy.

Although the three amendments under consideration could be taken together, I shall deal first with amendment No. 2. That amendment would extend the eligibility of the 1993 fund to those over the age of 66. I am unable to accept that amendment. Once awarded, payments for the fund will continue until they are no longer needed. There is no cut-off to those who have been awarded that payment once they reach the age of 66 and they will continue to receive the payment for as long as it is needed.

The community care reforms which have been made since April 1992 are designed to ensure that the care needs of all disabled people, including those who are severely disabled, are catered for by local authorities. Those authorities have been adequately resourced to meet the needs. The right hon. Member for Wythenshawe made some disparaging comments about the amounts in the ILF budget, but it is wrong to look at that budget in isolation from the community care provisions.

8.15 pm

As well as the £4 million for the 1993 fund, we will spend a further £120 million on the extension fund and an extra £26·8 million on local authorities. That amounts to spending of more than £150 million, a significant increase on current estimated expenditure on the ILF of under £100 million. In addition, the £565 million allocated for community care, once added to that total, creates a significant package. I do not believe that it is fair to isolate a small amount for the new fund and to say that that represents total funding.

Mr. Alfred Morris: I am grateful to the Minister for giving way and I shall intervene briefly. My main point is that local authorities have said that in very many cases they will find it difficult to find the sum of £200. If they cannot find it, the process of helping many severely disabled people does not even start. It is only what local authorities tell me and other hon. Members on both sides of the House about their resource problem that makes us speak as we do in debates such as this.

Mr. Burt: I understand the right hon. Gentleman's point, but, like me, he has some experience of local authorities and what they say to a Government when they ask for funds. I maintain what I have already said: that the total amount that has been put into community care is considerable. I have already cited the figures. All local authorities constantly wish for more. Recently, I listened to a radio programme in which the director of social services in Newcastle said that local authorities would always want more but that they would work with what they have. The Government have made a substantial commitment to community care and I do not believe that the right hon. Gentleman's concerns will come to pass.

Given the limited resources that remain available, we believe that it is reasonable to limit the scope of the 1993 fund to people aged between 16 and 65, because people in that age group are the most likely to have longer-term care needs. Those disabled early in life have often lost the

opportunity to earn and save. We believe that the highest priority for independent living must be given to those for whom the usual pattern is to live and work in the community. That does not mean, however, that those over the age of 65 are abandoned in terms of receiving help or being given the opportunity for independent living.

There is no suggestion that, simply because an application to the ILF cannot be made after the age of 65, the sort of domiciliary care that might be needed or requested cannot be made available by a local authority. It can and will be. That is the raison d'être of community care. The care will be tailored more neatly to the requests of an individual. That will apply to someone who asks a local authority for care and assistance at whatever age, including beyond 65 years. The mere fact that the ILF is not available does not disqualify those over that age from the individual care and provision that they would want.

The hon. Member for Caernarfon said that he was concerned about parameters and the 65 age limit creeping in. There are good reasons and historical precedents for setting age limits. When mobility allowance was originally introduced by a previous Government, an upper age limit and a cut-off point were set, after which the allowance would not continue. This Government changed that rule to enable the allowance to continue beyond the upper age limit. There is nothing unusual or wrong in a Government setting upper limits or parameters. Bearing in mind the support mechanism that community care provides in itself, our policy of making the fund available before the age of 65, and allowing it to continue beyond that age for those who needed it, provides an answer to those who are worried about the age limit and eligibility.

Mr. Alan Howarth: My hon. Friend said that the independent living fund was a useful adjunct to the resources of social services departments to enable them to provide the necessary help to severely disabled people. Why is it a useful adjunct for some people over the age of 65, but not for others?

Mr. Burt: It is simply that there is a requirement to set parameters for the fund. For the reasons that I have given, we believe that it is right to target the resources between the ages of 16 and 65 for applicants, but we want the availability to continue, which is perfectly fair. The trouble with an adjunct is that, once set up, people see it, not as an adjunct, but as an integral part of the system. The basic system is community care, and we have produced something extra to help those who qualify.

Mr. Bradley: Part of the difficulty of denying the fund to those over the age of 65 is that they will be denied access to £300-worth of cash, which could be tailored to their own needs. That reinforces the argument and I hope that the Minister will reconsider the argument for allowing local authorities to provide cash so that there is no discrimination between under-65s and over-65s.

Mr. Burt: The hon. Gentleman seeks to reopen a previous debate on cash, and I cannot respond to him. However, I stress that we see the best of community care provision coming in the independent care package, which will be available to those of all ages, with or without the independent living fund. The necessity of limiting the age of eligibility in no way denies the opportunity for local authorities to provide just as individul, just as caring and just as home-based a package for those over 65 as for those under 65.

Amendments Nos. 3 and 4 deal with finance, the parameter of £500 and the sandwich of care. Amendment No. 3 would place an unreasonable restriction on the fund's operation. In the past, the ILF used to relax or restrict the rules according to budgetary constraints. It is quite proper that that flexibility should be available in future to the trustees. Trustees have a legal responsibility to ensure that the fund's resources are appropriately distributed in a manner consistent with the trust's purposes. The £500 limit is one of the parameters that has been set around the new scheme to help to focus the trustees' attention on the client group targeted by the 1993 fund. To remove their ability to reduce that limit would effectively remove some of their discretion. I cannot imagine that the trustees would want to reduce that limit, but it would be wrong to take away their power to do so.

Amendment No. 4 aims to undo the main feature of the new fund: the partnership with local authorities. Nothing stands still, but some hon. Members seem unwilling to acknowledge that, in the sphere of independent living, the world has changed and we have to move with the times. The old independent living fund had to work independently of local authorities, but now we have the new community care arrangements in place.

One of the problems that the old ILF faced was the fact that its existence provided an incentive to local authorities to offload their responsibilities on to the fund. At that time, local authorities were not ready to provide flexible and personalised care services and severely disabled people instead looked to the independent living fund for help. Now local authorities have been given a special transitional grant for community care, which in Great Britain includes an extra £27 million—rising to £100 million in 1995-96—to meet the costs of those clients who would have gone to the ILF under the old arrangements, and the costs of meeting the first £200 of services for those who receive help from the 1993 fund. That last point answers the question of the right hon. Member for Wythenshawe.

Mr. Sheerman: I know that the Minister may have a pressing engagement, but the Opposition take the new arrangements covered in the Bill seriously. The Minister should not gabble through his speech as though he had an important engagement. We want to listen to the arguments. It is not good enough for the severely disabled people in this country for the Minister to rattle through the speech with no feeling. It gives no hope for disabled people.

Mr. Burt: Every time I am tempted to give the hon. Gentleman the benefit of the doubt and presume that underneath that extraordinary exterior lies a reasonable man, I am proved wrong.

Dame Elaine Kellett-Bowman (Lancaster): I was appalled at the intervention of the hon. Member for Huddersfield (Mr. Sheerman). The only passage of his speech through which my hon. Friend the Minister rattled was that giving the terms of the deed. The rest of his speech was given at a perfectly normal speed. We understood it, and if the Opposition did not, that is their bad luck.

Mr. Scott: Ignore the hon. Gentleman's intervention.

Mr. Burt: I am extremely grateful to my hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman) and perhaps I would do best to take the advice of my right hon. Friend the Minister for Social Security and Disabled People and simply ignore the intervention of the hon. Member for Huddersfield.

Local authorities have been properly resourced for their responsibilities and it would be wrong for the 1993 fund to find itself taking on the full burden of a task which is the primary responsibility of the local authority. The key feature of the new fund is the partnership arrangement with the local authority. The visiting social workers of the ILF have built up expertise in the assessment of needs for people with severe disabilities which is rightly admired. But it is the local authority's social worker who is best placed to identify the resources and services available locally to translate that assessment into a viable care package. The requirement for the local authority to pay for the first £200 of services ensures that the care package is one that reflects the best that can be provided for the particular client in his or her locality.

Clients coming to the old ILF had to take as given whatever the local authority was willing to provide, and the ILF social worker would suggest a package of care to fit around and supplement those services. Under the new system, the whole package of care will be designed as one, from the start, by the fund and the local authority working in partnership.

I was asked questions about the sandwich. I do not know how the hon. Member for Withington recognises a sandwich, but we in Bury recognise a butty when we see one. The butty that we are discussing is straightforward. It has a bottom layer—the local authority provision of care up to £200, which is the basic threshold—then the independent living fund, which can be included as a discretionary element, and the top slice of the butty is the local authority's responsibility to take on statutory responsibilities for the elderly over the £500 limit. The middle element consists of the provision that can be made up by the independent living fund.

Mr. Bradley: If a butty in Bury consists of two pieces of bread and a filling that is removed if it goes above the £500 limit, the people of Bury will be disappointed that their Member of Parliament does not feed them better. Clearly, if the ILF element goes beyond £500, it is removed. Someone cannot eat that element and then eat another part of the local authority provision. The Minister must recognise how the system will work. We cannot pretend that someone can pass through the £500 limit and still retain the £300 from the independent living fund. Everyone, including the Minister for Social Security and Disabled People, has made that clear, and the Parliamentary Under-Secretary is trying to confuse the issue yet again.

Mr. Burt: Culinary expertise is better in Bury than in Manchester. I always thought that a butty contained a bottom, a middle and a top. The bottom layer here up to £200 is covered by the local authority. The top layer, above £500, is also provided by the local authority. The independent living fund can be used in the middle and that is the middle of the sandwich. The care sandwich is made up of what the local authority provides top and bottom, with the ILF in the middle. That is as clear a definition of a sandwich as I have heard.

8.30 pm

Mr. Bradley: Is the Minister now saying that one can have £200-worth of services from the local authority, plus £300 in cash from the ILF, plus an element of service on top of that from the local authority? Is that the butty he has in mind?

Mr. Sheerman: That is a good butty.

Mr. Burt: What a Yorkshireman knows about a butty nobody can guess. The situation is as clear as I have explained. Whatever sort of concoction Opposition Members are trying to create, I have presented a straightforward sandwich of care—*[Interruption.]* The layer of care up to £200 is wholly local authority money. The layer over £500 is totally local authority. The middle of the sandwich is money available from the ILF. That is the care package.

I am referring not to an individual case, but to the total package of care. That involves local authority assistance below £200 and local authority assistance above £500, with the ILF working in the middle. That is the definition of the sandwich which came through in Committee and it is that which the hon. Member for Withington is seeking to distort.

Mr. Morris: I have some experience of living within reach of Bury. Is not it a fact that butties from Bury are usually filled with black pudding?

Mr. Burt: And they are grand. I am describing the package of care in the form of a sandwich and I am not relating it to an individual—*[Interruption.]*

Mr. Flynn: The Minister is making a meal of it.

Mr. Burt: I am talking about——

Mr. Bradley: A Bury sandwich?

Madam Deputy Speaker (Dame Janet Fookes): Order. We must have fewer sedentary interruptions, or it will be a case of too many cooks spoiling the broth.

Mr. Burt: The case being made by Opposition Members is based on their perception that the failings of the new ILF, because of a failure of community care, will discriminate against those whom they wish to protect. I am describing where the ILF fits into the community care package for local authorities. It is only when the two are taken together that what the Government are doing becomes clear and that is the best way to reassure those who are concerned.

It is in that area that the analogy of the sandwich came into play in Committee. When it is viewed in that light, one appreciates that below £200 the cost is dealt with wholly by the local authority. Above £500 the cost is again, right the way through, dealt with wholly by the local authority.

Mr. Sheerman: The hon. Gentleman is wrong.

Mr. Burt: I am not wrong. It is clear that we are at odds over the concept of the sandwich. I suspect that we shall not make progress on that front, even though I have described it as clearly as I can.

Mr. Bradley: I do not want to labour the point, but it is important for organisations outside to understand how the systems will work. Let us deal—this is the crux of the

matter—with an individual disabled person. An assessment is made of such a person. That assessment in total of the care required is, say, above £500. Will the Minister confirm that the total package will have to come from the local authority and that there can be no element of ILF? In other words, there will be no sandwich for that individual. The filling of the ILF is removed, with the total having to come by way of services from the local authority. Is that correct?

Mr. Burt: I am delighted that the hon. Gentleman now understands the position. What he says is exactly right. Over the cost of £500, it is dealt with wholly by the local authority——

Mr. Bradley: That is not what the hon. Gentleman said.

Mr. Burt: The hon. Gentleman must read the *Official Report* tomorrow to see that I said that the whole total for those who need care over £500 is dealt with by the local authority, in exactly the same way as those who need care under £200 have their care needs met totally by the local authority. In the band in the middle, between £200 and £500, the ILF comes into play. That is the filling of the sandwich.

I see no reason why we should be at odds over the matter. My description of the way in which the sandwich concept fits into community care is right and I have explained it to the point where we have made progress, to the point where the hon. Member for Withington understands the position. In any event, if his concept of a sandwich does not include a bottom, middle and top, I do not know what sort of sandwich he has in mind.

Mr. Malcolm Wicks (Croydon, North-West) *rose*——

Mr. Burt: I suspect that I should move on and not continue to give way. Does the hon. Gentleman have something substantial to say?

Mr. Wicks: I rise simply to suggest that, when the Department makes the training video on the ILF, it does not use the sandwich analogy, in the interests of clarity, because, like many sandwiches one buys that look good, they often fall apart in the hand.

Mr. Burt: I know that that intervention was kindly meant. I will just draw a veil over it.

The place of the ILF in the whole area of community care does not leave those about whom we are most concerned without support. It has been suggested on several occasions that the mere fact that there is a limit of £500 necessarily places those who need care above that level into institutional care. That allegation has been made by a number of Opposition Members. It is absolutely not the case.

When individuals are in the care of a local authority, it has primary responsibility for the community and residential care of disabled people. Local authorities will make the decision whether to opt for domiciliary or day care, bearing in mind the needs of the client and the costs of the option. If the disabled person would prefer domiciliary care and it is cheaper than residential care, that is surely what the local authority will provide. Where domiciliary care is more expensive, the local authority will need to decide whether it can afford to spend more to help that individual to remain in the community.

There is no logic in the argument that, because of insufficient funding, people will be forced into residential care. A recent report confirmed that caring for people in the community often proves the most cost-effective way of providing for their care needs, and that applies just as much above as below £500.

Ms Lynne: Is the Minister aware that, on discovering that it will cost more to keep people in their own homes, many local authorities will opt to put them in residential accommodation, whether or not the disabled person chooses that course? That will happen because of the cash limits on community care and the fact that the Government have not provided enough money for community care as a whole.

Mr. Burt: As the hon. Lady pointed out earlier, only 1 per cent. of current ILF grants are in excess of £500 per week. That shows that the majority of people who require that size of award are not living independently. But they can do so. Where it is cost-effective for a local authority to use its money to keep someone at home, it will do so. But, naturally, a local authority will come to a decision about whether it is cost-effective. Bearing in mind its own position and that of others whom it has to look after, it may be impossible to provide domiciliary care. But the sheer fact of a cut-off point at £500 can in no way be taken to imply that merely because a person is above that limit he must be in residential care. Time and again, the Opposition have implied that or expressed it directly. It is not correct and it is not fair for them to do so.

This has proved to be a more lengthy debate than was originally expected. It has taken us down a road that I suspect I shall remember for many years to come. I have tried to deal with why the amendments cannot be accepted by the Government. As I have sought to make clear, we do not believe that the age limit is detrimental to those who would not be eligible for the independent living fund. They will be covered by community care in a manner too often and shamefully neglected by Opposition Members.

The £500 limit and the need for local authorities to contribute up to £200 is not wrong. Taken in the round with the other aspects of community care that the Government have introduced, it is the right way for the independent living fund to proceed. This should be recognised as a package of individual care which is a considerable advance and improvement on social security care in the past. The independent living fund will continue to provide a more than helpful and useful adjunct to community care in Britain. Accordingly, I ask the House to reject the amendments.

Mr. Bradley: I am grateful to the Minister for his response, although I am clearly disappointed that he is not prepared to accept our amendments. I have listened to the excellent speeches from hon. Members on both sides of the House and from all political parties who support the amendments and it is a great disappointment that the Government do not see their merits.

The amount of money involved in accepting the amendments would be so small in terms of the total social security budget and so beneficial for disabled people that I find it difficult to accept that their rejection is not Treasury-led. The Minister's heart is in the right place, but he has clearly been overwhelmingly constrained by the Treasury tonight.

We shall not seek to press the amendments to a vote because it is important that these matters should be taken

[Mr. Bradley]

up again in the other place in order to clarify how the fund operates in practice in relation to the local authority. Their Lordships will read the proceedings of this debate with great interest and will take up the matters in their own inimitable way when they discuss the culinary delights of the independent living fund.

I am disappointed with the Government's response, but the quality of debate has made its own points. Therefore, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Order for Third Reading read.

8.43 pm

Mr. Scott: I beg to move, That the Bill be now read the Third time.

We have covered a great deal of ground this evening and I do not want to reiterate those comments in my closing remarks. The Bill fulfils a manifesto commitment which we gave at the general election to maintain a fund to meet the needs of disabled people. The Bill builds on the tremendous success—which has been acknowledged in all parts of the House—of the independent living fund, which operated under the arrangements pre-community care, in the new context that has now been provided from 1 April this year.

I am happy to report to the House that the new funds are now operational with a full board of trustees. The handover from the independent living fund to the extension fund went smoothly, with all clients continuing to receive their payments, as I undertook to the House when we discussed the matter earlier. The case load of nearly 22,000 people is now being operated by the new extension fund. The new director is in post and the director and staff are now building the bridges towards the relationship with local authorities which will allow the new partnership between the 1993 fund and local authorities to work smoothly in future.

I hope that, whatever differences there may have been between us in Committee, on Report, or now on Third Reading, we can all wish the trustees, director and staff well in the work that they will be undertaking to improve the quality of life of disabled people in Britain.

The Bill also seeks to put motability on a firmer statutory footing. The motability scheme, as we all recognise—I pay tribute to the right hon. Member for Manchester, Wythenshawe (Mr. Morris) who launched the scheme in the first place—is an extremely successful joint enterprise with the Government, the voluntary sector and the clearing banks. It has served and continues to serve to increase the quality of life of an ever-increasing number of disabled people and commands widespread support throughout the House. I know that both sides of the House will wish to support the provision that puts motability funding on a statutory footing to ensure its continued financial support. Many hon. Members will remember my right hon. Friend the Prime Minister recently handing over to the recipient the keys of the 350,000th motability car, and that is a measure of the scheme's immense success and popularity.

The Bill is part of the Government's overall strategy for improving quality of life for disabled people in our society. I think that anyone would recognise that an immense amount has been done in the past 10 years. I do not disguise from the House, and never do, the fact that we have a long way to go. There is still much work to be done, but any fair-minded person recognises the improvements that have been made in terms of benefits, delivery of services, accessibility of our buildings—we still have a long way to go—and the growing opportunities for employment of disabled people as new technology, in particular, enhances their ability to acquire the independence that employment can give them.

The funds that the Bill provides are an addition to the overall provision—an important one. It is a small Bill, as I said when I launched it on Second Reading, but it is very important for a considerable number of disabled people. I commend it to the House.

8.47 pm

Mr. Sheerman: I, too, have no wish to delay the House long. We have had a good debate this afternoon and this evening. The Minister has just described the Bill as small. It is small, but it is also vital because, as the Opposition have tried to show, it goes to the core of how we treat severely disabled people in Britain—and moreover, how we treat disabled people.

Before saying anything controversial, I want to pay tribute to those who have so successfully run the independent living fund during the past five years. As a slight criticism, I would say that they have not been as well treated by the Minister as they should have been, because many of them should have been offered the chance to continue that success. However, we wish the new people running the two new funds well. We want them to do the job that has to be done for severely disabled people. There is no alternative.

I also add my voice to the praise for my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris) who, single-handedly, did so much to get motability off the ground all those years ago. Perhaps, when we reach a really big number, such as the 500,000th, we will have someone important—not just the Prime Minister, but the initiator of the scheme—to hand over the key.

I shall end on a note that my right hon. and hon. Friends and Ministers will understand. It has been an important Bill and an important debate, but we consider it a missed opportunity. It was one of the few occasions when we tried something that worked. The Government introduced the independent living fund and it worked. In Committee and throughout the Bill, with no ideological preconceptions—indeed, we had cut off some of our shackles of previous years—and using only one criterion, we were asking the Government to consider how good it was for severely disabled people. The experience of the indpendent living fund left us with one important message.

Some of us have said that there are two things to which we shall never allude in any debate for the rest of our careers: we shall never talk about sandwiches—I think that the Under-Secretary of State will learn that lesson—or about empowerment. I shall mention empowerment one last time and say, yes, we have learnt through the independent living fund that we need to empower and to provide the enabling and facilitating role to which the hon. Member for Stratford-on-Avon (Mr. Howarth) referred in his excellent speech in Committee. That role is so important in the lives of individual severely disabled people.

In the last few minutes of the Bill, let me say what we would have accepted, what would have quietened our voices and our criticisms: if the Minister had come to the House with a different Bill, learning from that experience and building it into the new arrangement for community care and said that the Government had learnt their lesson and would empower people in a different way and that, having learnt the lessons of the independent living fund, they would now allow local authorities to give cash payments.

In other words, they should have taken the essence of the independent living fund and spread it like the mediaeval physic throughout local government social services departments, which would then have become mini independent living funds. If the Government had learnt from the lessons of the independent living fund and done the job for disabled people in our community——

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. This is Third Reading. I wish that the hon. Gentleman would speak on what is on the Bill. That is what a Third Reading speech should be.

Mr. Sheerman: Absolutely. It was my peroration—the last gasp at the Dispatch Box—just to say that we opposed many aspects of the Bill constructively, we offered alternatives and tried to ensure that the Bill left the Chamber improved, having learnt the lessons of the independent living fund. We are disappointed that the Government missed their opportunity, because disabled people in the community will be less well off than they were under previous arrangements.

At the end of the day, we have had a constructive debate. Some of us learned a great deal about the opinions of the people that matter—the severely disabled people who increasingly are telling the country and the House that they want to be the vital essence in all legislation that affects their lives.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

ESTIMATES

Question put forthwith, pursuant to Standing Order No. 131 (Liaison Committee),

That this House agrees with the Report [22nd April] of the Liaison Committee.—*[Mr. MacKay.]*

Question agreed to.

Maltby Colliery

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. MacKay.]*

8.54 pm

Mr. Kevin Barron (Rother Valley): I raise the issue of Maltby colliery for the third time since the announcement last October that the British Coal Corporation had different designs on the coal mine than those that had been planned for many years.

I should like to make it clear that, in raising the question of Maltby colliery I am in no way seeking to affect the future of any other colliery that has been either a victim of the recent review or is currently working without knowing where its market will be in the not too distant future.

Hon. Members on both sides of the House will agree that in recent months the Government have treated the British coal industry with contempt. Last October, the President of the Board of Trade, under pressure from what seemed to be the majority of the British public, promised a thorough review of the British coal industry and its markets. Those deliberations and that review took many months but produced what I and many others can describe only as a shabby compromise with no increase in the market for coal.

Now the Government hide behind the cloak of the British Coal Corporation to cover their failure to do their duty and carry out the wishes of the country. Through that lack of political will, thousands of miners and their families are bitterly disappointed and deeply concerned about the future. In Maltby colliery, more than 800 miners are still unsure about their future.

The colliery has been known for many years as a British Coal showpiece. It was sunk in 1907 and has extensive reserves. It was reconstructed between 1951 and 1961, the main features being the deepening of the shafts and the construction of a new pit bottom to serve the Barnsley and Swallow Wood seam. Production from the Swallow Wood seam replaced that from the Barnsley seam in 1969.

The current major project, the Parkgate project, was finally approved in 1981 and it is designed to increase the capacity of Maltby colliery to 2·5 million tonnes a year. The project is currently scheduled for completion in December. It has involved some major development work on a scale usually seen only at new coal mines. It included the sinking and equipping of a new shaft which has the biggest capacity in Europe, the deepening and equipping of existing shafts, the construction of a new pit bottom to serve the Parkgate seam, drivage to establish two faces in the seam and the installation of all the necessary equipment, the construction of a new coal preparation plant and all the associated surface works. The estimated total cost of the project is about £180 million.

The first phase came on stream in April 1992, and the second, retreat, phase was scheduled for completion in December this year. People working at that mine and at other coal faces were looking forward to moving to the new Parkgate seam, to begin retreat mining.

The colliery currently employs 1,300 people, including contractors. The threat to jobs is obviously felt deeply by them. The colliery is situated in the Rotherham and Mexborough travel-to-work area, which encompasses Maltby and has unemployment of more than 16 per cent. and male unemployment of nearly 26 per cent. There are

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already 42 people chasing every vacancy recorded at job centres. Many vacancies are located in Doncaster and Sheffield, which have serious economic problems of their own without a further threat of redundancies at Maltby colliery.

Since 1990, my constituency of Rother Valley, which covers one third of Rotherham metropolitan borough, has lost nearly 2,000 jobs either in coal mining or at a local coke works. One mine closed in 1991 was Thurcroft. Rotherham metropolitan borough council undertook a study last year, when Thurcroft miners were involved in an unsuccessful initiative to restart Thurcroft colliery as a mineworker-owned company. That study revealed that only one quarter of miners had found work outside the industry, and one half had not worked since becoming redundant after the colliery's closure in December 1991.

Mr. Peter Hardy (Wentworth): My hon. Friend will be aware that Thurcroft is just outside my own constituency, and that many men from the eastern part of my constituency have long been employed at Maltby colliery. Many miners from the western part of my constituency and further afield moved to Maltby colliery in the past three or four years, having worked at as many as half a dozen other pits. Will my hon. Friend confirm that they moved to Maltby in the belief that it would do superbly well for a very long time? Does my hon. Friend agree also that every time that people glimpse from a great distance, as they can, the headgear of Maltby colliery, they and many others in South Yorkshire regard is as a monument to one of the most foolish and profligate decisions made by the Government for a long time?

Mr. Barron: My hon. Friend is absolutely right. I visited the colliery last Friday and spoke to one young coal miner with a young family. He thought that he was moving to that investment to work there for the rest of his working days, in a trade that is exclusive in our particular region. He felt very let down and disappointed. No matter what happens to Maltby in the future, many families will feel that it is a monument to a disastrous decision.

The Minister will be familiar with the attempt to reopen Thurcroft colliery, because I corresponded with him frequently last summer on that subject. The study of ex-mineworkers from Thurcroft found that the average period of unemployment for miners was seven months—and the higher the job losses, the longer that period will become.

A study by Rotherham training and enterprise council was also made. After last October's statement, local TECs were asked to play a major part in finding employment for those likely to be made redundant from the coal industry.

A study commissioned from Sheffield Hallam university business school of total job losses resulting from pit closures, which was updated after the publication of the White Paper, estimates that in addition to 950 job losses in mining at Maltby, there will be 600 supplier jobs losses and more than 400 redundancies resulting from reduced local and national consumer spending—making a total of 1,950 local job losses.

That estimate does not take into account a possible further 1,000 job losses if the work force at Kiveton colliery, which is also in my constituency, do not secure markets for their coal and the colliery closes within the next couple of months.

Mr. Jimmy Boyce (Rotherham): Is my hon. Friend aware that on top of these particular job losses, which narrow the field of employment for people in the whole of the metropolitan borough of Rotherham, the figure that he mentioned of 2,000 in his own constituency is probably multiplied by more than 300 per cent. when the whole of the metropolitan borough is taken into account? Is he further aware that this narrowing of employment opportunities in the borough means that there are people who have never had a proper job and who now have teenage children who have no opportunity of ever having a proper job as a result of the loss of jobs not only in mining but in the associated industries of steel and mining engineering—skills that have almost disappeared for ever as a result of the profligate policy of this Government?

Mr. Barron: I am grateful to my hon. Friend for his intervention. He is absolutely right. In the past decade the job losses, not just in mining but in steel and engineering, in South Yorkshire as a whole and in our borough have been colossal. The major point that my hon. Friend rightly made is the loss of skills. We had exchanges at Question Time today about apprenticeships. They have disappeared from an area that was known to have some of the finest industrial apprenticeships in the country. My hon. Friend is also right to point out that such job losses always go a lot wider.

Last October, in announcing the Government's coal review, the President of the Board of Trade said in a written answer:

> This review will consider views and evidence on the future of each of the pits in question".

He appointed consultants to report to him on the viability of the pits,

> "including any alternative markets that may exist for coal". —[*Official Report*, 26 October 1992; Vol. 212, c. *522*.]

The consultants were J. T. Boyd, a firm of independent consultants. They ranked Maltby colliery as one of the top five mines in the country, with the potential to achieve consistent profits of over £12·5 million each year. That is not just the top five of the 31 collieries under review but the top five including the 19 which were not in the review and which were to remain open.

That is not surprising. The coal that they have now opened up the roadways to get is, in the J. T. Boyd report, some of the best coal in Britain. the consultants ranked Maltby coal 14th for low sulphur content which, in an age of debate on the environment, is very important. It was eighth in low ash content. If Members want to know the value of that, they should talk to the electricity generators or anyone who burns coal in bulk. It was sixth in low chlorine content. It was second in high calorific value out of the 51 collieries studied. In other words, some of the best coal in Britain is being left under the ground, at least in the short term.

In its two tables of economic ranking, Boyd listed Maltby as first in both case 1 and case 2. These were of the 21 pits under review. Case 1 showed that 25 collieries had higher estimated costs—these included the 19 that stayed open—and 25 had lower projected profits. Case 2, if we put the 20 along with those under review, showed 31 collieries with higher costs and 36 with lower profits. Boyd

reported that the colliery was primarily a producer of power station coal but also produced a minor amount for domestic use.

They are debating at the moment in the Department of Trade and Industry, I am sure, the question of energy in Northern Ireland. Maltby colliery supplies house coal there. West Burton, Thorpe Marsh, Drax and Cottam power stations all receive Maltby coal. There are never any problems in selling this coal. It is used as a sweetener for Selby coal. Everyone says that the great complex at Selby represents the future of the British coal industry. On occasion, it uses Maltby coal so that it can sell coal of the required quality to the available market.

Recent tests in relation to the coking market have proved positive. According to those tests, in March this year production costs in the coal faces in the Swallow Wood and Parkgate seams amounted to £1·20 per gigajoule. The Minister must have examined the markets to which Maltby sells its coal; he must know that no coal sold on the world market can be brought to the point of use more cheaply than the coal that is currently being produced at Maltby, given the transport costs involved.

Maltby also has a new, state-of-the-art coal preparation plan. It was the first in the United Kingdom to gain the British Standard 5750 quality assurance accreditation, which increased its potential for steelworks and other premium-price non-power station sales. The report prepared by the Government's own advisers gave Maltby a glowing reference, but that testimony to its future seems to have been ignored—certainly, in the short term.

In his statement on 25 March, the President of the Board of Trade announced that Maltby would be given "development status". He spoke as though a new plant would be involved. The investment programme was begun as a result of the Labour Government's plan for coal; as I said earlier, it is scheduled for completion in December this year. It is not a new invention of the current Government's review.

I am not sure how much the investment programme will cost. Last week, the Minister said that £29 million would be invested in the development phase of Maltby; the President of the Board of Trade mentioned £30 million, and, according to British Coal's *Coal News*, £40 million is to be spent on completing the programme. That, however, is not new money; it is money committed a long time ago to development of the reserves for retreat mining of the Parkgate seam.

The Minister shakes his head. Let me tell him that I spent 20 years working in that coal mine. I left it in 1983 to enter the House of Commons, but I had a vested interest in its future, and I know exactly how much was invested. I know that, in 1981, it was agreed that the Parkgate seam should be developed for retreat mining by the end of this year. I emphasise that no new money was involved in that agreement.

The most interesting feature is that, over the past two years, the colliery has been paying back from its profits some of the capital investment. It made more than £10 million in 1991-92, and more than £7 million in 1992-93. Now that production is to end, no revenue will be available for the colliery to continue paying back that investment. It does not make sense to throw away such profit margins and continue to favour capital investment on such a scale.

At the beginning of this month, I went with the leader of Rotherham council, Sir Jack Layden, to meet the chairman of British Coal. He failed to justify the plans for Maltby colliery then, and the Government have similarly failed to do so since. Surely savings to taxpayers would be secured by keeping Maltby in production, making profits and paying back some of its capital investment. That would also save public expenditure on state benefits: whatever redundancy arrangements are reached, if job losses on the proposed scale go ahead the people concerned will be eligible for unemployment benefit.

There remains only one justification for this decision —privatisation. That was flagged up in last month's statement. The Government had been sent away to find wider markets for the British coal industry; they returned to the Floor of the House with none, but, at the mention of the word "privatisation", all their Back Benchers' eyes lit up. They all started to cheer. That is what it is about; it must be. That is not just my view. The same view was expressed by the Dinnington and district branch of the Rother Valley Conservative association in its letter to the Prime Minister last October, in which it said—little has been done to disprove it:

> "In view of the fact that during the last few years the near-by Maltby colliery has had a multi-million pound modernisation packet . . . we are finding difficulty in arguing against the accusations that this money has been spent only with a view to privatisation."

The Minister's own political party said that last October, when the balloon first went up and the Government said that they were going to mothball the colliery. It is possible that privatisation has already taken place, since the bulk of the jobs that are to remain at the colliery during the development phase are likely to be done by private contractors.

The Government have told us over the years that privatisation is good for the work force. I had a go at the Minister last Wednesday at Trade and Industry Question Time. After I had sat down, he asked me to point to the advantages that lie ahead for my constituents because of this so-called development phase that Maltby is going through. I invite the Minister to come to my constituency, see the people at Maltby colliery and explain to the men —more than 800 of them—who face redundancy exactly what the advantages of privatisation are, when it looks as though they are faced with the dole.

Last week I wrote to the Minister about the prospect of redundancy payments for mineworkers at Maltby. The Minister responded that it was a matter for British Coal. However, on 21 October of last year the President of the Board of Trade told the House of Commons, from the Dispatch Box, that no miner should be disadvantaged by the consultation on closures. British Coal has suggested that 500 jobs could be retained to carry out the development work, but it will not specify the make-up of the reduced work force.

The only correspondence that the work force has had relating to these plans is a letter that was sent to the Yorkshire NUM on 9 April by the group director. Talking about the likely levels of redundancy, the group director said:

> "At present, it is proposed that up to the total number of employees presently employed at the collieries and when Rossington is placed on care and maintenance and Maltby on a development only basis. That will, of course, be subject to any employees being transferred to other collieries where there may be vacancies,".

The one thing that this area director has done is keep his sense of humour over the past six months, unlike most people who work in the British coal industry, since he referred to employees being transferred to other coal

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mines. Does the Minister think that mine workers who do not want to leave the industry will be able to transfer to other coal mines? He went on:

"or being required for a limited period for any salvage, maintenance or development work. Such employees will be selected on the basis of their skills and experience."

There was a meeting last week at local level, at which the work force at Maltby asked for the pit to go into the modified colliery review procedure. Since that request was made, it has been impossible for the work force to get any information about the pit's future.

Mr. Martin Redmond (Don Valley) *rose*——

Mr. Barron: I know that my hon. Friend has a coal mine in his constituency that is in a not dissimilar situation. I shall certainly give way to him.

Mr. Redmond: I am grateful to my hon. Friend for allowing me to intervene. Rossington is one of the pits to be mothballed. I wrote to the Minister asking what mothballing meant. I do not know what it means but perhaps my hon. Friend can tell me. In any event, the Minister should be in a position to tell me although he did not do so in his one-paragraph letter in which he said that it was an operational matter for British Coal's chairman. Perhaps the Minister will now tell us what mothballing means, because the lads and lasses at Rossington colliery would like to know.

It is because the term was not clarified when the Government published the White Paper that there are now problems in the industry. The economics are now those of the madhouse. The Government apparently have no concept whatsoever of the industry on which they have published a White Paper.

Pensions are another issue that affects many people who have retired from Maltby. Before the election, we received assurance after assurance from Ministers and from the Minister for Energy since the election that pensions would be safe. Pensioners are not convinced that the Minister does not intend to dip in his sticky fingers and do a Maxwell-type operation on the pension fund. It is not good enough for a Minister deliberately to put such fears into the minds of retired members who have contributed over the years.

Mr. Barron: I am grateful to my hon. Friend for his intervention. I shall hazard a guess about what mothballing means. Under the original review in October last year, Maltby was to be mothballed. I asked the mining engineers there what it meant but they did not know. They had been told that the colliery was to be mothballed along with three others but they did not know what it meant.

For what it is worth, I think it means taking eight pits out of the closure programme to satisfy a few Conservative Back Benchers that everything possible is being done to keep the pits open. Rossington is to be mothballed, but the Government would have us believe that someone else could come along and run it if British Coal did not want to run it. Last week, the director of the south Yorkshire area issued a press release telling us that some people would be kept on at that pit to salvage equipment. How that is to be done is beyond me, but perhaps the Minister will tell us.

On my hon. Friend's second point, the Minister will know that the House has made it clear many times that we want any coal privatisation programme to include protection for people who pay into various schemes, such as those for pensions and staff superannuation. It is crucial that regulation is not so lax that people are able to buy into a business and, at the same time, into its pension scheme and use the money for purposes other than those for which it was originally intended.

Before my hon. Friend the Member for Don Valley (Mr. Redmond) intervened, I was talking about trying to find out what the plans meant for Maltby colliery. At a meeting this morning with local senior management, representatives of the work force were told that, if they went ahead with their request to go into the modified colliery review procedure, they would not be informed of the plans for the future and that only if they withdrew their request, with no prior knowledge of the plans, there might be enhanced redundancy terms for the men to leave the industry. It is clear that they are being bribed to accept the proposition that the Swallow Wood seam should cease production at the end of this week and the Parkgate seam at the end of next month. Clearly, that will create severe personal difficulties for the miners who are trying to decide what is best for themselves and their families.

I believe that it is for the Government to ensure that miners are fairly treated and that, if their jobs finally have to go, they get the best possible terms available. I have no dispute with that. The enhancement of redundancy terms for people who have to lose their jobs in the present unemployment situation in my area has my support, but it should be done without the duress that is now being brought to bear on people.

This morning I faxed the Minister two specific questions. The first was: given that all coal mines both develop and produce simultaneously, why is Maltby to be given development-only status? I am fascinated by that concept. Of all the coal mines that were under review, and of all those that have a future at some stage, only Maltby will have development-only status. My second question was: given that up to 500 men are likely to work on the development, why can the work force not be told who will remain at the pit if production ceases? I hope that the Minister will answer those questions, and respond to the other points that I have raised tonight.

There is a compelling case for continuing production at Maltby colliery. The onus is on the Government to produce equally compelling counter-arguments. There is still an opportunity to reverse their decision to stop production at that profitable, productive and modern pit, and to keep a highly skilled and motivated work force together. I hope that the Minister, and the British Coal Corporation, will seize that opportunity before it is too late. That would be in the interests not only of our constituents who work at that most modern of coal mines but of the nation as well. We should not squander the millions of pounds in revenue that could be earned from production at the colliery for the sake of a future prospect the main effect of which will be to line the pockets of people in the City and others who want to buy into the industry in two years' time, when we as taxpayers will have put more millions of pounds into development of the coal mine.

9.26 pm

The Minister for Energy (Mr. Tim Eggar): May I first say how especially appropriate it is that you should be in the Chair for the debate, Mr. Deputy Speaker. I am sure that you organised the preceding debates to fit in with your personal timetable. Of course it is appropriate that the hon. Members for Don Valley (Mr. Redmond), for Wentworth (Mr. Hardy), and for Rotherham (Mr. Boyce) are also present. I am acutely conscious of the interest of their constituents in the issue and in other issues relating to the mining industry and of the close personal interest that each of the hon. Members here—including you, Mr. Deputy Speaker—take in the mining industry and its future.

As the hon. Member for Rother Valley (Mr. Barron) reminded me, we had a considerable amount to discuss last summer; the hon. Gentleman was so concerned, especially about Thurcroft, that I spoke to him several times when he was flat on his back in hospital. I am delighted to see that he has now fully recovered and can put forward a case on behalf of his constituents.

It might help if I begin by setting the debate in context. It is important to remember that we have to take a view on Maltby in the context of the overall energy situation in which British Coal finds itself. We should not forget that last year British Coal produced about 77 million tonnes of coal, of which just under 63 million tonnes went to the generators in England and Wales. British Coal thought that it was unlikely to be able to sell more than about 40 million tonnes of coal to the generators from this April, and of course there were already massive stocks of coal both at the generators and at the pithead.

That led to the announcement in October last year that 10 of the deep mines with no prospect of viability, and 21 pits with no prospect of a market, should close. As the House will remember, the Government accepted the proposals from British Coal. However, subsequently and in recognition of the concern expressed in the House and by the public more generally, we announced a review, to which the hon. Gentleman referred. That review and the report by the Select Committee on Trade and Industry led my right hon. Friend the President of the Board of Trade to make a statement to the House late last month. That statement coincided with publication of the White Paper and with the debate on it.

Mr. Hardy: The Minister said that he intended to put the matter in a broader context. Will he consider the context that, 20 years ago, 16 collieries were mining under the metropolitan borough of Rotherham? Ten years ago, 14, if not 15, of those collieries were engaged in that activity. To plunge an area into the economic disadvantage that rapid closure would cause is unseemly and barbaric. Does the Minister understand that we and the people of our area are well aware that the reason for the difficulties which he has just identified is that, in recent years, the coal industry has been compelled to operate on a playing field that is far from level?

Mr. Eggar: The hon. Gentleman tempts me into a very much wider debate——

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. This debate is about Maltby and is thus very narrow.

Mr. Eggar: I shall, of course, concentrate my remarks on Maltby. Immediately after the war, Maltby was one of 650 collieries. About 800 men are now employed at Maltby because about 400 have taken voluntary redundancy over the past few months. I imagine that many more were employed immediately after the war. Those men were part of a British Coal work force of 750,000 people. I make that point only to show that there has been a sharp and consistent decline both in the number of pits in this country and in the number of people employed in them.

To pay attention to the guidance that you gave me, Mr. Deputy Speaker, we must set the matter in that context, and we must also recognise that the future of Maltby is bound up with the recommendations which were included in the White Paper and approved by the House. The proposal in the White Paper was that British Coal, subject to consultation, was to close two pits which were nearing exhaustion; it was to cease coaling at six pits and place those pits on care and maintenance; and it was to put one pit, Maltby, on development only. That was in addition to the 10 pits that are the subject of consultation at present.

I do not wish to risk offending or annoying the hon. Member for Rother Valley, but I must emphasise that decisions about production and development at Maltby are matters for British Coal, just as matters at the corporation's other collieries are a matter for it. Opposition Members and some of my right hon. and hon. Friends overlook the fact that neither my right hon. Friend the President of the Board of Trade nor I have any power to tell British Coal which collieries it should close, which collieries it should keep open or which collieries it should keep to develop in one way or another.

Mr. Boyce: If British Coal proposed tomorrow to close all the pits, are the Government really telling us that they would do nothing about it and that it would be a matter for British Coal? Surely not.

Mr. Eggar: I am saying, as the hon. Gentleman will be aware because the position is laid out clearly in the Coal Industry Nationalisation Act 1946, that neither I nor my right hon. Friend has the power to tell British Coal to take specific action. That action relates to specific collieries. The hon. Member for Rotherham may regret that. From time to time over the past few months, I have been tempted to regret it.

The Act was laid down under the Morrisonian approach to a nationalised industry. When introducing that legislation, it was a definite decision of the then Labour Government to keep Ministers at arm's length, so to speak, from the day-to-day management and detailed decisions relating to the then British Coal Board. That is the background against which both Ministers and British Coal operate.

Having said that—I note that the hon. Member for Rotherham smiled when I said it—I shall ensure that the attention of British Coal is drawn to this debate and its contents. The hon. Gentleman made some allegations about the pressure on miners to leave Maltby and other pits. The hon. Member for Rother Valley also hinted at that. That is an issue not just for British Coal: it is before the courts at present, so I cannot comment on that in detail.

British Coal has proposed a forward strategy which involves substantial capital investment to create a lower cost base for Maltby in the future. In recognition of the advantages of Maltby coal to which the hon. Member for Rother Valley referred, that pit has been chosen to be

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developed as a high-volume low-cost mine that is capable of producing more than 2 million tonnes of coal per annum compared to its current production of 1·2 million tonnes per annum. British Coal will invest up to £40 million in developing Maltby's extensive reserves for retreat mining over the next two years.

The hon. Gentleman rightly said that, at Question Time, I mentioned a figure of £29 million. The difference is the estimate of the proceeds of coal sold from the development phase. The £40 million is new investment which was not previously scheduled. The Government are reflecting that new investment in British Coal's external financing limit, so that comes into the negotiation.

Mr. Barron: If one is running a business, would it be wise to continue with the future investment plans and cut back on the revenue earning side of the business? That is exactly what British Coal proposes to do. If the proceeds from the development lessen by £11 million over two years, what would the figure be if it continued to produce one or two coal faces as well?

Mr. Eggar: That takes us back to where I started my remarks: British Coal must examine and take all its decisions in the context of the overall market for coal. Clearly, when it takes its decisions, it must look at all the collieries and the existing market—in other words, the market in which they have some contractual undertakings; the 40/30/30/30/30 contract—and then the possibility or probability of additional contracts.

If Maltby were run on full production—I cannot speak for British Coal, but I imagine that it is a possibility—it would effectively displace the coal being produced at another pit. The hon. Member for Rother Valley commenced his remarks fairly by saying that, although he wished to draw attention to Maltby, he did not wish in any way to do down, so to speak, the other pits in the area. I can understand that. It is very much in the character of the hon. Gentleman and the approach that hon. Members on both sides of the House have taken on the problem that British Coal faces. They do not want one pit to do well, only for another to do badly. When British Coal made the proposal to the Government as the most sensible way forward, we were prepared to make the necessary funding available and make investment approvals available.

I do not challenge the hon. Member for Rother Valley when he says that Maltby has extensive reserves. It came out well in the Boyd review in just the way that he outlined. That upside of Maltby made British Coal wish to put it into development and ensure that in the future it could be a world-class mine producing high-quality coal, as we all wish it to do and know that it is capable of doing at low cost.

Mr. Martin Redmond (Don Valley): A tremendous amount of finance—millions of pounds—is sloshing around. Will the Minister give an assurance to the Maltby pensioners and pensioners throughout the country in the various pension schemes that no funds will be used by the Government to subsidise any of the proposals in the White Paper?

Mr. Eggar: I do not think that that is the assurance that the hon. Gentleman wants me to give. He wants me to give an assurance that we will make subsidies available to help British Coal to compete. I give him an assurance, as I have given Opposition Members assurances on many previous occasions, that pensions will be safeguarded. I have said that frequently, and I give that absolute categorical assurance.

The staff superannuation fund has attracted some attention. I understand that the matter is to come before the courts for a decision. In other words, an agreement has been reached that a ruling should be given because the trustees and British Coal have received differing legal advice. The Government are absolutely content, as I am sure that British Coal is, to abide by the judgment of the court. Given the understandable attention that has been given to pensions and the references to Maxwell and others, I believe that that is the appropriate way forward.

I stress that British Coal's proposal is, of course, subject to consultation with the unions. Although the proposal does not involve closure of the colliery, it will inevitably entail some job losses during the period of development. It is right and proper that there should be full consultation with the unions on the proposal, in accordance with British Coal's legal obligations.

Both in his fax and tonight, the hon. Member for Rother Valley suggested that I should make an announcement to British Coal's work force about who would remain at the colliery if the development proposal was adopted. He gave the impression that that was a matter for me. I know that from time to time the hon. Gentleman has, shall we say, exhibited a certain amount of creative tension with the National Union of Mineworkers, at least nationally—we admire him for the stance that he has taken. I do not believe that he wishes me or anyone else to appear to circumvent or, indeed, to circumvent decisions which are a matter for consultation between British Coal and the unions.

Mr. Barron: I referred in my speech to what the President of the Board of Trade said about not disadvantaging any mineworkers while consultations went ahead. I put the facts to the Minister plainly and I put them to him now.

Why have the men at Maltby, knowing that people will continue to be employed in the development work, not been told who is likely to remain working at the colliery before being forced to take a decision? It is a matter of common decency. They were asked to withdraw from the modified colliery review procedure before the plans were put before them and that has put them at a disadvantage in the consultation process. The President of the Board of Trade stood at the Dispatch Box and said that that would not happen, so he should now do something about it.

There are things that can be done by those who stand at the Dispatch Box, no matter what we have heard tonight. The Minister and the President of the Board of Trade know that. That is why we had the review in the first place. My request should be met out of common decency, if nothing else—if there is any left.

Mr. Eggar: The assurance that was given by my right hon. Friend the President of the Board of Trade in October referred in particular to the 10 pits. I am sure that the hon. Gentleman recognises that; he can check the record after the debate.

I am in genuine difficulty in commenting on this matter. Not only is this, in practice, a matter for British Coal, in consultation with the unions, but it was also the subject of

a court hearing today. I also understand that the area around Maltby, if not that specific colliery, is also likely to be considered by the courts next week or the week after. Tempted as I might be to respond to the hon. Gentleman in detail, I do not believe that it would be appropriate for me to do so. I hope that the House will understand that. I assure the hon. Gentleman, once again, that his views and the report in *Hansard* will be seen by representatives of British Coal.

The hon. Gentleman has been kind enough to recognise that the voluntary redundancy package, which has been made available to miners, is generous. I accept that he has also made it clear, however, that, given the employment circumstances in the area that he represents, he has understandable concerns about the future job prospects for those 400 individuals who have already taken the voluntary redundancy and others who will do so.

Although I recognise that, for the purposes of the debate, the hon. Gentleman wants to highlight the problems that are associated with finding jobs in the area, it is fair to point out that, between 1987 and 1991, 84 per cent. of all those individuals who registered with British Coal Enterprise for jobs found them within a year to 18 months. It is appropriate to consider the optimistic side as well and to put it in perspective.

When I visited the north-east just before Christmas, I met a number of men who had previously been employed by the Seaham and Vane Tempest pits who had taken voluntary redundancy. I was struck by the training that they had undertaken for jobs in a high-tech plant. I admit that they had to travel a considerable distance to reach their jobs, but their example suggests that it is reasonable to say that a significant number of individuals who were previously employed as miners will succeed in finding alternative work.

The fact is that coal remains the largest element in the United Kingdom's diverse range of fuels for electricity generation. Most hon. Members recognise, however, that it probably never will regain the place that it once held in our economy. That is no criticism of the management or work force of British Coal. It is a fact and it illustrates the way in which the most profitable reserves have been worked out. It is also a fact that the new modern mines in other parts of the world have geological advantages over our pits, although they are not as great as sometimes claimed. Those mines also have an advantage over British coal because of the environmental quality of their coal, a quality which the coal produced by British Coal does not and is not likely to enjoy.

Mr. Barron: What about the 1·5 per cent. sulphur content?

Mr. Eggar: The hon. Gentleman rightly draws attention to the relatively low sulphur content of Maltby coal. I think that he mentioned a figure of 1·5 per cent. sulphur. Internationally traded coal almost always has a sulphur content of less than 1 per cent., and sometimes has a sulphur content of something more like 0·5 per cent. That is the standard against which all British coal mines have to operate. It is a difficult and competitive market, in which world production costs are falling.

In the year or so that I have held my present post, I have been grateful for the way in which the hon. Gentleman has argued the case for his constituents. He has always advanced the arguments cogently, both publicly and privately. I have been conscious of his considerable personal experience, both as a miner at Maltby and as an hon. Member who has consistently taken a great interest in the mining industry.

Mr. Barron: The Minister will be pleased to know that this is the last time that I shall intervene. I cannot let the occasion pass without saying—doubtless the Minister will not agree with me—that the development status that has been granted to Maltby colliery is nothing more than the foil towards privatisation. He may not even agree with Rother Valley Conservative association, which agrees with my analysis. In the House, the Minister asked me:

> "Why does not the hon. Gentleman for once point to the advantages that lie ahead for his constituents"?—[*Official Report*, 21 April 1993; Vol. 223, c. 314.]

I should like to invite him to my constituency to tell the 800-plus miners who are to be made redundant in the next few weeks the advantages of the dole.

Mr. Eggar: I am sorry that the hon. Gentleman finished on that note. He mentioned "the advantages of the dole". It is important to note that considerable amounts are being invested in Maltby to ensure that it is able to compete and that its good quality coal can be produced at low cost for a long time, which will enhance its prospects of long-term viability. The hon. Gentleman should stress that fact to his constituents, as it is a positive message.

We have had a good debate, and I thank all hon. Members for participating in it.

Question put and agreed to.

Adjourned accordingly at eight minutes to Ten o'clock.

House of Commons

Wednesday 28 April 1993

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

MIDLAND METRO (NO. 3) BILL

Lords amendments agreed to.

Oral Answers to Questions

ENVIRONMENT

Council Tax

1. **Mr. Boyes:** To ask the Secretary of State for the Environment what is his Department's latest information about the level of average household council tax bills.

The Minister for Local Government and Inner Cities (Mr. John Redwood): The average headline council tax per dwelling for the current year is £456—£30 less than the average headline community charge per dwelling for 1992-93.

Mr. Boyes: Does the Minister recall the Prime Minister boasting that council tax bills in Labour areas would be £100 higher than the bills in Tory areas? Following further work on the figures, it has now been established that the council tax bill for Labour is £14 less than that for the Tories. Consequently, will the Minister congratulate Labour Sunderland on an average tax bill of £376, which is £65 lower than the average bill in the constituency of the Secretary of State in Tory-controlled Kent?

Mr. Redwood: It is interesting that Front-Bench Members now get others to do their dirty work for them. We all know that, on average, Labour bills are £100 or more higher for bands C and D across the country. *[Interruption.]* Oh yes, they are. They are £107 more for every band C tax. If the hon. Gentleman wishes to compare individual constituencies and districts, he may like to compare Sunderland with Mole Valley. Sunderland has a band C tax of £534 whereas Mole Valley has a band C tax of £461. Mole Valley, of course, gets a fraction of the revenue support grant per head that Sunderland gets. Labour gets more grant and imposes higher taxes. I am grateful to the hon. Gentleman for his help in making that point because, as he well knows, it is £100 more in Labour areas than in Tory areas.

Sir Donald Thompson: Will my hon. Friend make a good job even better by encouraging local councils to settle appeals as quickly as possible and settle even more quickly those that fall out in favour of the customer?

Mr. Redwood: I agree. We want good management of local councils across the board and as management improves, so taxes can come down and services can improve. I am grateful for all good suggestions for improved management of local government. Opposition Members should listen carefully to some of the suggestions made by my hon. Friends. There are many excellent Conservative councils and I am sure that electors will reflect that on 6 May.

Mr. Straw: Has the Minister seen the excellent report from the Institute of Fiscal Studies which blows apart his use of band C as a comparison between councils? Was not the Chartered Institute of Public Finance and Accountancy right to endorse our use of average household bills and to say:

"What will exercise people most is the bill they get through the door"?

Is it not a fact that, compared with Tory areas, Labour councils provide far better services, in Labour counties the rise in crime and the rise in unemployment have been less, the price of meals on wheels is 50 per cent. less and children have three times the chance of a nursery education and in Labour council areas, average household bills are £14 below the level of those in Tory areas? There are better services and better value from Labour.

Mr. Redwood: Clearly, the hon. Gentleman seeks to make an additional party political broadcast. We know that those claims are highly misleading. The truth is that Labour councils impose taxes of £100 more in bands C and D than do Conservative councils. The average council tax figure merely reflects the fact that Labour areas have far more low-rated properties than Conservative areas. Even Labour can just about get its band A tax below the average band D tax in Conservative areas. That is the magnitude of the gap between the two parties in office. Labour is charging £107 more for band C and £122 more for band D —the price of inefficiency and poor management.

County Councils

2. **Mr. Peter Ainsworth:** To ask the Secretary of State for the Environment what is the average Government grant per head provided to Conservative-controlled county councils.

Mr. Redwood: The average amount of revenue support grant for Conservative-controlled county councils in 1993-94 is £222 per head. The average for Labour county councils is £274 per head—for around £100 per household more grant. Where, now, are the claims that Labour is disadvantaged and done down by the rate support grant settlement? In addition to Labour county councils charging £100 more in council tax, they receive an extra £100 per household in grant.

Mr. Ainsworth: In view of that answer, is it not even more remarkable that Conservative councils charge more than £100 less in respect of band C properties than Labour councils? Is it not a tragedy that Labour and Liberal Democrat councillors throughout the country have not yet learnt that what people want from their local council is the right service at the right price?

Mr. Redwood: That is clearly true, and I am sure that the electors will express their views on it on 6 May.

Conservative councils deliver better services at a lower price with less grant. That is the treble achievement of which my hon. Friends and I are rightly proud.

Mr. O'Hara: If Conservative councillors are so content with their standard spending assessments, will the Minister —as an hon. Member representing a Kent constituency —explain to me why that the mayor of Canterbury, Councillor Pat Burke, has wisely decided to apply for the Labour whip on Canterbury council? Does he agree with me that that was indeed a wise decision, and with the judgment of the Canterbury *Gazette* that, with the Liberal Democrats in disarray and the Tories of Canterbury moribund, he could have made no better decision?

Mr. Redwood: The hon. Gentleman shows that the policies of Liberals and Labour on councils where they have some influence are similar. Conservative councillors up and down the country are doing a good job in delivering high-quality services at low cost. As I said, they obtain far less grant. Most of them are happy with the grant that they receive and do a good job within it. Some Conservative councillors would like more grant—that is understandable—and more grant is given to some Conservative councils as well as to Labour councils. As the figures show, however, it is the Labour councils which scoop the pool.

Mr. Mans: Will my hon. Friend spare a thought for my constituents in Fleetwood and for the constituents of the hon. Member for Blackburn (Mr. Straw), the Opposition spokesman on the environment, in Labour-controlled Lancashire, whose council tax bills are £160 more on average than in Conservative-controlled Hampshire, even though Lancashire has a larger external grant? Does my hon. Friend agree that it is a scandal that, notwithstanding that, the services that Lancashire provides result in primary school children in Fleetwood having to be taught in corridors?

Mr. Redwood: My hon. Friend's excellent example bears out what has been said about the contrast between Conservative and Labour councils. When I went to Lancashire recently, I heard at first hand about the excessive expenditure on banquets and publicity and about the 133 committees that are considered necessary to run the council. I hope that there will soon be a Conservative authority that can cut down on the unnecessary spending and give value for money—just as Hampshire gives value for money under Conservative control.

Mr. Henderson: The House will understand that the Minister has felt bound today to wind up his arguments about local government now that the Conservative party is receiving its returns from the various counties around the country. However, does he not accept that his answer to Question 2 directly contradicts what he said in respect of Question 1? The reason Labour councils receive higher levels of grant is that generally they represent more deprived areas. Does the hon. Gentleman not also accept that there is great disquiet around the country because people recognise that the current system is completely discredited when Bournemouth is considered to be more deprived than Barnsley, when the mining area of Chester-le-Street is considered to be less deprived than Huntingdon and when Tory-controlled Kent county council receives £268 per head in grant compared with £234 in Staffordshire? Will the Minister bring forward the results of the review quickly and stop the slanting in favour of Conservative authorities?

Mr. Redwood: The hon. Gentleman has not been listening to the exchanges so far today. I have made it very clear that Labour authorities are receiving the extra grant and they are imposing the extra taxes. If the hon. Gentleman is so keen to see the standard spending assessments and grants reviewed, will he make available Labour's evidence to our inquiry? I have asked him for that on many occasions, but I am still awaiting his testimony. I can only assume that Labour Members cannot agree among themselves on how they would like the system to be changed and they know full well that most Labour councils are benefiting greatly from it at the moment.

Sewage Treatment

3. **Miss Emma Nicholson:** To ask the Secretary of State for the Environment what percentage of sewage treatment works failed their consent standards in 1986; and what is the equivalent figure now.

The Secretary of State for the Environment (Mr. Michael Howard): Twenty-three per cent, of sewage treatment works failed to comply with their assessed standards in 1986. In 1991, the latest year for which figures are available, that figure had fallen to 6 per cent.

Miss Nicholson: I am delighted to hear my right hon. and learned Friend's good news of the 17 per cent. rise in compliance with sewage treatment standards. However, he should know that my constituents are concerned about a sewage treatment plant which is not yet in existence. Can he assure me that if South West Water locates a sewage treatment plant at Northam in my constituency, that plant will reach the highest possible standards? My constituents do not believe that it will.

Mr. Howard: I understand the concerns that my hon. Friend expresses. She has drawn them to the attention of my Department. If the proposal does not meet adequate standards, it will not receive consent. In addition, all the environmental implications of the proposal will be fully taken into account before any decision is made.

Mr. Alan W. Williams: Will the Minister comment on a recent survey by *The Sunday Times* of convictions for water pollution during 1992 which showed that five of the top 10 offenders were water authorities, with, I regret to say, Welsh Water at the top of that list of offenders? Is it not a sad commentary on the Government's environmental record that in the recent National Rivers Authority survey our rivers were found, for the first time, to be in a worse state in 1990 than in 1980? Would it not be much wiser if the money from our massively increased water bills were used for environmental improvements rather than for buying hotels, increasing chairmen's salaries and providing big dividends for shareholders?

Mr. Howard: Our water bills finance the investment in improved water quality in which I thought the hon. Gentleman was interested. One cannot, at one and the same time, complain about standards and also complain about the bills that are necessary if standards are to be

improved. Prosecutions simply demonstrate that the NRA is determined to be even-handed in its approach to securing observance of the law.

Departmental Buildings

4. **Sir Roger Moate:** To ask the Secretary of State for the Environment what are his proposals for the future of the Department of the Environment and Department of Transport buildings in Marsham street; and if he will make a statement.

The Parliamentary Under-Secretary of State for the Environment (Mr. Tony Baldry): No. 2 Marsham street will be demolished—[HON. MEMBERS: "Hurrah".]—as soon as possible when alternative accommodation has been identified and is available.

Sir Roger Moate: Is my hon. Friend aware that his Department of the Environment building is one of the few buildings that actually looks better when it is covered with scaffolding and dust sheets and that the sooner it comes down, the better the environment will be? However, the important question is whether we will be mean minded or far sighted and imaginative about the use of that six acre site at the heart of the capital. Is my hon. Friend aware of the competition launced by *Building Design* and the comments of the Royal Fine Art Commission on the use of that site? Will he persuade his right hon. Friends to accept that we do not want more an more offices built on the site and that we want the site to be used imaginatively with the possibility of public open space or other forms of public benefit?

Mr. Baldry: One of the advantages of being an Environment Minister is that, looking out of the window of the building, one does not have to see the Department of the Environment.

Clearly, the site is important, and we will give careful consideration to the idea of a design competition. We want to ensure that the building that replaces 2 Marsham street is not merely better than what we have now—that will not be difficult—but a building of which we can be proud, on architectural and aesthetic grounds, for many years to come.

Mr. Skinner: Will the many people who work at the Departments of the Environment and of Transport be compensated for any move that takes place? Is the Minister aware that the trade unions involved are very anxious to remain on the site? Why should they be kicked out at the whim of the Government, who are almost certainly hellbent on lining some developer's back pocket, while at the same time bailing out the developers at Canary wharf?

Mr. Baldry: That is a pretty drivelly question, even by the hon. Gentleman's standards. The staff with whom we work at Marsham street are consulted closely and kept in touch with information about where the new building is to be. We are as anxious as they are to move to a decent working environment. A building that is likely to fall down in the next two years is not the best place in which to work.

East Thames Corridor

5. **Mr. Dunn:** To ask the Secretary of State for the Environment what representations have been made to him following the recent announcement of his policy towards the east Thames corridor; and if he will make a statement.

The Minister for Housing, Planning and Construction (Sir George Young): The proposals that my right hon. and learned Friend announced on 24 March have been broadly welcomed as both imaginative and realistic. We continue to receive representations on them from a wide range of bodies.

Mr. Dunn: My hon. Friend will know that, along with my hon. Friend the Member for Gravesham (Mr. Arnold), I welcome the concept of the east Thames corridor with enthusiasm. It will involve the creation of 128,000 new dwellings and 182,000 new jobs by the year 2015. Will my hon. Friend confirm, however, that he will engage in proper consultation with local authorities at all levels, and with local communities, when the project moves into its development stage?

Sir George Young: A few days ago, I chaired a meeting of all the 16 local authorities involved in the east Thames corridor project. That meeting was very helpful and productive, and my officials and I now plan to hold further meetings with the local authorities—both elected councillors and officials—that are co-operating with the imaginative proposals for the corridor.

Mr. Mackinlay: I recognise the great potential of the east Thames corridor for recreation, commerce and residential use. Does the Minister appreciate, however, that the glossy documents that were produced a few weeks ago were considered cosmetic and cynical in my constituency, given the high unemployment in Kent and Essex? What new moneys will be spent to promote jobs and commercial opportunities and how will the homes be built? Does not the Minister realise that acres of planning permissions exist for residential properties? What is lacking is confidence among potential home buyers and opportunites for local authorities to build homes in which they can house families, thus reducing their waiting lists.

Sir George Young: Confidence is returning by the day. Private developers will be interested in developing the sites in the hon. Gentleman's constituency for both homes and jobs.

I do not recall the representative from the hon. Gentleman's local authority describing the proposals as cosmetic or cynical at the meeting that I chaired. All the local authorities that attended that meeting wanted to work with the Government in unlocking the potential of the east Thames corridor. I hope that the hon. Gentleman will reconsider his approach to the proposals: his constituents can gain real benefit from working with the Government to unlock that potential.

Sir Michael Neubert: Is my hon. Friend aware that nowhere has the announcement of the east Thames corridor been more strongly welcomed than in the London borough of Havering, represented in Parliament by the Under-Secretary of State for the Environment, my hon. Friend the Member for Hornchurch (Mr. Squire), my hon. Friend the Member for Upminster (Sir N. Bonsor) and myself? Will he undertake to give every encouragement to the Havering Riverside project launched yesterday, which

invites private investment in what will be a key site in the Thames corridor? If there is to be an international station at Rainham, bringing Paris and Brussels within two hours' travelling time, it will also be a major gateway to Europe.

Sir George Young: I am heartened to hear from my hon. Friend about the proposals for further investment in the east Thames corridor. I will indeed take an interest in the scheme that he mentioned. Within the constraints applying to a planning Minister, which I am sure that he understands, I will ensure that my Department gives the planners every assistance in bringing the scheme forward.

Toxic Waste

6. **Mr. Roy Hughes:** To ask the Secretary of State for the Environment what recent representations he has received concerning the importation of toxic waste into the United Kingdom.

Mr. Howard: I have had representations from hon. Members, the waste industry, environmental and other organisations and members of the public.

Mr. Hughes: Does the Secretary of State appreciate that people in south Wales are asking, "Why should we have this toxic waste dumped on our doorstep?"? Surely, a sophisticated country such as Germany should be able to deal with its own waste. The Minister will be aware that south Wales has suffered enough from pollution, with coal tips galore, the horrors of Aberfan and so on. May I make a plea to the Secretary of State? Will he do whatever he can to prevent the insidious American concern Browning Ferris from establishing a waste disposal plant in Newport?

Mr. Howard: The House will find the hon. Gentleman's comments about coal tips rather odd in the light of the views that have recently been expressed, particularly by Opposition Members. The hon. Gentleman was perhaps referring to a shipment of toxic waste from Germany that was recently the subject of comment in the media. He will know that I have made representations to the German Environment Minister asking him to place a ban on the exportation of that shipment to Britain. The shipment has not left Germany and I hope that my representations will have the desired effect, which I hope will be welcomed by the hon. Gentleman.

Mr. Robert B. Jones: I strongly endorse my right hon. and learned Friend's commitment to self-sufficiency for developed countries. Does that not also mean that those developed countries should take a responsible attitude to international trade? For example, how much longer can we tolerate the fact that German legislation is undermining the recycling industry in the United Kingdom by ensuring that dumped material undercuts anything that can be generated in the United Kingdom market?

Mr. Howard: My hon. Friend is right to draw attention to the consequences of that element of German legislation. I have made representations on that matter as well to the German Environment Minister, and my right hon. Friend the President of the Board of Trade has made representations to the European Commission. The matter needs to be dealt with and my right hon. Friend and I are considering urgently what action we can take.

Mr. Simon Hughes: Will the Secretary of State come clean about the Government's attitude to the international trade in toxic waste? He has made it clear, and I support him, that he feels it appropriate to make representations on occasions to other Governments to prevent the import of toxic waste into Britain. Is he aware that our reputation is severely harmed when he and the Government take no action to prevent the export of toxic waste, particularly to developing countries such as Mexico? It does Britain no good continually to be seen as the dirty exporter of Europe.

Mr. Howard: The most significant step forward in the European Community in recent years is the waste shipment regulation, which was agreed under the United Kingdom presidency in the second half of last year. It resulted from a United Kingdom initiative started by my predecessor, now the Governor of Hong Kong. We have consistently taken the lead in encouraging our partners in Europe to pursue effective policies on the export of toxic waste.

Mr. Ian Bruce: Will my right hon. and learned Friend think carefully before rejecting any work that may come to Britain through recycling of toxic waste? Does he agree that there is surely a dichotomy in the Opposition's attitude? We hear lectures all the time from Opposition Members about recycling things. When we perhaps recycle nuclear fuel, the Opposition criticise us for doing so and making billions of pounds and creating hundreds of jobs in the process.

Mr. Howard: My hon. Friend is right to draw attention to the internal inconsistencies in the attitudes of Labour Members. This is not the only issue on which we see that. My hon. Friend will know that I am awaiting the report of Her Majesty's inspectorate of pollution in relation to the THORP—the thermal oxide reprocessing plant—application, and therefore I am sure that he would not expect me to say anything about that matter at this stage.

Mr. Chris Smith: The Secretary of State will be aware that from May of next year it will be possible and legal for the United Kingdom to ban the import of toxic waste from developed countries. Will the right hon. and learned Gentleman give the House a firm and unequivocal commitment that he will take action to do so? The Minister for the Environment and Countryside has appeared to indicate that he will take such action and, at different times, that he will not, while the Parliamentary Under-Secretary of State in the other place, Lord Strathclyde, has talked simply of reducing toxic waste imports rather than banning them. Will the Secretary of State ban toxic waste imports into this country from developed countries from May of next year?

Mr. Howard: The hon. Gentleman is misrepresenting the situation. We have every intention of implementing the regulation agreed last year on the due date, May 1994. Indeed, we pressed the Community to fix an earlier date for the implementation of the legislation, but we were unable to persuade our partners in Europe to achieve an earlier date.

The hon. Gentleman will also know that the regulation does not provide for a complete ban, but provides for those countries that cannot economically make provision for their own recycling to be able to export small quantities

of waste. The hon. Gentleman will know that we are obliged by that aspect of the legislation as well as by the rest of it.

House Purchase

7. **Mr. Rowe:** To ask the Secretary of State for the Environment how many houses were purchased under the special package announced in the autumn statement.

15. **Mr. Stephen:** To ask the Secretary of State for the Environment how many houses have now been brought into use by the housing package announced in the autumn statement.

Sir George Young: Housing associations have purchased some 18,000 additional homes in England using the £577 million allocated for this purpose in the autumn statement. This is a very great achievement, exceeding by 2,000 the target of 16,000 homes set in November. I congratulate heartily the Housing Corporation and the 81 associations involved. Purchases have been widely spread across the country, with acquisitions in some 97 per cent. of local authority areas. Grants to local authority and housing association tenants have enabled some 3,300 to become owner-occupiers, freeing their current homes for those in need. So, overall, the package has provided more than 21,000 permanent new homes for families in England.

Mr. Rowe: I am grateful to my hon. Friend for that encouraging reply. Does he agree that a number of other developments have enormously enhanced the value of that package, not least the considerable fall in interest rates?

Sir George Young: My hon. Friend rightly points out that there have been significant improvements in the housing market, working with the grain of my right hon. Friend the Chancellor's autumn statement. My hon. Friend will know that building societies' net advances were up 40 per cent. in March compared with February and that new lending commitments, at more than £3 billion, were double the January level. So there is every sign that the autumn statement package was effective in restoring confidence in the housing market.

Mr. Stephen: Does my hon. Friend agree that there are still far more empty houses than there are homeless families? Does he further agree that the way in which to provide housing for those who need it is to bring those empty houses into use and not to cover our green fields and gardens with more buildings?

Sir George Young: My hon. Friend is absolutely right. There are some 60,000 families in temporary accommodation and some 600,000 properties empty, so my hon. Friend makes a valid point. This Administration have taken steps to bring into use many of those empty properties. We have introduced a scheme, using housing associations as managing agents, to persuade the owners of those empty properties to bring them back into use and to rent them to those in need. We are also developing proposals to continue the revival of the private rented sector, to which the Government attach particular importance.

Mr. George Howarth: Has the Minister had the opportunity to study the Rowntree report, which suggests that the estates that are being bought up for this purpose are in danger of turning into ghettos of the 1960s and 1970s style? If the Minister has studied the report, does he have any proposals to stop that happening? I hope that he agrees that it would not be in the interests of anybody to re-create that type of problem.

Sir George Young: I have read the very interesting report published last week by Rowntree. The hon. Member will know that housing associations do not, by and large, develop large estates. The average size of a housing association development is about 20. The report, however, acts as a useful warning to housing associations that may be looking at the larger schemes that there are management problems that could go with them. In practice, most housing association schemes on large sites are already broken down into smaller sites operated by different housing associations, so there is diversity of tenure and of management on the large estates where housing associations are active.

Mr. Gerrard: While I welcome the fact that money is being spent on housing, does the Minister accept that, in London at least, the impact of this package on both the housing market and family homelessness has been very limited? In the main, the money has gone on buying newly built properties—only 5 per cent. have been repossessions—and mainly one-bedroomed flats rather than family housing. Will the Minister look again at whether more money can be spent by both housing associations and local authorities to buy family housing, so that we can start to do something about the growing number of families in London who are in temporary accommodation?

Sir George Young: The hon. Member will find that the package was focused on two-bedroomed properties rather than one-bedroomed homes. In my constituency, the London borough of Ealing has been able to end the use of bed and breakfast. Only one person is now left in bed and breakfast, who is there voluntarily. Part of the reason why the council has been able to do that is the use of the autumn statement package to take people out of bed and breakfast and move them into homes acquired under that package. I think that the hon. Member will find that London has benefited from the package. There has been a 38 per cent. fall in bed and breakfast over the past year, and I would expect to find that improvement maintained when we have the next figures in a few weeks' time, which will show the full impact of the package.

Housing Association Homes

8. **Mr. Spring:** To ask the Secretary of State for the Environment how many housing association homes he expects to be made available in 1992-93.

Sir George Young: A final figure for completions is not yet available. However, the Housing Corporation estimates that at least 80,000 units, including some 6,000 funded through local authority housing association grant, will have been made available by housing associations in 1992-93. This is not far short of double the corporation's forecast of 43,400 units when the programme for 1992-93 was announced—thanks to the housing market package and to the excellent value for money which has been achieved by housing associations.

Mr. Spring: Is my hon. Friend aware of the excellent working relationship between the Conservative-controlled

St. Edmundsbury borough council and the 14 housing associations in my constituency? Will he agree with me that this excellent working and organisational relationship has been of benefit by reducing waiting lists and virtually doing away with difficulties for families needing bed-and-breakfast accommodation? Will he also agree with me that this excellent record contrasts markedly with the appalling housing record of so many Labour local authorities that have blighted the lives of so many thousands of our fellow citizens?

Sir George Young: I agree entirely with my hon. Friend. I recently visited his constituency and met the hard-working local councillors in charge of housing policy. I welcome the way in which they have embraced their enabling role and are developing good relationships with housing associations. I also welcome the way in which they are working with my Department on an estate action scheme in Haverhill in the same district. My hon. Friend's local authority is a model of what more local authorities should do to make faster progress in tackling their housing problems.

Mr. Jamieson: Will the Minister tell the House what representations he has made to his right hon. and learned Friend the Secretary of State for Defence about the 9,291 empty Ministry of Defence properties throughout the country, 527 of them in my constituency of Plymouth, which is 21 per cent. of the total MOD stock there? Would he care to congratulate Plymouth city council on having less than 0·75 per cent. of its houses void at a time when many people are homeless in the city? What representations has he made about empty MOD properties?

Sir George Young: The hon. Member will know that after the last election we set up a task force, chaired by John Baker, precisely to deal with the issue that he has raised. He will also know that the Ministry of Defence is bringing back to this country large numbers of service families who will need accommodation when they get here. The MOD is leasing property to housing associations and local authorities. It is disposing of surplus stock and giving cash grants to service men leaving the armed forces; they can use that money to buy some of the surplus stock.

I assure the hon. Gentleman that the MOD is anxious to reduce the number of surplus properties that it owns.

Mr. Simon Coombs: Does my hon. Friend agree that the £2·7 billion worth of new lending by building societies in February clearly shows that it is not just Ministers who believe that now is a good time to buy a new home?

Sir George Young: My hon. Friend is absolutely right. The indicators, some of which I mentioned a moment ago, show that that is so. Abbey National reported that its mortgage approvals in the first quarter of the current year were 60 per cent. up on those in the same quarter last year. Many people are taking the view that this is, indeed, a good time to buy a home.

Mr. Pike: The Minister referred to the number of homes that will become available, but does he recognise that there is a real problem with the rent levels—a problem underlined by the housing associations' campaign on affordability? More than 81 per cent. of housing association tenants now need housing benefits. Are not housing association rents far too high, and is it not time the Government did something to get those rents down, so that people can afford to pay them?

Sir George Young: I cannot agree that average housing association rents are too high. The average rent is about £40 a week. In my view, that is a reasonable figure. I am aware of the sensitivity of the housing associations about this matter. The subject engaged the attention of the Environment Select Committee for some time when I appeared before it last week, and I await its report with interest. But the hon. Gentleman must accept that by reducing the rate of grants from 72 per cent. last year to 67 per cent. this year, we have achieved an extra 3,300 homes for those in need without any increase in the implied rent, because of the fall in interest rates and in land values. One has to strike a balance between rent levels and the output of new homes, and I think that we have got the balance about right.

Mr. James Hill: I congratulate my hon. Friend on the great efforts that he is making to provide more tenancies. Does he agree that a survey of our cities would show up a flaw, however, in that some of the boarded-up houses that are not owned by anyone in particular are not the sort of houses that housing associations want? Is it not possible to direct the housing associations to go for houses that need maintenance but will then provide housing units, instead of the simple solution of buying new build?

Sir George Young: I entirely agree. I am anxious to re-focus the energy of the housing association movement on the inner cities, where many of them started. That is why I have told the Housing Corporation that I should like 18 per cent. of this year's budget to go towards rehabilitation and improvement. We are also conducting research to find out what is impeding the housing associations' attempts to do more work.

There is, of course, an important planning role. The more boarded-up homes that can be brought back into use, the less pressure there will be for development on green-field sites. Hon. Members on both sides of the House are anxious to protect those sites if we can.

Urban Policies

10. **Mr. Eastham:** To ask the Secretary of State for the Environment if he will make a statement on the effects of his urban policies.

The Parliamentary Under-Secretary of State for the Environment (Mr. Robin Squire): The Government's urban policies are encouraging investment and improving the quality of life in our major cities through partnership and competition. The hon. Member will, I know, welcome the fact that over £400 million in targeted urban resources has gone into Manchester in the period 1990-93 alone.

Mr. Eastham: Is the Minister aware that phasing out the urban programme will cost us about 3,400 jobs and about 12,000 training places? Is he further aware that the town hall has spent about £100,000 on tendering that has been aborted as a result of Government cancellations? The voluntary organisations are being devastated in the city at the same time—a time when the Prime Minister has visited Manchester to back the Olympic bid, saying that he wants to revitalise the city.

Mr. Squire: Against the background of the Department of the Environment's urban block programme this year of £1,000 million, it is a little perverse of the hon. Gentleman to concentrate entirely on the urban programme. For the record, this year Manchester will get some £9 million from the urban programme and, of course, the council has the freedom to spend all its capital receipts as it wishes. In addition, Manchester has two development corporations, an excellent city challenge, one task force, substantial housing investment, use of derelict land grant and the prospect of substantial investment from the Olympics in the year 2000. Most hon. Members would be delighted to get such a package.

Mr. Knapman: In the areas that have large numbers of empty houses, can my hon. Friend discern a pattern between the scale of the problem and the political complexion of the councils in those areas?

Mr. Squire: I am grateful to my hon. Friend for raising that matter. I understand from my housing colleagues in the Department that there is often a sad correlation between the number of housing voids and the fact that a council is under Labour control. I hope that electors in the forthcoming county elections will bear that in mind.

Mr. Vaz: Does the Minister recall telling local authority leaders in November that he would review the list of urban programme authorities in the new year, using the 1991 census? Will he explain why the consultation paper arrived only in April, four months after it was promised, and why local authorities have been given only weeks to respond to a very important area of policy? Is not it the case that the delay in publishing this document is a result of the Minister's desire to manipulate the criteria for political ends and to provide excuses for his savage cuts in inner-city aid?

Mr. Squire: The hon. Gentleman must have misheard my earlier answer. I agree with him only on the importance of this programme. There is no delay. Matters are on target. It takes a little time to incorporate the entire results from the 1991 census, which will rightly guide us in this review. We have consulted local authorities, as I assume the hon. Gentleman wishes us to do, and we shall produce our final proposals later this year. The hon. Gentleman should not worry, because we are on target and our advice will be the best possible and will be triggered by the latest possible information.

Mr. Nicholas Winterton: Does my hon. Friend accept that recreation and leisure areas and parkland are vital to urban areas? The question is not just about the urban programme and allied policies but about urban policies in general. The inspectorate of his Department often appears only too ready to grant planning permission to public bodies such as health authorities that are seeking to develop vital and important open areas within centres such as the borough and town of Macclesfield. Such areas are vital for recreation and as parkland, and they enhance the environment of our town centres. Will my hon. Friend seek to prevail upon his inspectorate and direct his attention to these vital policies? We do not want every area of green within cities to be covered by housing.

Mr. Squire: My hon. Friend the Minister for Housing, Planning and Construction has heard my hon. Friend's question and has confirmed to me that the latest document, PPG17, specifically addresses that point. I agree with my hon. Friend on the wider issue of the importance of recreation. Hon. Members from Sheffield or near Sheffield will know about the substantial work by the development corporation there which is transforming old, derelict areas into excellent open spaces for recreation.

Council Tax

11. **Mr. Salmond:** To ask the Secretary of State for the Environment what is his latest estimate of the average level of the council tax; and if he will make a statement.

Mr. Redwood: The average headline council tax for two or more adults in a band C dwelling in England is £506.

Mr. Salmond: The Minister will be aware of major demonstrations against council tax levels which took place in the Western Isles. Is he aware that even after the cuts in council tax that followed, which will clearly have a significant implication for services in the islands, someone in a £40,000 house in the Western Isles will still pay £110 more than someone in the Prime Minister's constituency of Huntingdon? Does the Minister think that the surcharge that the Western Isles are paying over Huntingdon is reasonable, equitable, just and defensible, or does he think that it means that Huntingdon is getting too much public support and that the Western Isles is getting too little?

Mr. Redwood: The hon. Gentleman is badly misinformed about the relative levels of grant support. Scottish authorities receive £1,013 per head in external support—47 per cent. more than English local authorities, which receive £689 a head. Even allowing for some difference in functions, that is a big increase over the English figure. The hon. Gentleman should take up his argument in Scottish Question Time, and with those who are trying to lead the Western Isles council. The electors in the Western Isles knew where to lay the blame. They knew that it lay with the council, which is beginning to respond.

Mr. Clappison: Will the Minister confirm that not only is band C council tax £107 more under Labour authorities than it is under Conservative authorities, but that the 10 highest council taxes have all been set by Labour authorities? Does he agree that this is no mere coincidence, but compelling evidence that Labour authorities are profligate spenders and that value for money is an alien concept to them?

Mr. Redwood: My hon. Friend is right. All 10 of the highest English council tax rates have been set by Labour local authorities. Practically every one of those authorities not only gets more grant than the average but, in most cases, gets massively more than the average because the Government recognise some special factors. However, the councillors are not able to use all the extra money to the benefit of their local taxpayers and provide good-quality services.

Mr. Milburn: Is the Minister aware that of the 1,800 inquiries received by Darlington council about the disabled persons reduction scheme, 1,500 came from people placed in band A? Does he recognise that his refusal to extend the scheme to those living in band A properties short changes those who are in most need of assistance to pay their bills? Will he consider introducing a new council

tax band of A minus to assist my constituents and those of other hon. Members who, through no fault of their own, are losing out?

Mr. Redwood: The idea of disablement relief on houses in different council tax banks is that it should come into operation where a disabled person has had to spend extra on improving the house to cope with the disability. For those on low incomes, who are already rated in the lowest band, there are many other ways in which they can get help, such as through disability benefit and council tax benefit. We wish to ensure that people on low incomes are not penalised, and there is a generous scheme to do that. If the issue is whether somebody has been put into a higher band by virtue of the disability, that element in help for disabled people can be given only to those in the higher band. Like Opposition Members, I wish to help the disabled. That is why we have a series of measures to help them, geared to income and house values.

Bathing Water Quality

12. **Mr. Michael Brown:** To ask the Secretary of State for the Environment how many bathing waters were designated by Her Majesty's Government for the purposes of the 1975 EC bathing waters directive by May 1979.

Mr. Howard: No bathing waters had been identified by May 1979 as within the scope of the bathing waters directive.

Mr. Brown: Can my right hon. and learned Friend confirm that the position has changed, although Cleethorpes is not yet up to standard? Perhaps he might like to consider taking one of his holidays in Cleethorpes. The Prime Minister has already said, in a reply to me earlier this year, that he hopes to visit Cleethorpes. Can my right hon. and learned Friend, if he comes to Cleethorpes, hold out the prospect that, by 1995, there is every probability that our beaches will be able to hold their own with the rest of the United Kingdom? Can he also confirm that, this year, Cleethorpes expects to receive the greatest number of tourists ever? Clean beaches would put the icing on the cake of that great tourist achievement.

Mr. Howard: I very much look forward to visiting Cleethorpes, although my hon. Friend has a somewhat exaggerated notion of the number of holidays that I take during the year. I can confirm that we expect the bathing beaches of Cleethorpes fully to meet the standards of the European bathing waters directive by 1995. I am delighted to hear what he has told me about the number of tourists that Cleethorpes intends to entertain over the summer and I am sure that they will benefit from all the facilities that the resort has to offer.

Mr. Dafis: Does the Secretary of State accept that it is unreasonable for funding for the kind of environmental improvements covered by the directive to be provided in such a way as to have a terrible effect on water bills, with the impact that has on low-income families? Would not it be reasonable for at least some of that funding to come from the public purse? Is such funding already given or would it be possible?

Mr. Howard: The hon. Gentleman must accept that the resources for the public purse come from his constituents, just as much as the money for the bills that they have to pay for improved water systems. It is no use the hon. Gentleman or other Opposition Members proclaiming the need for higher standards without being prepared to make available the resources necessary if those standards are to be achieved.

Mr. Allason: My right hon. and learned Friend will be aware that Torbay enjoys the cleanest beaches and quite the best bathing water in the country. Is he aware also that a large burden is placed on South West Water chargepayers, who are obliged to pay for what is, in effect, a national asset? Will my right hon. and learned Friend kindly visit Torbay this summer, swim in our water, and then examine our water charges?

Mr. Howard: I am grateful to all hon. Friends who want me to spend an ever-increasing number of holidays in their constituencies. I agree entirely with my hon. Friend's remarks about the excellent quality of Torbay's beaches, and I know of, and have some sympathy with, his concerns about the level of bills in the south-west. My right hon. Friend the Prime Minister indicated recently that we are examining those matters.

Ms Short: Does the Secretary of State agree that of interest is not whether he is willing to visit Cleethorpes but whether he is willing to swim there—and whether he is worried that he might be swimming in sewage? That is the issue of concern to people throughout the country. Does the right hon. and learned Gentleman have any plans to enforce the directive's guidelines, rather than just its minimum standards? There is evidence that enforcing only the minimum standards still leads to sickness caused by sewage problems. Will the Secretary of State confirm that Britain's 400 designated areas will reach the minimum standard by 1995 or will he renege on that standard? Does he agree with the Marine Conservation Society that it would be reasonable to ask the big 10 privatised water companies to reduce their returns to shareholders, to achieve decent minimum bathing standards?

Mr. Howard: I am not persuaded that the present mandatory—not minimum—standards are in any way inadequate to provide the quality of bathing beaches that we require. We are making excellent progress. Very few of our bathing beaches no longer reach the standard, and I hope that they will all meet it in 1995. Perhaps the hon. Lady will come with me to Cleethorpes.

Council Tax

13. **Lady Olga Maitland:** To ask the Secretary of State for the Environment if he will list the 10 local authorities with the highest level of council tax.

Mr. Redwood: The 10 local authorities in England with the highest average headline council taxes are as follows. I give the band C values, but at all levels they are the highest. Harlow—[HON. MEMBERS: "Labour"]—£878; Newcastle upon Tyne—[HON. MEMBERS: "Labour."]—£704; Greenwich—[HON. MEMBERS: "Labour."]—£696; Manchester—[HON. MEMBERS: "Labour."]—£656; Haringey—[HON. MEMBERS: "Labour."]—£646; Liverpool—[HON. MEMBERS: "Labour."]—£645; Camden—[HON. MEMBERS: "Labour."]—£638; North Tyneside—[HON. MEMBERS: "Labour."]—£628; Salford—[HON. MEMBERS: "Labour."]—£628; and Derwentside—[HON. MEMBERS: "Labour."]——£626.

Lady Olga Maitland: I thank my hon. Friend for that revealing answer. Will he be kind enough to name the 10 local authorities having the lowest levels of council tax?

Mr. Redwood: Without prior notice, that could be difficult, but I have a list that I prepared earlier for my hon. Friend. There is Wellingborough—[HON. MEMBERS: "Conservative."]—there is——

Madam Speaker: Order. I am looking at the clock. We must speed up.

Mr. Redwood: There are also Westminster, Isles of Scilly, City of London, Hambleton, Hinckley and Bosworth, Huntingdon, Basingstoke and Deane, South Cambridgeshire and Fareham.

Mr. Straw: Is the Minister aware that according to his own Department's figures for average household bills, there are twice as many Tory councils as Labour councils in the 50 most expensive areas and that among the 50 least expensive areas for average bills there are twice as many Labour as Tory councils, including Southampton—[HON. MEMBERS: "Labour."]—Lincoln—[HON. MEMBERS: "Labour."]—Stoke-on-Trent—[HON. MEMBERS: "Labour."]—Corby—[HON. MEMBERS: "Labour."]—Great Yarmouth—[HON. MEMBERS: "Labour."]—Bradford—[HON. MEMBERS: "Labour."]—Plymouth—[HON. MEMBERS: "Labour."]—York—[HON. MEMBERS: "Labour."]—Slough—[HON. MEMBERS: "Labour."]—and Norwich—[HON. MEMBERS: "Labour."]—all with bills way below the average Tory bill of £465. It is Labour which serves us better and costs us less.

Mr. Redwood: In any band that we care to choose, Labour costs us more and Conservatives cost us less. The hon. Gentleman has not understood that point, after a long session today, but we are going to go on saying it all the way up to 6 May, because it is the truth and the voters will respond.

Points of Order

3.30 pm

Mr. Bob Cryer (Bradford, South): On a point of order, Madam Speaker. The question has been raised before, in general terms, about the transfer of written questions to individuals, writing on behalf of a particular executive agency.

What concerns me is that I asked a question of the Chairman of the Catering Committee—which, as you will appreciate, is not an executive agency—and it was transferred to the director of catering services. I ask you to discourage that practice, particularly as the question was about what appears to be the theft of a large quantity of cutlery and silverware. It concerns you particularly, Madam Speaker, because it carries the portcullis, the insignia of the House of Commons. That was not removed before this cutlery ended up on sale in the United States, apparently in considerable quantities.

I understand that the Catering Department managed to get the sum of £109 in scrap value from the sale of some of the items. Knives, forks, spoons, milk jugs, cream jugs, teapots and a range of items are on sale from an American firm. For example, a meat dish is on sale at roughly £250.

This is a matter of considerable importance which the Chairman of the Catering Committee—I notified him that I intended to raise this point of order with you—has shuffled off on to the director of catering services. A matter that concerns both you, regarding the control of the Portcullis and the disposal of these items, should, it seems to me, have been dealt with by the Chairman of the appropriate Committee.

Madam Speaker: The House, I am sure, knows that I do not believe everything that I read in the press. However, I did believe one item that I was told about—that the hon. Member for Bradford, South (Mr. Cryer) had tabled a question for answer by the Chairman of the Catering Committee. If the hon. Gentleman will leave the matter with me, I shall certainly raise it with the Chairman of the Committee.

Mr. Dennis Skinner (Bolsover): On a point of order, Madam Speaker. Every morning, Monday to Thursday, as you know, about 2,000 people come through the House of Commons on the Line of Route. This morning, information was passed to me that a considerable number of people who follow the Line of Route would be barred from doing so. I made inquiries and found that one of these Common Market Presidents was due to come here, the one from Portugal.

Frankly, I think that it is totally and utterly wrong that people who, in some cases, have travelled 300 or 400 miles to London to visit the House of Commons should be barred from the Line of Route just to allow the President of Portugal to come into the Chamber on his own, irrespective of who was responsible for the invitation. People talk about the classless society in this place, but today's example shows that it is as far away as ever.

Madam Speaker: I am aware that the President of Portugal visited the House this morning and I am proud that he did so. I understand that he was invited to view the Chamber by an hon. Member. In deference to the visit of a Head of State, and on grounds of security, the admission of visitors to the Chamber was delayed by some five minutes. I am content with the arrangements that were made.

Adoption Leave Arrangements

3.34 pm

Mrs. Cheryl Gillan (Chesham and Amersham): I beg to move,

That leave be given to bring in a Bill to permit the Secretary of State by order to confer rights on adoptive mothers in relation to employment similar to those enjoyed by mothers whose children are born to them; to make provision for adoptive mothers to have the right to return to work during the adoption period laid down; and for connected purposes.

I welcome this opportunity to bring the Bill before the House. The Bill would allow the Secretary of State to confer employment rights on adoptive mothers similar to those rights enjoyed by mothers whose children are born to them. It would also provide for adoptive mothers to have the right to return to work during the adoption period laid down.

It seems extraordinary in this day and age, when we have made great progress in recognising the role that women play as mothers, that we should still sustain in our system an inequality against families who provide a home for a child through adoption. At present, adoptive parents do not have the statutory right to return to their jobs after taking a break to care for a new addition to their family. Nor do they receive any statutory payment during any such absence, even though they may well have paid the same national insurance contributions as those who have children born to them, and should thus have access to such entitlements.

I believe that it is the role of Parliament not only to legislate for the majority of its citizens but to revisit legislation and collect those groups of people which it may have missed. In this case, adoptive parents are missed, and are missing out.

In preparing the Bill, I have received tremendous support from Jill White and British Agencies for Adoption and Fostering. I pay tribute to the work they do and the way in which they take up issues on behalf of families seeking to adopt children.

Adopters provide a tremendous service not only to the children they adopt but to the country as a whole. In many instances, the financial burden of raising a child may have fallen on the state. An adoptive parent takes financial responsibility for that child, thus saving the taxpayer money, but, more importantly, no one can disagree that a child raised within a family circle and having the stability of a warm and loving home has a much better start in life than a child who does not have that opportunity. Therefore, an adoptive parent makes an invaluable contribution to the welfare of an individual child and, ultimately, to that child's chances in life—something on which we cannot put a price.

The demands made on a family by the arrival of a new child are similar for birth parents and adoptive parents. In fact, parents who are accepted for adoption may find that their child arrives at very short notice. Like any other child being born into a family, an adopted child needs to spend time with its new parents, especially during the first few weeks when the bonding is established between parents and child. Why should we omit adoptive parents from the protective legislation afforded to birth mothers? There is no good reason for doing so.

I consider this to be not a political issue but one of common sense. That is why, in presenting the Bill to the House, I have been supported not only by members of my own party but by members of the Opposition. I am very grateful to all supporters of the Bill.

The Bill would confer the same entitlements on adoptive mothers as on birth mothers, with the proviso that a prospective adopter must inform her employer in writing, first, of her and her family's approval as prospective adopters, and, secondly, as soon as is practicably possible, of the impending placement for adoption once a child has become available.

The Bill would give an adoptive mother the same right to return to work as a birth mother, and it seeks to extend the rights provided by the Employment Protection (Consolidated) Act 1978 by substituting the words "adoption leave" for the words "maternity leave" and the words "placement for adoption" for "pregnancy and childbirth".

Introducing the same legislation for adopters as for natural mothers would also have benefits for employers, who, unless they have special arrangements, now risk losing valuable trained staff. Individuals who have passed through the necessary screening procedure to be accepted as potential adoptive parents are usually among the most reliable and responsible members of our society, yet we put them in a position in which they may even have to choose between their jobs and adopting a child. I have not sought to restrict the provisions of the Bill with an age limit for the child, because that would be a matter for deliberation in Committee.

I shall give the House an example involving a constituent of mine, a general practitioner, who, together with her husband, has been approved by the local social services department for adopting a baby. She would like to take leave from her partnership when a baby becomes available, and her partners support her. She hoped that she would be eligible for the 13 weeks of locum payments from the family health services authority, in line with its usual practice on maternity leave for birth mothers. But her application was rejected, and she is pursuing the matter with the relevant authorities, now with my help and support. She feels—I agree with her, and I am sure that every Member of the House will also agree—that it is discriminatory to prevent her from experiencing motherhood without having to pay a penalty.

The adoption agency rightly requires that the adoptive mother be absent from work after receiving the adopted child so that she can spend time with that child. Failure to agree to that condition would disqualify her from being an adoptive parent. So if she wishes to continue to be available to adopt, she is faced with some pretty tough decisions about her livelihood.

My Bill seeks to deal with just such cases and to relieve the stress and strain of the uncertainties in that area—uncertainties that arise as a direct result of a lacuna in the legislation. Many letters received by British Agencies for Adoption and Fostering reflect that uncertainty. Some employers seem willing to grant adoption leave; others do not. Potential adoptive parents are unsure about their position in law and often ask for clarification, only to be told that they have no rights.

That area of law is in urgent need of review, so I hope that the Minister will consider my Bill carefully. If we cannot make progress with this ten-minute Bill, I sincerely hope that he will take the earliest opportunity to produce amending legislation to end the additional burden and uncertainty for a group of people who provide a wonderful

[Mrs. Cheryl Gillan]

start for so many of our youngsters, and who surely deserve at least the same protection as that afforded by our laws to a natural parent. Let us really level that playing field for our adopted children and their parents.

Question put and agreed to.

Bill ordered to be brought in by Ms Cheryl Gillan, Mrs. Angela Browning, Mr. Harold Elletson, Mr. Nigel Evans, Mr. David Hinchliffe, Ms Liz Lynne, Ms Joyce Quin, Mr. John Sykes and Mr. Richard Spring.

Adoption Leave Arrangements

Ms Cheryl Gillan accordingly presented a Bill to permit the Secretary of State by order to confer rights on adoptive mothers in relation to employment similar to those enjoyed by mothers whose children are born to them; to make provision for adoptive mothers to have the right to return to work during the adoption period laid down; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 14 May, and to be printed. [Bill 188.]

Orders of the Day

National Lottery etc. Bill

As amended (in the Standing Committee), considered.

[Madam Speaker *in the Chair*]

New clause 7

Annual reports by distributing bodies other than Millennium Commission

'.—(1) As soon as possible after the end of every financial year, each body that in that year was paid any money under section 22 or distributed or applied any money under section 23 shall make a report to the Secretary of State on the exercise during that year of its functions under this Act.

(2) The report shall set out any directions given to the body under section 24 that had effect during the financial year to which the report relates.

(3) The Secretary of State shall lay a copy of every report received by him under this section before Parliament.

(4) This section does not apply to the Millennium Commission.'.—*[Mr. Key.]*

Brought up, and read the First time.

3.44 pm

The Parliamentary Under-Secretary of State for National Heritage (Mr. Robert Key): I beg to move, That the clause be read a Second time.

Madam Speaker: I understand that it will be convenient to discuss at the same time the following: Government new clause 8—*Accounts of distributing bodies other than Charities Board and Millennium Commission.*

Amendment No. 26: in clause 23, page 10, line 18 at end insert—

'( ) A body shall report to the Secretary of State each year on the distribution under subsection (1) which it has made during that year.'.

Government amendments Nos. 69, 70 and 71.

Mr. Key: It is a great pleasure to come back to the Floor of the House with the Bill. It is quite rare for a Bill to have been so amended in Committee. It gives me pleasure to say that, because we have been engaged on an important piece of legislation in creating the first national lottery in this country this century, and we have been determined to get it right. We have listened to representations from all parts of the political spectrum and from all interest groups that are involved or that might be affected. I have no doubt that the Bill today is better than the Bill on which we embarked in Committee some weeks ago. I thank all members of the Committee who made that possible. It was a constructive Committee and we had the benefit of a great deal of advice from beyond the Committee.

In Committee, I undertook to consider ways in which to ensure transparency of accounting for lottery funds. The new clauses would ensure that Parliament would be able to see clearly exactly how all funds from the lottery had been spent. Amendment No. 26 is intended to ensure the same. As our new clauses and amendments meet, I hope, the intention of amendment No. 26, tabled by the hon. Member for Cynon Valley (Mrs. Clwyd), I hope that she will accept new clause 7 and the other amendments and that she will withdraw her own.

The reason why I hope that the hon. Lady will withdraw amendment No. 26 is that the Millennium Commission is likely to have as one of its members the Secretary of State, so it would not be appropriate for the commission's report to be submitted to him before being laid before Parliament. I hope that the hon. Members who tabled amendment No. 26 will accept that our new clauses and amendments would meet their purpose.

Mr. John Maxton (Glasgow, Cathcart): I know that in legislation the term "Secretary of State" is a generic term to cover all Secretaries of State. Where the new clause uses the words "Secretary of State" in terms of reporting for the Scottish Arts Council and for the Scottish Sports Council, does it mean the Secretary of State for Scotland and not the Secretary of State for National Heritage?

Mr. Key: It would be the Secretary of State for National Heritage, because it is our lottery.

Mr. Maxton: I find that a slightly odd reply in relation to Scotland. It is clear that the Scottish Arts Council and the Scottish Sports Council come under the Secretary of State for Scotland. They are his responsibility, he appoints them, and they report on all other matters to him. I do not, therefore, understand why the Minister says that on the issue only of the spending of national lottery money, the report will go to the Secretary of State for National Heritage. That seems a strange decision and I should like a slightly fuller explanation.

Mr. Key: It is really very straightforward. It is a national lottery and the Secretary of State for National Heritage is responsible to the House for the operation of the lottery. The Arts Council in Scotland is a sub-committee of the Arts Council of Great Britain as presently constituted. Next year, it will become the Scottish Arts Council in its own right and will then be answerable to the Secretary of State for Scotland. But the national lottery will be the responsibility of my right hon. Friend the Secretary of State for National Heritage, and he will be responsible to Parliament for it.

Mr. Tom Pendry (Stalybridge and Hyde): This debate is turning into a bit of a lottery already.

I propose to speak to amendment No. 26, in the names of my hon. Friend the Member for Cynon Valley (Mrs. Clwyd) and others. I am afraid that I must disappoint the Minister: we shall not readily give in unless we receive a satisfactory reply.

We consider it important that bodies distributing lottery proceeds should be fully accountable for their decisions. In that context, we believe that they should be required to report each year on the grants that they have made from national lottery proceeds.

The spirit of the Government's amendments is that bodies distributing lottery proceeds should be required to act in a responsible and transparent manner. That is fair enough and we accept that there has been some movement on that, but we believe that, as part of that commitment to responsible action, distributing bodies should be required to report each year on the grants that they have made. An onus should be placed on them to demonstrate that a proportion of their funds has been spent for the benefit of low-income groups. In our view, that would demonstrate a commitment to responsible action.

There is much evidence to suggest that low-income groups will contribute disproportionately to the purchase of national lottery tickets. The report by DKM Economic Consultants commissioned by the An Post lottery company in 1990—a report of which the Minister knows because it was mentioned in Committee—concluded that participation in the lottery is fairly constant across all classes. That claim has been seriously challenged by Desmond Norton of Dublin university. In his analysis of the report's findings, Norton shows that, on the contrary, education and income are key variables determining spending on the national lottery. The skilled working class and the unemployed spend more on tickets than do the middle classes.

That finding is confirmed by earlier research conducted in the United States by Clotfelter and Cook. Research recently undertaken by Saatchi and Saatchi on behalf of the Sports Council supports the view that participation in the lottery will be weighted towards those in the lower income groups. That survey, which examined the public's intention as regards the purchase of national lottery tickets, suggested that a larger proportion of those in social classes C1 and C2 than in the AB category would be regular lottery participants. In his report on the national lottery for the Gulbenkian Foundation, Professor John Kay notes that the Saatchi and Saatchi findings

"are consistent with the results of the surveys in other countries. The general finding is that poorer people spend a larger proportion of their income on lotteries."

Professor Kay quotes seven different studies that have reached the same conclusion.

The aim of the lottery is to raise money for the arts, sport, heritage, charities and the millenium fund. Many of us fear that a large proportion of lottery money will be spent on high prestige projects such as opera houses and historic buildings. We have nothing against opera houses and historic buildings, but we want them to be put in context. Research on the current patterns of use of such facilities shows that low-income groups are less likely to benefit from such projects than high earners. We may regret that, but it is none the less the case.

The evidence suggests, therefore, that the lottery could be a form of regressive taxation, obtaining money from the least well-off to finance services for the better-off to enjoy. Opposition Members believe it essential, therefore, that information should be available about the pattern of participation in lottery play.

The amendment places on lottery distributors a duty to report annually on the grants that they have made from their allocation. If purchasing patterns for lottery tickets mirror those in other countries, the distributing bodies should be able to show that their allocation is being used in some measure to benefit those on low incomes. That could include providing funding for the development of access programmes in the arts, sport and heritage, as well as ensuring that programmes that are currently of direct benefit to those on low incomes are properly supported.

The Minister rightly said that the Government had moved a good way to meeting the points made in Committee. I hope that the Minister will go that bit further and accept the spirit of the amendment.

Mr. Tim Renton (Mid-Sussex): I apologise to hon. Members who were members of the Standing Committee for intervening in the debate on Report, as I was not a member of that Committee. However, as some of my hon. Friends will know, as Arts Minister, I was extremely active for 18 months in support of the cause of the national

[Mr. Tim Renton]

lottery and in persuading my colleagues, including some rather intransigent colleagues at the Treasury, to support the idea.

The Treasury naturally objected to any idea of hypothecation of revenue and therefore to revenue going to causes outside its control. For 18 months, as the Arts Minister, I had a hard battle to win the Treasury round to my way of thinking. However, perhaps more of that later.

I listened to the comments of the hon. Member for Stalybridge and Hyde (Mr. Pendry) about amendment No. 26, and although I fully appreciate the social causes and motives which caused him to table his amendment, the idea that the national lottery should in any way be used to fulfil social objectives—objectives that are in themselves worth while—strikes horror in my heart. That cannot be the purpose of the national lottery.

If those who are to subscribe—one hopes weekly, for fun, entertainment and in the hope of winning £1 million and in the knowledge that, if they do not win, the money will go to good causes—become aware that there is a weighting in favour of social security objectives, it will destroy the whole purpose for which the national lottery is being created.

Of course I understand the point made by the hon. Member for Stalybridge and Hyde that some people may be more interested in the redevelopment of the Royal Opera house or in building a new museum of modern art for the Tate gallery than others. My right hon. Friend the Secretary of State, for example, on the Millennium Commission or elsewhere, will have to help people to take difficult decisions in due course. However, the aim must be to encourage people to take part in a lottery which is essentially for fun and for good causes as well.

If an underlying thought develops that there is a social security element and objective involved, the hon. Member for Stalybridge and Hyde would find that the take-up of lottery tickets, upon which everything depends, would be very much less than it would otherwise be. As a consequence, the whole purpose of the lottery, to raise substantial extra funds for heritage, sports, the Arts, for smaller charities and for the millennium fund will be lost.

The hon. Member for Stalybridge and Hyde rather gave himself away when, towards the end of his remarks, he said that the proposal could become a form of regressive taxation. We must avoid precisely the thought that this is taxation. If people come to believe that the lottery is a form of regressive taxation and a supplement to Treasury money, or a way of replacing money which the Treasury would otherwise have to provide to the Department of Health for hospitals or to the Department of Social Security for income support, the lottery is bound to fail.

Although I know that the hon. Member for Stalybridge and Hyde has a long-standing interest in supporting, encouraging and increasing sports facilities in this country, I believe that he should not press his amendment. The thought behind it is contrary to the spirit that is necessary for the national lottery to be the great success that hon. Members on both sides of the House hope it will be.

Mr. Joseph Ashton (Bassetlaw): The House should be worried by the last line of new clause 7 which states that anyone who is spending money or receiving cash must put a report before the House, but

"This section does not apply to the Millennium Commission."

New clause 7, which is slipping through the House unnoticed is a perfect example of pork-barrel politics. Why should details about money given to the Millennium Commission not be reported to the House? The answer is simple. Anything spent in the year 2000 is likely to have a great effect on a general election that might be called in 2001.

Once the fund is established, anything linked to the year 2000 can be provided from a slush fund to buy votes. If we were at that stage now, the Government would be telling the managers of Newbury race course, "We will give you a new tote and some new tapes. You can run the Grand National here, so that the tapes do not break and everything does not go wrong. It is all to celebrate the year 2000; it has nothing to do with the Newbury by-election next week."

Already, the Prime Minister has been to Manchester and said, "We will back your bid for the Olympic games." Who will pay for that? Not the taxpayer. The Prime Minister has not obtained a single extra penny from the Treasury. No—he will dip his hand into the national lottery slush fund, and the Millennium Commission will get £60 million every year from now until the year 2000. The Prime Minister can spend all that lovely money, and he can say, "We, the Tory Government, have backed the Olympic games that will take place in the year 2000, and all those in marginal seats in the Manchester area—where we have created the jobs—should be desperately grateful to us."

Mr. Nigel Evans (Ribble Valley): Will not the hon. Gentleman concede that the Government have already stated their intention of supporting the Olympic games and contributed £15 million towards the building of a new stadium in Manchester?

4 pm

Mr. Ashton: They have not done so yet. They have said that they will back the games, but they have not given a penny, because no money has come in yet.

Mr. Robin Corbett (Birmingham, Erdington): The Government cannot commit the money.

Mr. Ashton: Why not? It is to celebrate the year 2000.

Mr. Corbett: It is not within the Government's gift to spend a penny of the lottery money on their own say-so.

Mr. Ashton: My hon. Friend has been in the House for a long time, as have I. He must be very naive if he honestly believes that the Government have no method of shifting money from one project to another in order to gain votes and popularity.

What is to stop the Government from applying new clause 7 to the Millennium Commission? Why should not a report be presented to the House? The new clause states:

"The Secretary of State shall lay a copy of every report received by him under this section"—

that is, clause 22, which applies to distribution, and indeed clause 23, which concerns the application of money—

"before Parliament."

That, however, does not apply to the Millennium Commission.

Mr. Key: If the hon. Gentleman allows me to get a word in edgeways, I shall explain to him that the millennium fund is dealt with specifically by clauses 38 and 39.

Mr. Ashton: If I am wrong, I will withdraw what I have said. However, we shall not know whether I am wrong until about 1998, and by then it will all be lost in the mists of time. The matter will be the third item of the business on the Order Paper, and someone will come along at about 1.30 am and slip in an amendment of which no one else is aware. That is how the House and the Government tend to work.

A phenomenal, unbelievable amount of cash is involved; yet its control is very vague. It should not be thought that Governments do not give election bribes—especially a Tory Government who sold council houses for about a fifth of their value in order to win the 1983 election. Such bribes have been given many times.

Will the Minister tell us why, according to subsection (4) of the new clause, it does not apply to the Millennium Commission? Perhaps he will refer later to clauses 37 and 38.

Dame Elaine Kellett-Bowman: (Lancaster): The Millennium Commission is more tightly bound than any of the other bodies. Under clause 38, it must make a specific report. The clause states:

"the Millenium Commission shall lay before Parliament a report on the exercise of their functions during that year."

That is a much more specific requirement than those applying to other bodies.

Mr. Ashton: The Government can do anything they like. The hon. Lady is saying that, once the Bill is passed, it is written on tablets of stone and nothing can be altered for the next six years. She must be very naive if she thinks that.

Mr. Peter Kilfoyle (Liverpool, Walton): The Under-Secretary of State has mentioned clauses 38 and 39. Clause 39(2) states:

"The statement shall comply with any directions that may be given by the Secretary of State as to the information to be contained . . . the manner in which such information is to be presented or the methods and principles according to which such a statement is to be prepared."

Does that not leave my hon. Friend with some forebodings about the amount of latitude that the Government will have on that statement?

Mr. Ashton: My hon. Friend knows exactly what I am saying. I do not trust any Government——

Dame Elaine Kellett-Bowman: Will the hon. Gentleman give way?

Mr. Ashton: Sit down. I shall not give way. I have given way five times in about three minutes.

The next general elections will probably be in 1996 or early 1997 followed by the year 2000 or 2001. My hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle) is right to say that when a general election is approaching, the temptation to use the money on election bribes for any Government who face a difficult by-election will be irresistible. The Bill has built into it the facility for the Government to do so.

Mr. Maxton: I shall be brief. I wish to respond to the comments made by the former Minister for the Arts, the right hon. Member for Mid-Sussex (Mr. Renton), about the speech of my hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry). The right hon. Gentleman kept referring to spending money on social security. Of course that is not what my hon. Friend meant.

Some Opposition Members are worried that the spending of the money raised by the national lottery will be focused on London and on large, prestige projects. As my hon. Friend said, such projects benefit a few relatively wealthy people. We are worried, first, that the money will not be distributed throughout the country to provide access to the arts and sport to all people, wherever they may live in the United Kingdom; and secondly, that, even where the money is spent outside London, it will be spent on prestige projects which do not necessarily benefit the average person who buys the lottery ticket.

Mr. Michael Ancram (Devizes): Is the hon. Gentleman making the case that per capita public spending north and south of the border should be the same? If so, Scots would suffer from his suggestion.

Mr. Maxton: The hon. Gentleman was at one time a junior Minister at the Scottish Office, but because he was stupid enough to introduce the poll tax, he lost his seat. If he had listened carefully, he would not have heard me mention Scotland or England once. I was not talking about the differences between Scotland and England. I was talking about outside London and inside London. That includes Manchester, Birmingham, Oldham and many places which ought to receive their fair share of the money spent by the ordinary people who buy lottery tickets throughout the United Kingdom. That is the point which I made and which the hon. Gentleman, deliberately or otherwise, misinterpreted.

I was not a member of the Committee. I will not apologise to the House for taking part in the debate on Report. It may now be the custom that only Committee members take part in debates on Report. The Report stage was originally designed specifically so that Members of Parliament other than those who served on the Committee could take part in the debate.

Mr. Key: What an interesting debate it has been. I was certainly delighted that several hon. Members from both sides of the House spoke who did not take part in the proceedings in Standing Committee.

The speech of the hon. Member for Stalybridge and Hyde (Mr. Pendry) resembled a speech which might have introduced amendment No. 195, which we are not to debate. However, I understand why he felt it necessary to discuss the point and raise the issue of how the money will be distributed.

It is important to make it clear, and I am grateful for the opportunity to do so, that the way in which the mechanism of the national lottery has been constructed will ensure not only geographical distribution across all interests but the distribution of large or small sums of money. The great advantage of our system—which is the envy of most national lotteries around the world—is that there are separate mechanisms for the distribution and collection of the money. Unlike most national lotteries, the money will not go into the coffers of the Treasury but will be distributed by boards and committees consisting of people and organisations who have the confidence of the recipient sectors. Therefore, I reject those arguments.

My right hon. Friend the Member for Mid-Sussex (Mr. Renton) is absolutely right to react with horror to the

[Mr. Key]

amendment and the proposition it contained. It is not intended to substitute national lottery money for main programme spending, whether on social services, the health service, sport or anything else. That has been made absolutely clear.

The points that the hon. Member for Bassetlaw (Mr. Ashton) made were rehearsed at length in Committee, but they are none the worse for that. It is important that people recognise that important projects like the Manchester Olympic bid may well be eligible for applications to the Sports Council lottery committee, but it certainly will not be up to any Minister or the Millenium Commission to decide whether that project be in receipt of those sums.

The Government new clauses were promised in Committee, and they will ensure that all the distributing bodies will produce accounts and reports on the use of lottery funds separate from their other reports and accounts. The reports dealing with lottery funds will be made available to Parliament. The Government amendments are consequential upon the provisions in new clauses 7 and 8. The Millenium Commission is not covered by those new clauses. Although the Secretary of State will be a member of the Commission—and he may be its chairman—its report and accounts will be submitted directly to Parliament under clauses 38 and 39 and not to the Secretary of State. The report of the Charities Board will be covered by new clause 7, and consequential upon that clause will be the removal of clause 34.

Dame Elaine Kellett-Bowman: The Opposition Members who referred to the commission should note clause 39(3) states:

"Copies of the statement shall be sent to the Comptroller and Auditor General".

A lot of people will keep a beady eye on that fund, so I cannot understand why Opposition Members should be so concerned.

Mr. Key: Neither can I. My hon. Friend is right to point that out.

The Charities Board will receive funds from the Secretary of State at first to cover start-up costs. Its accounts should include the use of that money, and for that reason clause 35 remains.

Government amendments Nos. 70 and 71 ensure that the definition of "financial year" covers anybody named under clause 21, whether now or in the future. Amendment No. 26, tabled by the Opposition, is intended to achieve the same end as the new clauses. I believe—and I hope that I have convinced the House—that that amendment is not therefore necessary.

Mr. Pendry: May I say to the Minister that I was surprised that he agreed——

Madam Speaker: Order. The hon. Gentleman requires the leave of the House to speak again.

Mr. Pendry: I understand. With the leave of the House I shall reply to the debate.

I was surprised that the Minister agreed with the right hon. Member for Mid-Sussex (Mr. Renton), because his speech reminded me of what my economics tutor used to say to me: "Answer the question I asked, not the one you wish I had asked." I never made the speech to which he has referred. My hon. Friend the Member for Glasgow, Cathcart (Mr. Maxton) has answered all the points that the right hon. Gentleman raised, so I will not go over them.

The right hon. Member for Mid-Sussex said that the lottery had nothing to do with taxation, but he should talk to the charities, the Sports Council and the Arts Council about the 12 per cent. tax yield that the Chancellor of the Exchequer has placed upon the lottery. It certainly is about taxation as far as they are concerned.

I do not want to push our amendment to a Division. I think that the Minister, in a more reflective mood—and certainly those in another place—might pick up the points I have made more intelligently than some Conservatives have today.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 8

ACCOUNTS OF DISTRIBUTING BODIES OTHER THAN CHARITIES BOARD AND MILLENNIUM COMMISSION

'.-(1) A body shall keep proper accounts in respect of any money paid to it under section 22 and proper records in relation to the accounts.

(2) A body shall prepare a statement of accounts in respect of each financial year in which it was paid any money under section 22 or distributed or applied any money under section 23.

(3) The statement shall comply with any directions that may be given by the Secretary of State as to the information to be contained in such a statement, the manner in which such information is to be presented or the methods and principles according to which such a statement is to be prepared.

(4) Copies of the statement shall be sent to the Secretary of State and the Comptroller and Auditor General within such period after the end of the financial year to which the statement relates as the Secretary of State may direct.

(5) The Comptroller and Auditor General shall examine, certify and report on the statement and shall lay copies of the statement and of his report before Parliament.

(6) The Secretary of State shall not give a direction under this section without the Treasury's approval.

(7) This section does not apply to the National Lottery Charities Board or to the Millennium Commission.'.—*[Mr. Brooke.]*

Brought up, read the First and Second time and added to the Bill.

New clause 11

PRIVATE LOTTERIES

'. For section 4(1) of the 1976 Act (private lotteries) there shall be substituted—

"(1) In this Act "private lottery" means a lottery in Great Britain which is promoted—

(a) for members of one society established and conducted for purposes not connected with gaming, betting or lotteries;

(b) for persons all of whom work on the same premises; or

(c) for persons all of whom reside on the same premises,

and which satisfies the conditions in subsections (1A) and (1B) below.

(1A) The lottery must be promoted by persons each of whom—

(a) is one of the persons for whom the lottery is promoted; and

(b) in the case of a lottery promoted for the members of a society, is authorised in writing by the governing body of the society to promote the lottery.

(1B) The sale of tickets or chances in the lottery must be confined—

(a) to the persons for whom the lottery is promoted; and
(b) in the case of a lottery promoted for the members of a society, to any other persons on the society's premises."'.—*[Mr. Peter Lloyd.]*

Brought up, and read the First time.

The Minister of State, Home Office (Mr. Peter Lloyd): I beg to move, That the clause be read a Second time.

Madam Speaker: With this it will be convenient to discuss also Government amendment No. 192.

Mr. Lloyd: In Committee, the hon. Member for Liverpool, Broadgreen (Mrs. Kennedy) argued persuasively that where a society was holding a private lottery on its own premises any guests present should be allowed to buy tickets in the same way as they can join in a game of bingo or use gaming machines. I agreed to introduce Government amendments to achieve that, and this is what new clause 11 and amendment No. 192 do.

4.15 pm

Mr. Pendry: I agree with the Minister that my hon. Friend the Member for Broadgreen was very persuasive in Committee. She made sure that we all recognised the nonsense of the law as it stood and that in this particular area many of us flout the law ourselves almost every week of the year in the clubs that we frequent—Labour clubs in our case, of course. So we certainly accept the Minister's response in meeting the particular point that my hon. Friend made.

Mrs. Jane Kennedy (Liverpool, Broadgreen): I thank the Minister and my hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry) for the courteous way in which they have referred to the contribution that I made on this point. I thank the Minister also for listening to the arguments that were put and for accepting and incorporating them in the Bill. On behalf of the 6 million members of the Club and Institute Union and 10 million members of private clubs, some of whom I see here today, I wish to say thank you.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 12

FREQUENCY OF LOTTERIES

'. For section 10 of the 1976 Act there shall be substituted —

"*Frequency of lotteries.*

10.—(1) The Secretary of State may by order prescribe—
(a) the maximum number of lotteries that a society or local authority may promote under section 5 or 6 above in any period of twelve months; and
(b) the minimum number of days that must elapse between the dates of any two lotteries promoted under section 5 or 6 above on behalf of the same society or by the same local authority.

(2) An order under subsection (1) above may make different provision for different cases or circumstances."'.—*[Mr. Peter Lloyd.]*

Brought up, and read the First time.

Mr. Peter Lloyd: I beg to move, That the clause be read a Second time.

Madam Speaker: With this it will be convenient to discuss also the following: Government amendment No. 166.

Amendment No. 18, in clause 45, page 17, line 39, at end insert

'; but nothing in this section shall apply to a registered charity or non-profit making organisation in respect of any lottery or lotteries which have been in operation for more than one year before the passing of this Act.'.

Government amendment No. 190.

Mr. Lloyd: This new clause removes existing controls on the number and frequency of society and local authority lotteries. It responds to the many representations that I have received, as have, no doubt, many other hon. Members on both sides of the House, from football clubs and others about the effect of a provision in schedule 7 to the Bill designed to stop the practice of multiple registration. This arises where an organisation creates two or more separate societies, commonly operating from the same premises and with the same personnel, in order to circumvent the monetary limits on turnover or, once the Bill comes into force, to escape from Gaming Board registration.

I realise that, in order to maximise turnover, many football clubs and other organisations have been running 70 or 80 or more different lotteries a year. As the law stands, a society may only promote 52 lotteries in a 12-month period—that is, one a week. Organisations evade this restriction by registering perhaps three different societies—one to run a weekly draw lottery, another to run a monthly scratch card lottery, and a third, say, to run a large Christmas draw.

It is our aim, in the interests of fairer and more honest and effective regulation, to ensure that organisations register only the one society, but we do not want them to lose income as a result of limiting them to 52 lotteries a year. So, provided an organisation is operating within the £5 million new annual limit laid down in clause 46 of the Bill, I see no reason why it should be subject to an arbitrary limit on the number of lotteries that it may promote. If a football club decides that promoting 70 lotteries a year will maximise its income from this source, then so be it. That is a decision which ought sensibly to be left to the promoters of society and local authority lotteries. The new clause therefore removes from the face of the 1976 Act the restrictions on both the number and frequency of such lotteries.

I do not expect that this relaxation in the law will cause any regulatory problems, but the new clause contains an order-making power which will enable the Home Secretary to reimpose limits on either the number or frequency of lotteries, should the need arise. We will want to keep a close watch on the operation of the 1976 Act, as amended by part III of this Bill, but we would hope not to have to reintroduce controls of that kind. Amendments Nos. 166 and 190 are consequential on new clause 12.

Mr. Renton: Can my hon. Friend tell the House under what circumstances he thinks the need to reintroduce controls might arise?

Mr. Lloyd: I do not anticipate any problems, but if, say, societies were running lotteries so similar to each other at precisely the same time that it was impossible to distinguish whether the monetary ceilings were being breached, we might consider some further regulation to enable us to distinguish between them—but I see no reason why we should have to do this. Nevertheless, the opportunity exists to do so by regulations brought back to the House.

[Mr. Lloyd]

I hope that the hon. Members for Liverpool, Mossley Hill (Mr. Alton) and for Caithness and Sutherland (Mr. Maclennan) will agree that amendment No. 18 is now unnecessary. Its underlying purpose—to relax restrictions on the number of lotteries that may be promoted by a society in any year—is even more completely achieved by the Government new clause, which I commend to the House.

Mr. Stanley Orme (Salford, East): I welcome the Government's move on this issue. At stake is the survival of hundreds of small cricket, football, rugby union and rugby league clubs. We welcome the removal of the barrier that would have meant that they could not run more than one lottery or scratch card competition at a time—perhaps at the same time as raffles on the Derby or Grand National.

I speak as the honorary president of the Lotteries Council, which, like the organisations I have mentioned, has welcomed the Minister's move.

Mr. David Alton (Liverpool, Mossley Hill): I, too, welcome what the Minister has said. He has moved a long way since our debates in Committee and has listened to the protestations of the smaller clubs, based everywhere from Rochdale to Tranmere. Members of the Committee received representations from places that they did not even know existed. The right hon. Member for Salford, East (Mr. Orme) was largely responsible for that. He managed to generate one of the largest write-in campaigns that we have ever experienced——

Mr. George Howarth (Knowsley, North): The hon. Gentleman knows all about write-in campaigns. He was responsible for 3,500 representations himself.

Mr. Alton: I am always happy to oblige. This has been a good example of the Government being responsive to positive and instructive arguments and in that spirit I am happy not to press amendment No. 18.

Mr. Corbett: The Minister will know of the great concern expressed by the smaller lotteries, not least those run by supporters clubs, when the Standing Committee was considering the Bill. He will forgive me if I slip on a black arm band when I talk about supporters of Aston Villa, Birmingham City and Warwickshire county cricket club. Their great fear was that the introduction of the national lottery and of the lotteries of which it consists might damage their vital fund-raising activities on behalf of the clubs in which they take an interest. Probably the Premier division clubs are in a stronger position to face up to the competition from the national lottery—only time will tell.

The supporters clubs of small teams representing all sports were extremely apprehensive. We appreciate the way in which the Minister has responded to arguments in Committee and to the representations organised by my right hon. Friend the Member for Salford, East (Mr. Orme). I do not say that through gritted teeth, because it is important in Bills of this kind, dealing with matters that are not party political, to do our best to respond to what people outside with proper concerns say to us.

The Minister's proposal in the context of the Home Office is positively revolutionary, because it is a long time since the Home Office was prepared to let go of a beloved regulation. That applies especially to the grey areas in the Home Office. The Minister reminded the House of the remaining caution, and when his right hon. Friend the Member for Mid-Sussex (Mr. Renton) asked him about that, the Minister said, "We are not quite sure about whether to do this but in case we do, we want to have a fall back." It is difficult to envisage circumstances in which the proviso may be needed, but on balance the caution is probably sensible. I again thank the Minister. We are delighted to support him.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 2

REGULATIONS FOR LOTTERIES

'.-(1) Section 12 of the Lotteries and Amusements Act 1976 (regulations) shall be amended as follows.

(2) In subsection (2), at the beginning there shall be inserted "subject to subsection (3A) below".

(3) In subsection (3), after "above", there shall be inserted "but subject to subsection (3A) below".

(4) After subsection (3) there shall be inserted:

"(3A) Regulations under this section shall not prohibit the sale of a ticket or chance in any bingo club premises, within the meaning of Part II of the Gaming Act 1968."

(5) In consequence of the preceding provisions of this section, so much of regulation 6 of the Lotteries Regulations 1977 (which prohibits the sale of tickets and chances in certain premises) as prohibits such sales in bingo club premises (within the meaning of the said Part II) shall cease to have effect.'.—*[Mr. Fry.]*

Brought up, and read the First time.

Mr. Peter Fry (Wellingborough): I beg to move, That the clause be read a Second time.

In Committee the Minister gave some guidance about where national lottery tickets would be sold. The new clause seeks to allow the sale of local authority lottery tickets and other lottery tickets in bingo clubs. The Minister outlined the principle that national lottery tickets will not be sold in the traditional markets for charity lotteries, such as public houses, the intention being that there should be no damage to the proceeds of such local lotteries which perform many good works.

The new clause is intended to explore the issue in relation to bingo clubs which are currently prevented from selling local charity lottery tickets. In that respect I declare my interest because I am the parliamentary consultant to the Bingo Association of Great Britain, which represents about 740 licensed bingo clubs throughout the country. The industry is keen to compete with and where possible participate in the national lottery. However, the White Paper that preceded the Bill said that bingo clubs would not be allowed to sell national lottery tickets, and the Minister confirmed that in the earlier debates on the Bill.

It seems rather strange that people who have joined a club to have a modest flutter should not be allowed to buy a national lottery ticket there. The Government seem to have moved a little way from the policy of non-stimulation of any form of gaming merely by promoting the Bill. My suggestion will not propel us all towards a hectic Sodom and Gomorrah in which the country gambles all its spare money.

There has already been much talk about the so-called level playing field for the various forms of gambling. Betting office hours in England and Scotland have been extended because of the damage that might be caused as a result of people gambling on a wider basis. The exact way

in which the national lottery will affect other forms of gambling is not yet clear, although there is great concern that they will be harmed. It is not necessarily good that other forms of gambling, and especially soft gambling, should be damaged too much.

Many hon. Members who visit their local bingo clubs know that they provide a valuable social activity as well as the opportunity of a flutter. Many such clubs are communities in themselves because people go there to meet friends as much as to play bingo. I remind the House that bingo is the safest and most acceptable form of commercial evening venue for single ladies who perhaps would not venture into any other sort of gambling establishment.

The industry has shown considerable community spirit and has a remarkable record of fund raising for charity. For example, over the past five years, the Bingo Association's annual charity week has raised £1·5 million. In 1987, it raised £200,000 for the Women's National Cancer Control Campaign. The following year, it was £220,000 for the British Heart Foundation, which used the money to buy 50 defibrillators to resuscitate heart attack victims on the way to hospital. In 1989, it raised £404,000 for Guide Dogs for the Blind—the largest ever single donation. The Royal National Lifeboat Institute received £245,000 in 1990, which paid for the lifeboat Bingo Lifeline. In 1991, £295,000 was donated to Marie Curie Cancer Care and last year £271,000 was raised for the Spinal Injuries Association.

4.30 pm

All that is on top of the money raised locally by individual clubs. This year, the charity work will not be for a national charity but co-ordinated at local level, so that players can choose charities in their area. Raising such large amounts of money requires imagination and hard work. If bingo clubs were allowed to run their own lotteries for charity, in the same way as other organisations do, it would add another feature to the fund-raising efforts.

I know that gaming premises are not allowed to run lotteries because there is a distinction between commercial and charitable activities. As such lotteries would be for charity—that is the main drift of the new clause—that should not present any problems. If the drafting of my new clause is not acceptable, I hope that my hon. Friend the Minister will be prepared to accept the spirit of the new clause and instil it into a suitable form of words at a later stage, perhaps in the other place.

Mr. Corbett: I spent a little time last Saturday afternoon in the Cascade bingo club in Barnabas road in Erdington, in my constituency, as the hon. Member for Wellingborough (Mr. Fry) will know. There was a crowd of perhaps 300 people, paying devoted attention to the caller. They were mainly elderly and clearly out to enjoy themselves in groups of friends, to make use of the excellent refreshment and bar facilities at a cost of no more than £3, to spend a pleasant afternoon and perhaps—I think that it comes in this order—to win a few bob on the bingo. The nearest there was to trouble was when, inadvertently, I raised my voice to ask a question of Mr. John Wiley, the Cascade managing director, as the numbers were being called. That provoked a storm of sh's from those listening. The atmosphere, as anyone who has visited a bingo club will know, was happy and relaxed. The players were enjoying themselves. Hundreds do that every week in that club and countless thousands in other clubs.

In essence, if I have understood this right, bingo is little different from the national lottery, in that players have to win by having a ticket, or a chance, which bears a predetermined set of numbers. What is little known is that the club, like many others—the hon. Member for Wellingborough referred to that—gives between £5,000 and £6,000 a year to local charities and joins the other clubs, in the Bingo Association of Great Britain, in raising money for charities on a national basis.

The new clause would enable club members to buy lottery tickets for charitable causes, including for local charities. By no flight of fantasy could anybody suggest that the buying and selling of such local charity tickets would get in the way of the national lottery. They are very different animals. While the impact of the national lottery on the whole range of charity lotteries is unknown, if the lottery is to succeed it must attract a totally different audience from that which likes supporting local charities because the bulk of the money goes to the charity named on the ticket—bar administrative costs and prize money. It will not be divvied up like the national lottery. Participants will see the name of a local charity of which they approve and want to support and buying a ticket for 20p, 30p or 50p will be a way of donating to that cause—and there is the bonus that one may win whatever prize money is offered.

I hope that the Minister accepts that that is a very different market from the national lottery. The atmosphere in which bingo is played, which I sought to describe, is peaceful and restful. I asked Mr. Wiley when was the last time that there was any serious trouble. He told me that after running the place for two years after a management buy-out, he could not remember there ever being any trouble. The Cascade is not a converted cinema, but was purpose-built for bingo and its facilities are absolutely first class. There is no menace about the place. If there were, it would not attract the clientele that it does. They are genteel folk having innocent fun which I am sure they would not regard as gambling.

A neighbour of mine, who is a man of mature years, although he acts 20 years younger, goes to bingo with his relatives and friends—in his case I believe that they are the same—at least twice a week. It is rare for him on at least one of those visits not to come away with a few extra bob in his pocket. He goes there purely for pleasure and for social reasons—not for the money, although he welcomes his winnings.

I do not believe that anything will be lost by allowing bingo clubs to sell tickets in aid of local charities and, if they want, to run their own lotteries in aid of local charities if others are not doing so. That would in no way detract from the ambitions of the national lottery.

As the hon. Member for Wellingborough said, the Minister may not be able for whatever reason to accept the amendment's wording, but I hope that he will reconsider between now and the Bill going to another place. There is nothing to lose and no gambling involved in allowing bingo clubs and their members to do as we ask.

Mr. Peter Lloyd: My hon. Friend the Member for Wellingborough (Mr. Fry) made a fair case for allowing bingo clubs to sell tickets in society or local lotteries. He reminded the House that I intimated in Committee that

[Mr. Peter Lloyd]

there may be scope for relaxing some restrictions on licensed bingo clubs, and I include the prohibition on the sale of lottery tickets among the controls that might sensibly be re-examined.

The restriction on the sale of society and local lottery tickets in bingo clubs is contained in regulation 6 of the Lotteries Regulations 1977, which also prohibits the sale of such tickets in other gambling premises—casinos, amusement arcades and betting offices. A number of amendments will already have to be made to the regulations as a consequence of the changes made to the Lotteries and Amusements Act 1976 by part III of the Bill.

In the circumstances, it would be sensible to undertake a complete review of the 1977 regulations. I am sympathetic with my hon. Friend's views and, like the hon. Member for Birmingham, Erdington (Mr. Corbett), I do not think that a concession in this respect would necessarily lead to the end of civilisation as we know it. I agree with him that most bingo clubs are conducted in exactly the same way as that which he visited.

Dame Elaine Kellett-Bowman: When my hon. Friend conducts the complete review of the regulations, will he bear in mind the importance of extending the work of, for example, sub-post offices and their ability to sell lottery tickets? The commission that they could earn would be a valuable new source of income for them.

Mr. Lloyd: I see no particular reason why they should not sell local lottery tickets, or national lottery tickets, but there may be a Post Office regulation that prevents them from doing so. In that case, I shall reflect upon my hon. Friend's question and will invite my Department of Trade and Industry colleagues also to do so.

Mr. Orme: I listened carefully to what the Minister said, and also to my hon. Friend the Member for Birmingham, Erdington (Mr. Corbett). There is, however, concern that some people cannot really afford to play bingo. To introduce yet another form of gambling will not, I believe, be helpful. I thought that we dealt with the issue, to some extent, in Committee by excluding the sale of lottery tickets in specific areas—in betting shops, and so on. The Minster said, rightly, that he will look into the issue again. I ask him to remember that there is another side to the argument.

Mr. Lloyd: The right hon. Gentleman is right. There is, alas, always at least one other side to an argument. That undoubtedly applies here. I have betrayed my own sentiment—that one side of the argument has perhaps more to be said for it than the other. I also said, though, as I said in Committee, that the Bill is not the place to make these changes. The rules exist in regulations. Similar rules apply to other establishments. We are having to make some changes. It is sensible to look at these matters together instead of having separate Home Office and other Government Department reviews. We shall want to hear from other groups before we reach a decision.

I ought to stress that the Home Secretary is obliged to consult the Gaming Board and local authority associations before making fresh regulations. He will certainly want to do that in this case. However, we shall not come to a decision, whatever our personal views may be, without those who have an interest in the question being able to say what they think of it. We may then come back with proposals to amend the regulations.

If the regulations are amended, it will be up to the societies running the lotteries to decide whether they wish to sell their tickets in bingo clubs to decide whether they want to take them. On the understanding that the Government will give favourable consideration—although that falls short of saying what the conclusion will be—to my hon. Friend's proposal, I hope that he will withdraw new clause 2.

Mr. Fry: I thank the hon. Member for Birmingham, Erdington (Mr. Corbett) for his support. I am delighted that he had such a happy visit to his local bingo club. If he went more often, perhaps he, too, would be fortunate.

May I point out to the right hon. Member for Salford, East (Mr. Orme) that the purpose of the new clause is to enable a greater number of British people to do what they already do so well, which is voluntarily to support charities. An enormous number of local charities would undoubtedly benefit from this change. No pressure would, I believe, be put upon anybody to spend more than he could possibly afford. It just means that, as part of a pleasant afternoon or evening out, people would have the chance of winning something and doing a bit of good at the same time. I see nothing wrong with that.

I have, however, listened carefully to the Minister. I understand what he said about reassessment of the regulations. I am delighted to hear that this subject will be part of the reassessment. In view of his help and co-operation on that point, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 4

SITING OF THE NATIONAL LOTTERY HEADQUARTERS

'.—It shall be a condition of the licence granted to the body corporate to administer the National Lottery that its headquarters shall be established in an area which can demonstrate that it has suffered or will suffer job losses directly attributable to the establishment of the Lottery that it shall remain there for the period of the licence; and that a majority of the full and part-time staff employed shall live within the travel-to-work area in which the office is established.'.—*[Mr. Alton.]*

Brought up, and read the First time.

Mr. Alton: I beg to move, That the clause be read a Second time.

Hon. Members will recall that when we debated the private Member's Bill that was introduced by the hon. Member for Burton (Sir I. Lawrence) for a national lottery, the chief concern of many hon. Members with constituencies in Liverpool, Glasgow, Cardiff and London was about the impact that such a measure would have on the existing football pools industry. Given that this issue was debated strongly on Second Reading and that hon. Members with Liverpool constituencies in particular repeatedly voiced their concern about the impact on employees of football pool companies, especially Littlewoods and Vernons on Merseyside, but also Zetters in London, the House will not be surprised that we are returning once more to this issue.

4.45 pm

It would be wrong for the House not to understand the depth of feeling of those who represent areas in which there is already high unemployment. Instead of people saying, "You're simply crying wolf," they should at least listen to what the football pools companies have said. I shall not again burden the House for long with the arguments, but I remind hon. Members of what each of the companies has said. In a letter to *The Times*, Mr. Paul Zetter said:

"the choice is stark: football pools or a national lottery. You will readily understand why I oppose a national lottery."

Malcolm Hughes, the managing director of Vernons, said:

"It is not possible to find an example anywhere in the world of a National Lottery and a Pools industry thriving side by side."

Malcolm Davidson, the managing director of Littlewoods, quoted from a letter to Littlewoods from Coopers and Lybrand Deloitte which said:

"A UK national lottery would effectively kill off the football pools within a period of weeks . . . A successful national lottery would act as a substitute for the football pools . . . as a result of this the level of employment within the industry will be dramatically reduced."

The House will not be surprised to hear that hon. Members who represent people employed in the football pools industry are pressing the case that, should it be proved that there has been a loss of jobs in areas where people are employed in the football pools industry, one of those areas should be chosen as the place where the headquarters of the new national lottery is set up.

The football pool companies believe that 6,000 jobs could ultimately be at stake as a direct result of the establishment of the national lottery. At a time of high unemployment in the country generally, most of us would be cautious about doing anything that might endanger existing jobs. We should not gamble with people's livelihoods.

In addition to the 6,000 people whose jobs may be at stake, there are some 70,000 football pools collectors who rely on the small amounts of money that they make to supplement their income—or their benefits, if they are unemployed. A very small number of jobs will be created by the national lottery. In Germany, 180 people run the whole of the national lottery scheme. We are not, therefore, talking about substitute jobs that would make up for all the jobs that may be lost as a result of introducing the national lottery.

The Minister will say that new jobs may be created in a number of other industries, but those industries may not be in areas where jobs have been lost as a direct consequence of the establishment of the national lottery. I draw the attention of the House to the letter which Mr. John Griffith, the editor of the *Liverpool Echo*, sent to the Prime Minister. He wrote:

"I am writing to you on behalf of almost one million readers of the Liverpool Echo to seek a pledge that Liverpool can be the first winner of the proposed National Lottery.

I believe Liverpool is the right place to base this exciting new venture, and that an early decision to choose Liverpool would prove a great boost to the image and morale of the city.

As you will know, the National Lottery plan has prompted real fears about its impact on the thousands of pools jobs on Merseyside.

But the region is often encouraged to be positive, and I am convinced that we would prove the perfect base for a project that would clearly command national attention.

We have a proven track record as the football pools capital of the country. We have demonstrated that such competitions can be run from Liverpool efficiently and successfully. We have all the infrastructure to make a Liverpool-based National Lottery a great success."

That is right. The expertise that Vernons and Littlewoods have developed over the years shows that the city has precisely the experience required to administer a national lottery. What better location could there be than Liverpool, which has earned so much respect for having administered the football pools so well and efficiently for many years?

The Government would be well advised to recognise the fears of communities such as mine. They should understand the worry that it is a matter not merely of pin money but of livelihoods. Very often, it is women who are employed in these jobs. More than 70,000 people are unemployed in the Liverpool area, so hon. Members representing Merseyside are not raising a trivial issue. If we are proved wrong, no one will be happier than those hon. Members.

I hope that the Secretary of State and the Minister will be able to tell the House a year from now that no jobs were lost in the football pools and that the two schemes were able to co-exist. No one would be happier than I if that should prove to be the case but, if it is not, the Secretary of State and the Minister should at least consider ways in which the communities that suffer as a direct result of the introduction of a national lottery might be helped. Surely that is elementary justice.

Expertise and experience in running such projects should be rewarded. Baroness Thatcher—dare one mention her name to Conservative Members these days?—opened Vernons' offices in Liverpool two or three years ago. I vividly remember her paying tribute to the efficiency and determination of that company. It must be recognised that our community has a special expertise, which is why we have tabled new clause 4.

I hope that the new clause will commend itself to the Minister, if only as a marker. If he cannot accept it, perhaps he will accept that the lottery should be established, not in an area with relatively low unemployment, but somewhere which has a reputation for running football pools, which has the necessary expertise and experience and which could prove that it has suffered as a direct consequence of the establishment of a national lottery.

Mr. Richard Tracey (Surbiton): I am sure that you will recollect, Madam Deputy Speaker, that the pools companies' worry about a national lottery was a thread which ran through our Second Reading debate and our early deliberations in Committee and recurred later when we discussed the exact topic.

It is right and proper that the hon. Member for Liverpool, Mossley Hill (Mr. Alton) should express the worries of his constituents and others on Merseyside, but I cannot accept the principle of including in the Bill such a specific tying of hands of the promoter by saying that the whole lottery should be run from Liverpool or, indeed, Scotland or south Wales where the pools companies also have bases.

We could all outline worries in our constituencies about jobs that have been lost. Indeed, in Kingston upon Thames in my area a large British aerospace factory has closed with the loss of several thousand jobs. The hon. Gentleman's Liberal colleagues on Kingston upon Thames council would be proud of me if I said that I should like the national lottery headquarters to be established in

[Mr. Richard Tracey]

Kingston upon Thames, as would my right hon. Friend the Chancellor in whose constituency that factory was located. However, I am not saying that, because the promoters of the lottery should be able to site their headquarters where they think fit and where they think it will be run most efficiently. Of course, at this stage, we do not know who the promoters will be.

In early correspondence, the Pools Promoters Association said that it did not like the idea of a lottery but that, if the Government and the House in due course accepted the idea, it might be interested in promoting it. Perhaps the pools companies will very soon have the chance to make their case, and that would be one way to bring the whole operation to Merseyside. If the pools companies are not successful, the eventual lottery promoters must have the freedom to site their operation where they wish.

I repeat what I said on Second Reading and probably also in Committee: I do not believe that the pools companies will suffer from the introduction of a national lottery. I have known for a long time that the pools companies are highly innovative and efficient and dedicated to their enterprise. They will do what is necessary to keep the pools running. Italy has a similar ethos of football fanaticism and the pools and a lottery run happily alongside each other there. I do not accept that the pools companies will suffer as the hon. Member for Mossley Hill and others have suggested, so I cannot support the new clause.

Mr. George Howarth (Knowsley, North): I must take issue with the hon. Member for Surbiton (Mr. Tracey). Without giving one shred of empirical evidence to support his case, he asserted that the pools companies and, by implication, jobs, will not suffer as a result of the introduction of the national lottery. All of the empirical evidence from various studies carried out by reputable academic bodies and others suggests that jobs will be lost if a lottery is introduced. The number of jobs lost depends on how the lottery scheme will work but estimates for Merseyside alone range from 3,500, 4,000, 5,000 and up to 6,000. That evidence is available to hon. Members if only they cared to read it.

Against that background, hon. Members representing Liverpool constituencies and constituencies across Merseyside—people sometimes cross local government boundaries to find work—believe that we have a very strong case. In Committee, those of us worried about jobs in the pools industry believe that improvements were made to the Bill which will probably reduce the job losses contingent on the introduction of a national lottery.

I made a quick calculation this afternoon and I suspect that the number of jobs lost is likely to be between 1,000 and 1,500 rather than the 4,000, 5,000 or 6,000 mentioned earlier. However, we are still talking about a considerable number. There is no logical reason why, if Merseyside is to suffer job losses, we cannot ask the House to specify in the Bill that the lottery headquarters should be sited in Liverpool.

I support the hon. Member for Liverpool, Mossley Hill (Mr. Alton) in one further contention. Many right hon. and hon. Members feel that the job is the sort of job that anybody anywhere in the country could do without too much difficulty. However, quite complex technology is involved in the pools industry; for example, familiarity is required with working with different types of papers. It is quite a skilful sphere of work. From that point of view, Merseyside is suitable, in that many—although I hope not too many—people who have lost their jobs as a result of the national lottery may be available. That makes it an attractive site. If I may put in a particular plea, I can tell the House that if Knowsley were considered as a possible site, we could find suitable premises at a reasonable rent, or even for purchase.

5 pm

To return to our more serious argument, I agree that if gambling in this country were conducted in an entirely free market, it would be unfair to make a specification such as that in the new clause, which my Merseyside colleagues and I support. It would be unfair to say that the national lottery should be located on Merseyside or in another area that may suffer. However, the market is not totally free. Legislation has had to be introduced to enable the national lottery to be established. Rightly, gambling is a controlled activity. The market is not free, so if it is not unreasonable to specify limitations on gambling I do not see why it should be considered unreasonable to say which area should gain in terms of jobs and of the economic activity that will be generated.

For those reasons, I hope that the Government and other hon. Members will accept that we are not whingeing or moaning and that we feel that there is a genuine case to be made. I hope that if the measure is defective in some way, at least the spirit of our argument will be accepted and taken up, because we feel that we have a powerful case.

Mr. Rupert Allason (Torbay): I give my qualified support to new clause 4. It is entirely acceptable that the headquarters of the national lottery should be in an area of high unemployment; that is a laudable objective. My concern, and the reason why I said that my support was qualified, centres on the hypothesis on which the new clause is based—that job losses will be suffered as a result of the introduction of the national lottery.

Certainly the headquarters of the national lottery should be in an area of high unemployment but, rather accepting the hypothesis on which the new clause is based, may I suggest Torbay as a suitable site? As the hon. Member for Knowsley, North (Mr. Howarth) rightly pointed out, complex technology will be involved and a high degree of sophistication will be needed in the personnel who will operate the equipment. However, a minor flaw in the hon. Gentleman's argument is that it is based on the hypothesis that there will be job losses in the pools industry. It would be unreasonable for the Government to move the headquarters of the national lottery to somewhere where the job losses have not yet taken place.

In Torbay we can offer immediate office accommodation and highly qualified personnel. Of course, Torbay also enjoys beaches, an advantage which Knowsley does not enjoy, although it has many other advantages. Torbay would certainly be an ideal location.

Mr. George Howarth *rose*——

Mr. Allason: I am making a serious point, but I shall give way to the hon. Gentleman.

Mr. Howarth: I am grateful to the hon. Gentleman for his courtesy in giving way to me and for the courtesy with which he has introduced his partisan argument about his constituency. Like the hon. Member for Surbiton (Mr. Tracey), he rejects what he calls the hypothesis that there will be job losses, but he has yet to produce a shred of empirical evidence to counter our argument.

Mr. Allason: That is not how the Government can proceed. The Government cannot move the national lottery headquarters in anticipation of job losses. Let us suppose that, in the best of all worlds, there were no job losses and that people were attracted to the pools instead, so that more personnel had to be taken on by the establishments in the hon. Gentleman's constituency. The hon. Gentleman would then be at something of a disadvantage, having tempted the national lottery headquarters to move to his constituency, because there might not be enough qualified people there to fill the job vacancies created. I am trying to free the Government from such a dilemma. In Torbay, the accommodation is immediately available.

The hon. Member for Knowsley, North made an important point when he said that the national lottery headquarters could be based anywhere. In connection with the next steps agencies initiative taken by the Government, I had hoped that the chief executives of the new agencies intended to move their expensive headquarters buildings from the centre of London and the west end out into the provinces where there is a real need for jobs and where qualified personnel and office space are available. Furthermore, there is a better way of life in the provinces than in central London.

Alas, a rather worrying example has already been set by some of the next steps agencies. For example, instead of moving from near Heathrow to a site further afield and taking up existing accommodation, air traffic control has moved to what is arguably the most expensive green field site in leafy Hampshire. That seems to undermine the object of the next steps initiative.

I urge the new administration of the national lottery seriously to consider placing the new headquarters establishment somewhere in the provinces that can demonstrate high unemployment. After all, as the hon. Member for Knowsley, North said, modern technology makes it irrelevant where the headquarters is sited. With fibre-optic cables and so on, the organisation does not have to be in the centre of London.

I regret that my previous plea for resiting major national establishments—to relocate MI5 from the west end to Torquay—was overlooked. I do not know why my idea was overlooked; it seems a crying shame that MI5 is to be relocated instead in Thames house, just down the road from the House. That is an extremely expensive location—although I discover that the enterprise is only 70 per cent. over budget.

I could give pretty firm undertakings about the kind of accommodation and the low costs that we could offer the staff of the national lottery if they were to consider moving to Torbay. Bearing in mind some of the replies to Environment questions this afternoon, I can give several other guarantees, including clean beaches and clean bathing waters.

Mr. Ashton: Is the hon. Gentleman aware that my hon. Friend the Member for Oldham, Central and Royton (Mr. Davies) and I went to the headquarters of the national lotteries in New York and in Washington and found that they are about as big as the Tea Room? They employ about 50 people. If the hon. Gentleman is looking for people to go to Torquay there are thousands of gipsies in the north of England and gipsy sites are badly needed. I am sure that the gipsies would be glad to go to Torquay and enjoy all the benefits of the beaches. Would the hon. Gentleman like to offer them a chance of accommodation?

Mr. Allason: We are prepared to accommodate almost everybody, but the trouble with Torquay is that it does not have an awful lot of green spaces for gipsies to park their caravans on. We should be perfectly willing to consider any other suggestion, and we should certainly like to point out that we have a great deal of empty office accommodation in Torquay, and that we are open to offers. I offer here and now to any of the next steps agencies' chief executives who may be in the Strangers Gallery that they will have a warm welcome in Torquay; indeed, we have better weather than almost anywhere else in the country.

Madam Deputy Speaker (Dame Janet Fookes): Order. I hope that the hon. Gentleman will not continue with this advertisement because it seems to be going very wide of the new clause.

Mr. Allason: I am grateful for your indulgence, Madam Deputy Speaker. I assure you that you will receive a very warm welcome in Torbay if you visit us.

Mrs. Jane Kennedy: The hon. Member for Torbay (Mr. Allason) is absolutely right. The headquarters of the national lottery can be sited anywhere in the country—[HON. MEMBERS: "Or the world."]—or indeed, anywhere in the world. Opposition Members are pleading with the Government to take on board the case made in Committee and again today: that, whatever they think should happen in an ideal world, we have to live in the real world. Those of us who represent seats in Liverpool, Cardiff and Glasgow know without any shadow of a doubt that although we do not know how many jobs will go, there will be job losses.

The hon. Member for Surbiton (Mr. Tracey) said that he was sure that the pools companies were innovative enough to develop ways in which they would be able to compete with the national lottery and survive. That may or may not be the case. On behalf of the workers of those companies—I know that different interests are involved in the matter—I make the point that the number of workers in the pools industry will be reduced as a result of that competition. Anyone who studies the case carefully will conclude that that is bound to happen.

Mr. Nigel Evans: We are talking about a small number of jobs. Does the hon. Lady agree that it is far better for every assistance to be given to the promoter to ensure that the national lottery is a success and that as much money as possible is raised to go into the good causes? Does she agree that the extra jobs created, many of which will come into the north-west in any event, will be far better than just dictating that the national lottery headquarters should go to the north-west? It may not be as successful as it would otherwise have been.

Mrs. Kennedy: The hon. Member for Ribble Valley (Mr. Evans) advanced a useful and interesting argument

[Mrs. Kennedy]

about competition in Committee. He said that a healthy and competitive pools industry would be good for the national lottery, as would the small lottery and the other lotteries that we talked about today. However, there is no doubt that we are speculating about how successful the national lottery will be. We argue that the new clause represents one way in which the Government can guarantee a return to the areas that we know will lose out. People in Liverpool, Glasgow and Cardiff will lose their jobs.

If you will permit, Madam Deputy Speaker, the best way in which I can illustrate my point is to read to the House a poem that I received today from a pools worker. It is a cry from the heart and a plea to the House to reject the Bill entirely. It is very relevant to our debate because it illustrates better than I can the feelings of pools workers. The lady has entitled her poem, "My job! My job! My Kingdom for my Job." She says:

"Lottery technology, my job is insecure,
Those above won't listen as my job goes out the door.
For eighteen years I've given it, the best that I can give.
Without my job and wages, however will I live?
So, the lottery will create jobs, well, bravo! That's just fine.
But what about the redundant souls?
Remember one of them is mine!
It will take a fraction of the work force to run the lottery
And a fraction of the work force too, with today's technology.
So what happens to the excess? They're not needed any more,
They end up just statistics and become a newstime bore.
Its time for us to stand and fight, if fighting is what it takes.
So please, come on, get off your butts
And squash it for our sakes."

I trust, Madam Deputy Speaker, that "butts" is parliamentary language. It fitted in with the rhyme.

I urge the Minister when he considers the arguments put today to take seriously the spirit in which they are made. I believe that the Government have accepted in part the case made to allow to a certain extent for unfair competition between the lottery and the pools. In doing so, they have recognised that there will be an impact on employment in the industry. I hope that the Minister will bear that in mind when he replies.

Mr. David Amess (Basildon): I congratulate the hon. Member for Liverpool, Mossley Hill (Mr. Alton) on moving new clause 4 and on giving us the opportunity to debate the siting of the headquarters for the national lottery. I apologise for missing his opening remarks. Proceedings moved on somewhat more quickly than I had expected.

I understand entirely why Liverpool Members have made a plea for the siting of the headquarters there. For me, the obvious siting for the national headquarters in Basildon. I say that because my constituency is of national and international note. Over the past two or three years, Opposition Members have rightly worried themselves about the level of unemployment in my constituency.

5.15 pm

Mr. Thomas Graham (Renfrew, West and Inverclyde): Will the hon. Gentleman tell us the name of his constituency again?

Mr. Amess: In case the hon. Gentleman did not hear, it is the constituency of Basildon.

Opposition Members have worried about the level of unemployment in my constituency. There is no doubt that the impact of the economic slump which we have suffered over the past three years has been especially severe in the south-east.

Mr. Allason: And in the south-west.

Mr. Amess: And in the south-west, as my hon. Friend reminds me. We have lost many jobs in the construction sector and in service industries. People have been made redundant on a Friday and they have received no redundancy payments. In my constituency of Basildon, unemployment is roughly at the level it was when I won the seat 10 years ago and it is of great concern locally.

We want the national lottery to be the best lottery in the world. One way in which to ensure that is to make certain that it is placed in the town that is the most famous in the country. That town is Basildon. We have excellent communications along the A127 and A13. We are very near the channel tunnel. We enjoy excellent communications to Heathrow airport and to Stansted airport. Not only that, but the weather is quite clement.

We have the enthusiastic support of Essex county council. I believe that the hon. Member for Mossley Hill originated in Brentwood in Essex. Essex county council supports the bid to have the headquarters in Basildon, as does Basildon district council. It is important that where the headquarters is sited, the local population is enthusiastic about the whole concept of the national lottery. Of that there is no doubt. Basildon is totally committed to the national lottery. We enjoy a gamble. We believe that no job losses will be suffered in Liverpool because in Basildon we shall still fill in the football pools. We also very much want to participate in the national lottery.

I hope that my hon. Friend the Minister will take on board the fact that Basildon wants to continue to lead the country to the economic recovery, which has clearly started. One way to ensure that is for people who are bidding for the headquarters to talk to me, to the county council and to the district council. We can offer a very good deal if they wish to site the headquarters in my constituency of Basildon.

Mr. Maxton: The frivolous way in which the last two Conservative Members who have spoken treated this very serious subject is outrageous. I am not necessarily 100 per cent. convinced by the arguments of those who say that there will be job losses in the pools industry, but they have a case. No Conservative Member who has spoken has made any attempt to answer the case that has been made by the pools industry and by those of my hon. Friends representing Liverpool constituencies. That is regrettable. I agree with the hon. Member for Basildon (Mr. Amess) on one thing only. He obviously believes that all his constituents are born gamblers. He is absolutely right: they would have to be, to elect him.

Having said all that, I must say that I have reservations about the new clause—first, because I do not think that it makes sense and, secondly, because I do not like the fact that it refers only to the headquarters of the national lottery and I feel that other offices related to the national lottery should also go to areas where employment may be affected by its establishment.

Moreover, I am not sure whether the new clause requires the headquarters to go to the area that suffers most as a result of the establishment of the national lottery. Liverpool Members might make the case that more employees are employed in the pools industry in Liverpool than anywhere else, but that does not mean that Liverpool will be the only area affected. If the hon. Member for Liverpool, Mossley Hill (Mr. Alton) is suggesting that this should be the first criterion, I have some sympathy with his argument——

Mr. Alton: The new clause specifically refers to an area that can demonstrate its case. Zetters may well go completely out of business—as everyone knows, it is probably the most vulnerable of the companies. North Merseyside and, in particular, Knowsley, North will be affected if Vernons suffers most, whereas if Littlewoods suffers most, the effects could be felt in Glasgow, Cardiff or Liverpool. That is why the matter should be left open.

Mr. Maxton: That is exactly my point. The new clause hints that the area that is worst affected should get the headquarters. My view is that, if we are to take these matters into account at all, employment effects should be the first criterion or one of the criteria on the basis of which the Government consider where the headquarters and other offices of the national lottery should go.

I had originally thought that I would resist the temptation to follow the example of other hon. Members by making a special plea for my area. As Oscar Wilde might have said, "There is only one way to defeat temptation and that is to give in to it." I will therefore make a plea on behalf of Glasgow. Glasgow may well be one of the areas that will suffer, so it would be covered by the criteria suggested in the new clause. The excellent, imaginative and innovative Labour-controlled local authorities—Glasgow district council and Strathclyde regional council—have a track record.

Mr. Graham: Does my hon. Friend agree that, in this context, it is a bit of a misnomer to call the area Glasgow? Littlewoods is based in Renfrew, and Renfrew district council has been more than helpful to Littlewoods.

Mr. Maxton: Perhaps I should have said that all the excellent innovative Labour-controlled local authorities in Strathclyde have an excellent track record—despite the enormous problems put in their path by the Government —of attracting inward investment and putting together packages that allow office development, as has been shown recently with the Ministry of Defence, which we still hope will come to Glasgow. I hope that that track record will be borne in mind in siting the lottery headquarters.

Mr. Ian Davidson (Glasgow, Govan): I support the new clause because it is important that we make it clear that we are interested in ensuring that jobs go to the areas that may suffer as a result of the national lottery. I understand why some Conservative Members find it impossible at this stage to accept that there will be any job losses at all, but many of us are not convinced by the argument that the lottery will result in a net increase in the number of jobs and in the amount of money spent on gambling.

Like my hon. Friend the Member for Glasgow, Cathcart (Mr. Maxton), I deprecate the tone that has so far been adopted in the debate. Conservative Members have understandably made pleas for their own areas but, in doing so, they have failed to pay sufficient regard to the very real anxiety felt by those in the pools industry.

In my area, there is substantial female unemployment, and female employment is provided by the pools industry in Hillington. Many of the ladies working in the industry have said to me that, if they lose their job, they will have little opportunity—at their age and with their skills—to find alternative employment in the surrounding area. Many of those women require their income because their husband is unemployed. In my view, it is not seemly for Conservative Members to mock the genuine anxieties that those people feel.

Notwithstanding the technical problems with the new clause, which I understand, the Government should make a commitment here and now that they will do what they can to ensure that any jobs that are generated—few though they may be—go to areas that will suffer as a result of the setting up of the national lottery. Such a statement will go a considerable way towards overcoming people's anxieties.

Mr. Bryan Davies (Oldham, Central and Royton): I do not think that Conservative Members have been frivolous. They have merely revealed the nature of the modern Conservative party. They have substituted for the principle underlying the new clause—which seeks to bring employment to areas that are likely to suffer increased unemployment as a result of the introduction of the national lottery—the argument that the jobs should go to any area where unemployment has increased as a direct result of Government policy. We heard that argument from three Conservative Members today and from two in Committee. We have even heard how the Chancellor's constituency is suffering.

I have news for Conservative Members: there are 651 of us in the queue, and all of us have a good claim for saying that the unemployment problems in our areas—caused by the depredations of a decade or more under a Conservative Government who have pursued higher unemployment as a part of their economic strategy—should be tackled. It simply will not do for Conservative Members to suggest on the basis of special pleading that their constituencies have the right to be exempt from the consequences of Government policy. The Opposition are pointing to a specific area of Government policy—the introduction of the national lottery, which will have consequences for those employed in the pools industry. We are concerned about those communities and this is an exceedingly serious matter.

Let us not have a national lottery headquarters on the Conservative model—bright and brash and marble-tiled, like the European Bank for Reconstruction and Development, which will be supremely attractive to visitors from overseas, who will nevertheless bring precious little money to it. Let us instead have a lottery office like those in the United States. My hon. Friend the Member for Bassetlaw (Mr. Ashton) mentioned the visit that he and I made to the headquarters of the lottery in Washington. Like so many cities in the United States, the capital has rich and poor living close together. The rich parts of the city—including Capitol hill—are fringed by the poorest parts of the city because there is little town planning and because little effort has been made to save the city centre.

[Mr. Bryan Davies]

The lottery headquarters is located in the poorer quarters of the city for two reasons: first, the lottery provides jobs for the local community; and, secondly, it is the people's lottery. It is all very well the hon. Members for Torbay (Mr. Allason) and for Basildon (Mr. Amess) to suggest that the lottery will be patronised by their constituents—as it will be. The fact is that the vast majority of people purchasing lottery tickets will be people on lower incomes.

The lottery is a form of regressive taxation because its greatest appeal will be to those who have the least. Therefore, the lottery headquarters should be located in an area where it can serve the people best. If the lottery is to be a success, it must appeal across the board. The vast majority of people who will participate in the lottery will have fairly limited resources. As a small gesture towards employment policy, we should consider the regions that deserve the few jobs that the lottery will provide.

5.30 pm

Mr. Kilfoyle: I do not have a great deal to add to what has been said today and what was said in Standing Committee where, as members of the Committee will be aware, we explored the issue fully.

The hon. Member for South Hams (Mr. Steen) made an aside from a sedentary position earlier to which I should like the Minister to reply. The hon. Member for South Hams said that the lottery headquarters could be located anywhere in the world. That is an interesting hypothetical proposition. Tattersalls is a very good lottery operator in Australia. If it is technically posible with electronic mail and similar technology for Tattersalls, with all its expertise, to bid to operate a lottery here, could our lottery be run from overseas—for example, from Europe or elsewhere? I hope that the Minister will respond to that point.

Mr. Graham: All hon. Members are aware of my feelings about the national lottery. I would much have preferred to be here today arguing that the pools should continue as they are. However, I have received hundreds of letters from people who work in the pools industry. They believe that they are now facing the dole. I can understand that belief when we consider how pools companies in other countries have gone to the wall when lotteries were introduced in those countries.

It is unbelievable that Conservative Members are joining in the worst kind of lottery imaginable—the lottery for jobs. The hon. Member for Basildon (Mr. Amess) is very fortunate that his constituency does not suffer the kind of unemployment that is raging throughout the country. Areas like Strathclyde and Merseyside are experiencing unbelievable and horrific levels of unemployment. The hon. Member for Basildon should come with me and speak to people who are on the dole in my area who have been working their butts off trying to get a job. Some of them have been unemployed for years. They look for work every day of every week.

The pools industry faces a catastrophe. Thousands of members of the Union of Shop, Distributive and Allied Workers have already lost their jobs as a result of the recession and the economic situation created by the Government. If the Bill is passed, thousands more members of the USDAW will be on the dole.

In all fairness, I recognise the thinking behind the new clause. If there is to be a headquarters for the national lottery, we must bear in mind the thousands of people who face the dole. I understand that we are talking about the creation of about 100 jobs. I believe that one extra job in my constituency is worth fighting for. I am sure that my colleagues will accept that any jobs are welcome so long as we are increasing the number of jobs and not taking them away.

I saw Conservative Members smiling earlier. They will never see me smiling when folk face the dole. I was on the dole and I know what it is like. I know how important it is to work and to get a wage at the end of the week to pay the rent, mortgage and electricity bills. I have worked hard during my life and I have been on the dole. I have faced it and felt it.

Mr. Nigel Evans: Would the hon. Gentleman support the social chapter which would cost thousands of jobs in this country?

Madam Deputy Speaker: Order. That is not relevant to this particular debate.

Mr. Graham: I am delighted to have your protection, Madam Deputy Speaker.

I do not wish to join in the obscene bidding for Strathclyde, Merseyside or anywhere else. I hope that wisdom will prevail. I hope that the site of the headquarters will be determined after we have considered the areas in this country that face unemployment. Indeed, unemployment is still increasing in many areas.

I have examined the new clause. It may be important for us to be seen to argue for the headquarters to be located in an area that is suffering deprivation and unemployment. However, if the Bill had not been introduced, thousands of workers would be working away merrily and happily. They would still be picking up a wage at the end of the week. They would still be able to take the jobs that they need. They would still be sharing their wealth with the nation by paying their contributions to the tax system.

I agree reluctantly with the new clause. I plead with Conservative Members to consider the fact that the situation is of their making. Will the Minister please give us an assurance? Not long ago, it was said on the Floor of the House that thousands of jobs would not be lost as a result of the Bill. If hundreds of jobs are lost, will the Minister review the situation? Would he then come back to the House and tell us what he intends to do about it?

I sincerely hope that the Minister will genuinely consider the workers who possibly face the dole. When Ministers come to take the decision, I hope that they will consider the people on Merseyside. I believe fundamentally that the folk on Merseyside probably have a larger and more justified claim to have the headquarters located in their area than people anywhere else in the country. I am sure that none of my colleagues from Glasgow or Renfrew district would argue against the folk on Merseyside.

The hon. Member for Basildon is jocular. I may be entering into a similar spirit, but I do not know where Basildon is. However, I certainly know where the dole queues are and I know where they lead. They lead to a dismal life for millions of our people. I hope that the people of Basildon, like the people in my constituency, feel

that at the end of the day, the headquarters of the national lottery might provide a future and perhaps a new career for unemployed people.

As you know, Madam Deputy Speaker, I have been rather caught up today. I lost my hearing aid tonight and I cannot find it. However, some people will lose their jobs because of this Government and they will not be able to find new jobs.

Mr. Pendry: I, too, support the thrust of the new clause. Any objective person listening to the debate will have observed the contrast between some hon. Members' rather frivolous approach to the problem of unemployment and the attitude voiced by, for instance, my hon. Friends the Members for Liverpool, Walton (Mr. Kilfoyle), for Renfrew, West and Inverclyde (Mr. Graham), for Glasgow, Govan (Mr. Davidson), for Liverpool, Broadgreen (Mrs. Kennedy) and for Knowsley.

Mr. George Howarth: Knowsley, North.

Mr. Pendry: I mean my hon. Friend the Member for Knowsley, North (Mr. Howarth). I accept that an important distinction is involved.

The able way in which the hon. Member for Liverpool, Mossley Hill (Mr. Alton) spoke to the new clause shows how deeply Opposition Members feel about the problem. Since the introduction of the Bill, they—along with some Conservative Members—have expressed great concern about the lottery's effect on employment levels in the pools industry.

As has already been pointed out, Liverpool, Cardiff, Glasgow and indeed London are the most vulnerable areas. Liverpool has a male unemployment rate of 20·8 per cent. and an overall unemployment rate of 15 per cent.; Cardiff has a male unemployment rate of 14·1 per cent. and an overall unemployment rate of 9·9 per cent.; Glasgow has a male unemployment rate of 15·5 per cent. and an overall unemployment rate of 11·2 per cent. Of course, those figures cannot in themselves convey the lack of personal esteem and social cohesion that was so graphically described by my hon. Friend the Member for Renfrew, West and Inverclyde.

During the past few days, Conservative Members have claimed that the recession is now over; but it still seems very real for the 3 million people who are out of work, with no real chance of finding a job. All the three known reports that have investigated the effects of a national lottery on the pools industry have predicted a severe impact on employment. In many ways, the findings of the report by the GAH group seem the least pessimistic: according to *The Guardian*, it suggests that 1,100 pools jobs will be lost in Liverpool, Glasgow, Cardiff and London. The Coopers and Lybrand report—commissioned by the pools promoters in response to the Government's White Paper last year—predicted the closure of Vernons and Zetters, and a 40 per cent reduction in Littlewoods' turnover.

Like other hon. Members, I accept that concessions made in Committee have gone some way towards establishing a more level playing field between the lottery and the pools industry. It remains the case, however, that the establishment of a lottery is likely to reduce employment—both those employed directly by the pools industry, who were cited by my hon. Friend the Member for Knowsley, North and of part-time coupon collectors —in the absence of counterveiling employment creation measures. Surely it is fair to propose to give the areas that will be most adversely affected by the lottery's introduction a better-than-average chance of housing its headquarters.

For those reasons, Labour Members accept the spirit of the new clause. I hope that the Minister will follow suit.

Mr. Key: I recognise the depth of feeling about this issue. One of the joys of the English language is that it allows people to express deep feelings, sometimes through anger and passion and sometimes through humour; on occasion, the dividing line is narrow. Although some of my hon. Friends—and, indeed, some Opposition Members —may have spoken with levity, no one should doubt that the current feelings about unemployment on Merseyside are registered and understood. Such feelings run deep in the House, as, of course, they do among all who face unemployment. As we are discussing the pools industry, I should cite Strathclyde as well as Cardiff and London: all have sizeable populations involved in, or reliant on, the pools industry.

It is true that the new clause is very tightly drawn. I am sure that that was intended. Many hon. Members on both sides of the House agree that it is difficult to see how so narrow and prescriptive a measure could fit comfortably in the Bill: I recognise the sincerity with which the hon. Member for Glasgow, Cathcart (Mr. Maxton) and my hon. Friend the Member for Surbiton (Mr. Tracey) drew our attention to the problems.

The fact is that we do not know what will happen to jobs in the pools industry; what we do know is that the lottery will create a number of jobs. Although only a modest number will be created in the headquarters, I expect thousands to be generated nationwide in the operation of the lottery and in the supporting industries —computing, marketing, printing and the retail sector which will sell the tickets.

That, however, is not the burden of the argument, which is concerned with jobs on Merseyside. As I said in Committee, I understand the position very well: I would scarcely have spent my time in north America trying to persuade the Americans to invest in Liverpool if I did not consider Merseyside worthy of investment. As has been said, it has a good track record.

5.45 pm

The hon. Member for Knowsley, North (Mr. Howarth) made a strong speech, which was not devalued a jot by his constituency interest. The hon. Member for Glasgow, Govan (Mr. Davidson)—who spoke eloquently in Committee—reminded us that we should look north of the border as well. That view was echoed by the hon. Member for Renfrew, West and Inverclyde (Mr. Graham), who, over the years, has established a reputation for sincerity in the House. My hon. Friend the Member for Torbay (Mr. Allason) made a sensible speech on behalf of his constituents. It would be wrong for any hon. Member representing the north of England to assume that the position in the south and west is not serious, as I discovered a couple of weeks ago during a tour of Devon and Cornwall.

My hon. Friend the Member for Ribble Valley (Mr. Evans) is right: we need to talk about a successful lottery that will generate more jobs. My hon. Friend the Member for Basildon (Mr. Amess) pointed out that, if the headquarters were located in that town, we could be

certain of securing one of my ambitions—a very British lottery. As my hon. Friend said, Basildon is at the heart of Britain.

Mr. Maxton: With all due respect, I must defend my fellow Scots. I think that the Minister should have said "at the heart of England".

Mr. Key: Let us say "at the heart of the United Kingdom".

The hon. Member for Oldham, Central and Royton (Mr. Davies) made a passionate speech. I am grateful to him for setting the debate in a wider context.

Technology being what it is, the lottery's headquarters could, of course, be located almost anywhere in the world, but I can reassure the hon. Member for Liverpool, Walton (Mr. Kilfoyle) that they will be located in the United Kingdom; otherwise, it would be extremely difficult to enforce licence conditions. It is normal throughout the world for lottery operators to be located in the country concerned.

The hon. Member for Liverpool, Broadgreen (Mrs. Kennedy) provided the touchstone of the debate. I congratulate her: I know that for many months she has worked tirelessly on this difficult issue on behalf of her constituents. She has always brought originality as well as fervour to our debates, and she did not let us down on this occasion, even including a touch of poetry. That is another joy of the English language, and I commend her constituent who composed the poem.

I appreciate the spirit behind the new clause, although I cannot back its premise that the national lottery will have a significant effect on unemployment in specific areas. I have said on many occasions that the effect of the national lottery on employment in the pools industry will depend on how the pools promoters choose to conduct their operations.

As the hon. Member for Stalybridge and Hyde remarked, we moved a long way in Committee on the problems confronting the pools industry. However, employment levels in the pools industry are steadily declining and I have not heard any guarantee that employment levels would be maintained if we did not introduce a national lottery. There is a problem of technology as well as the problem of the national lottery. Of course markets are not set in concrete. Pools operators throughout the world are restructuring to make their games more attractive. Now the pools industry in Britain has an opportunity to do a great deal more in modernising its regime as a result of the changes which we introduced in Committee.

I accept one aspect of the serious intent behind new clause 4. I accept that the siting of the headquarters and associated service components of the new national lottery represents a tremendous opportunity for jobs which many areas are keen to attract. Wherever the operator sets up —much of Oflot's operation would be likely to follow— the area chosen would benefit enormously from direct employment and the secondary benefits which that produces.

However, I cannot accept the new clause because it contains the wrong emphasis. We should also avoid inserting such a restrictive clause into the Bill and into modern legislation. I repeat the point that I made in Committee, that if I were a potential clause 5 operator, I would contact areas designated assisted areas and the Department of Trade and Industry to learn about the many advantages intrinsic to those assisted areas and the many Government benefits available to companies which establish themselves there.

Many of the organisations which are interested in putting in a bid are looking at assisted areas with a view to setting up the headquarters and manufacturing the hardware for the lottery in those areas. That is most welcome. Merseyside development corporation, to name one excellent assisted area, has drawn up plans to offer potential operators every possible advantage and facility in setting up in Merseyside. Liverpool city council has also worked on the project. That is particularly welcome.

Many more areas have made such plans. It is not a matter for frivolity. Genuine bids have been made for the work from as far afield as Glasgow and Tayside, Cornwall, Dorset, and, as we have heard today, Basildon and Torbay. The hon. Member for Liverpool, Mossley Hill (Mr. Alton) is naturally keen that we should guarantee that the lottery operation will go to Liverpool. That would be unfair to the other areas which have already expressed interest in welcoming the lottery.

The new clause is tightly drawn. I personally think that it is rather impractical. I do not take much pleasure from imagining areas vying with one another to show that they stand to suffer more than other areas from the advent of the lottery. That is rather macabre.

Mr. Graham: Does not the Minister accept the point made by Opposition Members that Merseyside, Strathclyde and other areas will probably suffer loss of employment in the pools industry as a result of the introduction of the lottery? We therefore make a special plea for the headquarters to be set up in one of those areas.

Mr. Key: Yes. Of course I accept that Merseyside is more likely to be affected than any other area. What I have to say about that is straightforward. Under clause 11, the Secretary of State will ensure that location is one of the many matters which are taken into account in deciding whether to grant a licence. That could not be an overriding consideration if it conflicted with the director general's overriding duties in clause 4 to create a lottery run with propriety in the interests of participants generating maximum net proceeds. However, I am clear that it should be one of the matters which are taken into account. That puts an onus on the interested areas to make their best case to potential operators.

Today's debate has ensured that any potential operator who takes seriously the proceedings on the Bill in the House will, on reading the report of the debate, be under no misapprehension about the seriousness with which we have treated the subject. They will therefore bear in mind carefully what I have said about granting a licence.

Mr. Alton: With the leave of the House, I should like to make a few remarks in response to the debate. I recognise that we have had a good debate in which many hon. Members have participated. Obviously, I was disappointed by the Minister's reply. I am also sorry that he misrepresented the new clause. I did not intend to seek a Division, but after hearing his reply I feel more determined to press the matter, if it is the will of Opposition Members that we should test the issue.

It worried me that the Minister suggested that the amendment contained an attempt to bring the headquarters of the national lottery specifically to the city of

Liverpool. The new clause does not mention Liverpool once. It seeks to set out a clear principle that, if a part of the country can demonstrate that it has lost jobs as a direct consequence of the introduction of the national lottery, the headquarters should be situated in that area. That is a perfectly reasonable proposition.

If the Minister had said that, although he was not happy to include the new clause in the Bill, he accepted the principle and would reflect before the Bill went to another place on whether he could go some way to meeting hon. Members' points, I would have been happy to act reasonably and would not have pressed the new clause to a Division. But, in the light of what has been said, I believe that the issue is so important that the House ought to divide on it.

Every Member of Parliament could have set out a case for his constituency. The hon. Member for Basildon (Mr. Amess) is an indomitable and well-known spirited fighter for his constituency, but the fact remains that his constituency will not directly lose a single job as a result of the introduction of the national lottery. That also applies to the hon. Members for Torbay (Mr. Allason) and for Surbiton (Mr. Tracey). The hon. Member for Surbiton referred to job losses at British Aerospace. They have nothing whatever to do with the introduction of the national lottery, as he would be the first to concede.

But jobs will be lost at Zetters, Vernons and Littlewoods in the view of many Opposition Members who have spoken, including the hon. Members for Oldham, Central and Royton (Mr. Davies), for Renfrew, West and Inverclyde (Mr. Graham), for Knowsley, North (Mr. Howarth), for Liverpool, Broadgreen (Mrs. Kennedy) and for other constituencies.

It is the clear view of many people that jobs will be lost. It is the view of the industry itself. I am the first to accept that that may not happen. If it does not, the new clause makes the way clear to site the headquarters in any part of the country that can demonstrate that it would be the right place, be it Basildon, Torbay or Surbiton. However, if areas can demonstrate—I believe that they will be able to do so—that they have suffered a significant loss of jobs directly attributable to the introduction of the national lottery, it is surely not unreasonable for Members of Parliament from those communities to ask that the new jobs should be placed in those areas.

Hon. Members have made the point—it hardly needs reiterating—that unemployment is deeply corrosive of family and community life. It deeply affects those who become unemployed. People who are currently employed in industries such as the pools industry in Merseyside, Glasgow or London and are likely to lose their jobs will note the debate today with great care. As the hon. Member for Broadgreen said, many of them have written to Members of Parliament saying that they fear for their job. Surely it is not unreasonable to say to them that if, a year from now, they can demonstrate that, as a result of the introduction of the national lottery jobs have been lost from their community, we will ask that the new jobs created by the national lottery should go to that district.

Hon. Members from across the political divide are making a strong and united plea. The House will be aware that I disagree on many political issues with many of my hon. colleagues from Merseyside. But on this issue we are united in our plea. It is not good enough for hon. Members to accuse hon. Members from one area of militancy and extremism when they hear a united plea and a sustained argument which is perfectly reasonable. The Government should listen to that carefully. Instead of accusing hon. Members, as they did on Second Reading, of fighting the wrong battle at the last ditch, the Government should recognise that here is an example of hon. Members making a perfectly sensible proposal. I hope that hon. Members will feel able to support the new clause in the Division.

Question put, That the clause be read a Second time:—

The House divided: Ayes 169, Noes 259.

Division No. 251] **[6 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Allen, Graham
Anderson, Donald *(Swansea E)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beith, Rt Hon A. J.
Benn, Rt Hon Tony
Bennett, Andrew F.
Bermingham, Gerald
Berry, Dr. Roger
Betts, Clive
Blunkett, David
Boyce, Jimmy
Bray, Dr Jeremy
Brown, N. *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corston, Ms Jean
Cryer, Bob
Cunliffe, Lawrence
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Dixon, Don
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godsiff, Roger
Graham, Thomas
Gunnell, John
Hall, Mike
Hanson, David
Hardy, Peter
Harvey, Nick
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Home Robertson, John
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Ingram, Adam
Jackson, Helen *(Shef'ld, H)*
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jowell, Tessa
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Khabra, Piara S.
Kilfoyle, Peter
Kirkwood, Archy
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McCartney, Ian
McKelvey, William
Maclennan, Robert
McMaster, Gordon
McWilliam, John
Madden, Max
Mahon, Alice
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Morgan, Rhodri
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
O'Brien, Michael *(N W'kshire)*
O'Hara, Edward
Oiner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pendry, Tom
Pickthall, Colin

Pike, Peter L.
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Randall, Stuart
Raynsford, Nick
Robertson, George *(Hamilton)*
Roche, Mrs. Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smyth, Rev Martin *(Belfast S)*
Spellar, John
Steel, Rt Hon Sir David
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Tipping, Paddy
Trimble, David
Tyler, Paul
Vaz, Keith
Wallace, James
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Winnick, David
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. David Alton and
Mrs. Jane Kennedy.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bendall, Vivian
Beresford, Sir Paul
Blackburn, Dr John G.
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushcl)*
Clifton-Brown, Geoffrey
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Stephen
Duncan, Alan
Duncan-Smith, Iain
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir Anthony *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
Key, Robert
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lester, Jim *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Merchant, Piers
Milligan, Stephen
Mills, Iain
Mitchell, Andrew *(Gedling)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David *(Waveney)*
Powell, William *(Corby)*
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon. Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Trend, Michael
Trotter, Neville
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'f'ld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim

Tellers for the Noes:
Mr. Sydney Chapman and
Mr. Timothy Kirkhope.

Question accordingly negatived.

New clause 5

MINIMUM AGE FOR PURCHASE OF LOTTERY TICKETS

'.—(1) Any person who sells a ticket for the National Lottery to a young person shall be guilty of an offence.

(2) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level five on the standard scale.

(3) In this section, the expression "young person" means a person—

(a) who is under the age of eighteen years and whom the person committing an offence in relation to him under this section knows, or ought to know, to be under that age; or

(b) who is apparently under the said age:

provided that in the case of any proceedings under this section for an offence in respect of a person apparently under the said age, it shall be a defence to prove that at the time of the alleged offence he had in fact attained that age.'.—*[Mr. Alton.]*

Brought up, and read the First time.

Mr. Alton: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this it will be convenient to discuss amendment No. 5, in clause 51, page 20, leave out from line 37 to end of line 15 on page 21.

Mr. Alton: New clause 5, which is linked to amendment No. 5, deals with the minimum age for the purchase of lottery tickets. We explored this issue in Committee and those who have read the extract of the proceedings in Committee will know that I advanced the case that we should not do anything deliberate to stimulate gambling among younger people. I hope that the House will have a chance to reflect on what I trust will be a fairly brief debate on this new clause and amendment and that the Minister, if he is unable to accept the amendment, will at least give some consideration to the principles underlying it so that it can be given further thought between now and debate in another place.

The chairman of the National Council on Gambling has described as "naive" the Government's view that, as lotteries are the softest form of gambling, a fairly relaxed regime of control is consistent with policy. Any restrictions are undesirable, the Government's argument goes, because they want to stimulate the maximum amount of revenue. But surely there must be exceptions to that rule. I argue that young people are one of them. The same argument can, for that matter, be extended to the poor and, interestingly, to women—a group that the Minister said in Committee he particularly wanted to target as people likely to purchase tickets for the national lottery.

The Government, therefore, will widely promote the lottery in an indiscriminate manner to achieve the objective of raising the maximum amount of revenue, and one of the groups that they will quite unashamedly target will be young people. Such an approach is best summed up by the belief that if one is to have a lottery it might as well be one that makes as much money as possible, regardless of who or where the money comes from. Inevitably, as the lottery matures, they will seek to maintain growth in revenue and profits and will either seek to attract new participants or encourage existing participants to bet more.

Lotteries inevitably generate strong commercial pressures which take little account of social considerations, and this lottery will be no different unless we build in safeguards. That is why my new clause and the amendment set out to protect those who are under 18 years of age. Unless we build safeguards into our legislation, as has been the experience in the United States, we will see pernicious and misleading advertisements and promotion on television, in our newspapers and on hoardings in our deprived areas; and many of them will be targeted at young people.

6.15 pm

I would like to draw the attention of the House to one such advertisement that appeared on Connecticut television, entitled "Misspent Youth". It opens with an older man sitting in a boat, afloat on a calm mountain lake. He says reflectively:

"When I was younger, I suppose I could have done more to plan my future. But I didn't. I guess I could have put some money aside. But I didn't. Or I could have made some smart investments. But I didn't . . . Heck, I could have bought a one-dollar Connecticut Lotto ticket, won a jackpot worth millions, and gotten a nice big check every year for twenty years. (Smiling broadly) And I did! I won! . . . I won millions —me!"

A voice-over then spells this out. It says:

"Play LOTTO. You only have to win once. Jackpot prize paid out in twenty instalments. Overall chance of winning is 1 in 30."

In fact, although the odds of winning something are 1 in 30, the odds of winning the million-dollar jackpot are 1 in 13 million.

There are other examples but I quoted that particular one in Committee as the hon. Member for Sheffield, Hallam (Mr. Patnick) has said, and I want to add to it because it builds up the case that, where there are lotteries already in operation in the United States, many have targeted the young in the way that I have described, or at the poor. For instance, in Illinois an advertisement depicts a man scorning people who invest in savings bonds: investing in the lottery, he says, is the only way to become a millionaire. A ghetto billboard offered Chicago's West Side residents this advice:

"How to go from Washington Boulevard to Easy Street —play the Illinois State Lottery."

The recession has prompted another pitch in Washington. Lottery billboards round the city describe the lottery there as "the ultimate shock absorber".

New York once ran a commercial showing a mother telling her daughter that she need not strive for a scholarship because her mother was playing the numbers. A billboard placed in Boston College's football stadium last year offered this inducement to diligent study:

"Be a millionaire before you graduate—play the Massachusetts lottery."

So the experience from the United States is not good.

There is evidence from this country too of the existing problem of young people who are gambling. I draw the attention of the House to the work undertaken by Dr. Sue Fisher of Plymouth university. She points out that a survey of United Kingdom secondary school children, aged 11 to 16, inquired into the prevalence of adolescent gambling and pathological gambling on fruit machines, and related behaviour. Sixty-two per cent. of the children in the survey gambled on fruit machines, 17·3 per cent. at least weekly and 5·7 per cent. pathologically. Some began gambling as young as eight years old.

Sue Fisher did a study located in a seaside town in the south-west with a population of 6,000. The commercial leisure facilities are dominated by three arcades, purpose-built for the playing of fruit and video machines.

One arcade prevents local children from entering in school hours; the others impose no age restrictions. The arcades remain open throughout the winter months as well as in the holiday season so that local children have virtually unrestricted access to fruit machine gambling in arcades throughout the year. In addition, fruit machines are sited in cafes, fish and chip shops and holiday camps and are also played by the children surveyed.

The survey was carried out during the autumn of 1990 in a school which is the sole provider of state secondary education for that seaside town and its hinterland. The questionnaire included a frequent question on a variety of gambling forms to establish the prevalence of fruit machine playing and its relevance to other games. Ninety-nine per cent. of children had gambled in the year preceding the survey. As expected, fruit machines were the most popular form of gambling and 62 per cent. of children had played them in the preceding year. Next in popularity were card games, 30 per cent. of the children having played them, and games of skill, especially pool —27 per cent. had played that. Nine per cent. of the children had bet on playground games such as "coins up the wall", and a further 8 per cent. had bet on football pools. Eight per cent. of the children had bet on horses and dogs; 20 per cent. of them gambled weekly, and 9 per cent. gambled three or more times a week.

Predictably, fruit machines were played more frequently than any other form of gambling: 17·3 per cent. played at least once a week. Next in popularity were games of skill, with 7·5 per cent.; followed by cards, at 3·9 per cent., playground games, at 2·4 per cent., football pools at 2 per cent. and horse and dog betting at 0·4 per cent.

The implications of all this for the scratch cards that are likely to be sold as part of the national lottery should be more than evident to all hon. Members. While most children spend small amounts on fruit machines, 25 per cent. had spent more than £5 in one day, and 4·6 per cent. of them spent more than £10 every single week. Seven per cent. gambled at least three times a week—and there were no significant gender differences in the study that Sue Fisher carried out.

The problems that this generates are worth considering for a moment as we decide whether to allow young people to purchase lottery tickets. Fruit machine playing, according to the survey carried out in this west country town, created problems for some of the children that impinged on their schooling and their relationships with family and friends. Some of the problems involved illegal acts. Eight and a half per cent. of the children played fruit machines even though they knew that their parents had forbidden it; 10 per cent. of parents had fallen out with their children or close family because of fruit machine playing; and 15 per cent. of the children admitted that they had lied to hide the extent of their involvement.

Thirty-seven per cent. of the children had borrowed; 21 per cent. had spent their school fare or dinner money; 11 per cent. had stolen from their families; 2 per cent. had stolen from outside the home to play the fruit machines. Four per cent. had sought help with a serious money problem attributable to fruit machine playing.

It is obvious to anyone who thinks about these things or who has any familiarity with urban life that adolescents are particularly susceptible to pathological gambling. As with substance abuse, so the gambling problems among young people are undoubtedly part of the reason for crime levels among them.

Mr. Austin Mitchell (Great Grimsby): I agree with the hon. Gentleman about fruit machines—the *Yorkshire Post* has run a good campaign against them, and something should certainly be done about them. I wonder, however, whether the hon. Gentleman is right to pursue the analogy with the national lottery, because there is a difference: fruit machines are almost a way of life. They are put in places that are designed to be exciting and open all the time. Spending fairly small sums of money on them can become an addiction, but surely the national lottery represents a different dimension?

Mr. Alton: If the hon. Gentleman will bear with me for a moment, the study that I have been citing goes on to show that the compulsive gambler frequently starts with what appears to be an innocuous form of gambling, such as a lottery, and ends up on the harder forms, such as slot machines. Ours is the only country in the world that allows children to gamble on slot or fruit machines. We should be ashamed of that. Children who are already addicted to slot machines are far more likely to indulge in other forms of gambling—all the more reason why we should protect them. That is why the principle enunciated in Committee found some support on both sides of that Committee. This is not a partisan issue; we should all be worried about this country's young people.

Young people are picked up and used by pimps and by others who exploit them or sell drugs to them or lure them into a world of criminality. We should therefore not add to the pressures on them, since they are already excessively exploited. The United States experience clearly shows that young people are one of the target groups for lotteries, and I fear that we may set out to lure them into purchasing tickets here in the same way—advertisements even in colleges encouraging young people to spend some of their money on lottery tickets. Do we really want to encourage people to use their money to try to succeed by gambling on a national lottery—what I would term the chance mentality? Surely we should build in safeguards for young people.

Before hon. Members point out that young people are allowed to do many other things at the relevant age, I should add that that does not invalidate the new clause or the amendment. It does not mean, for instance, that we should provide young people with drugs or encourage them into vice. There is no reason why we should deliberately set out further to encourage gambling by young people in the national lottery, or why we should allow the deliberate targeting of young people by failing to build in safeguards to prevent that from happening.

Mr. Graham Riddick (Colne Valley): I declare an interest as parliamentary adviser to the Brewers Society. I support the Government on the Bill. There is no need to increase the age limit from 16 to 18, and I do not believe that the lotteries will take the form of hard gambling. This is, after all, a question of judgment, and the Government have probably reached the right decision—that 16 is the right age.

The hon. Member for Liverpool, Mossley Hill (Mr. Alton) was clearly concerned about misleading advertising, but clause 12 provides safeguards against that sort of misinformation, as does other legislation on accuracy in advertisements, allowing the Advertising Standards Authority to enforce the same.

An anomaly might arise, because at an early stage of the Bill's progress the Government suggested that public houses would not be allowed to sell lottery tickets. Sixteen-year-olds might therefore be able to buy tickets, but those aged 18 or over, if drinking in a pub, would not be able to buy them. I see no reason for such a prohibition. Perhaps the Government feared that the lottery would be associated with gambling and that pubs, by extension, might be too.

Pubs are increasingly seen as leisure outlets and community centres, however. That is particularly true of rural areas, where they are often the only places where residents can meet each other. Following the Government's decision to relax the licensing laws, more people below the age of 18 will visit pubs with their parents. The Government's decision acknowledges pubs' increasing role as places where families can spend time together. With 65,000 pubs in this country, we have an excellent opportunity to increase the success of the lottery system. I look forward to hearing what the Minister has to say on this subject.

Mr. Pendry: Supporting new clauses moved by the hon. Member for Liverpool, Mossley Hill (Mr. Alton) is becoming a bit of a habit. He has already touched on most of the points that I wanted to make.

Members of the Committee will recall that I argued that it was nonsense that bingo and the pools should be required to observe a lower age limit of 18 but that the Government should allow the sale of lottery tickets to 16-year-olds. The case for equalisation was overwhelming then and it is overwhelming still.

There are of course two ways of bringing about parity. The Government have chosen the wrong way, and I hope that they have realised their mistake in lowering the age to 16 instead of levelling it up to 18. If consistency and fair competition were truly the Government's objectives, it would be better to confine the sale of lottery tickets to those aged 18 and above, the age observed in almost all other forms of gambling. There is a legitimate anxiety that, if the age limit is lowered to 16, some young people may become susceptible to harder forms of gambling because of their involvement with the national lottery.

The attraction of a national lottery is not only that by buying a ticket one helps a good cause but that, if one is lucky, one could win a prize, which could be very huge if the national lottery is the success that the Government hope. I do not need to tell hon. Members that the teenage years, especially the years between 16 and 18, are extremely formative and impressionable. Although the national lottery is hardly an addictive form of gambling, it may tempt young people to experiment with other forms. The hon. Member for Mossley Hill mentioned that.

Those of us who represent areas of great social deprivation are aware of the susceptibility of some young people, especially those who are out of work and who may see gambling as an easy way out of current difficulties and social boredom. The temptation to relieve despair through gambling, like the temptation to ease hopelessness through drinking, should not be taken lightly.

Reducing the age at which one can be allowed to gamble to 16, although not a momentous change, will make it much easier to encourage young people to take up gambling as a recreational pursuit. The Opposition believe that such additional encouragement is undesirable. The national lottery ought to be a means of raising new money for good causes, and exploiting the vulnerability of young people is quite contrary to the ethos that it is supposed to represent.

Opposition Members have always maintained that the limit should be set at 18—we argued that in Committee—in line with other forms of gambling. I hope that the Government realise that it was foolish to reduce the age to 16 instead of keeping it at 18. I hope that the Minister will not reply from a civil service brief and that he has reflected on the rather silly approach taken by the Government so far. If we seek uniformity and age parity, we should accept the new clause so ably moved by the hon. Member for Mossley Hill.

6.30 pm

Mr. Maxton: I am always reluctant to disagree with my Front-Bench spokesmen, but on this occasion I am afraid that I must do so, because I do not think that we should support the new clause. I shall approach the matter from a slightly different viewpoint from that taken by some hon. Members. The new clause would place an undesirable burden on those who will sell national lottery tickets. I have teenage children and I do not know how anyone is expected to be sure by appearance that a person who enters an establishment that sells lottery tickets is 16, 17 or 18.

Mr. Corbett: What about pubs?

Mr. Maxton: That is exactly the problem faced by many publicans. I am a rather old-fashioned believer in civil liberties, and that is why I have reservations about the fact that many pubs are insisting that young people produce some sort of identification to prove that they are 18. That is a dangerous road for those who believe in civil liberties because, increasingly, people who go to a newsagents to buy a lottery ticket will be asked to produce some sort of identification. I have a son who will soon be 19.

Mr. Austin Mitchell: My hon. Friend looks so young.

Mr. Maxton: I know. My son finds that not even a driving licence is now accepted in a pub as proof that he is over 18 because he could have obtained it at the age of 17. That creates pressure for some form of identity card; some of us believe that that is a dangerous route and we will resist any attempt to go down it. Even at 16 there will be some difficulties, but it is easier to determine that a person is younger than 16 than to distinguish between a 16 and an 18-year-old. I hope that the new clause will not be pushed to a vote.

Mr. Davidson: It is with some trepidation that I disagree with my hon. Friend the Member for Glasgow, Cathcart (Mr. Maxton), who supported me earlier. There will be some difficulty about defining age whether the limit is 16 or 18. However, in the search for profit, some people will sell outside the limit. Hon. Members have mentioned shopkeepers who distribute pools coupons to make money. Youngsters who are about two years below the statutory age will be sold tickets. If we accept a lower age limit of 16, lottery tickets will frequently be sold to 14-year-olds and youngsters of about that age.

There are already difficulties in my area because under-age youngsters are able to buy cigarettes. The law is clear, but shopkeepers will do that irrespective of the age limit. It is inappropriate to set the limit at 16 because that

[Mr. Davidson]

will lead to sales to those who are 14 years of age or younger. To them, buying a lottery ticket would be a sign of maturity.

Mr. Maxton: People of 16 can engage in what may be the biggest lottery in life by getting married. Why on earth should they not be allowed to buy lottery tickets?

Mr. Davidson: We have never opposed the idea of people having to produce identification before they get married. Of course, people are not required to produce identification before producing children, although the Government are tackling that in another way.

We should support the amendment because there is a real danger that financial pressures on the Director General of the National Lottery will lead to a search to expand the market for lottery tickets. That will include targeting ever younger children.

Mr. Key: I have no doubt that my right hon. and hon. Friends know who will look silly if the amendment is pressed to a Division. This is a matter of judgment and I respect the fact that people will reach different judgments on the degree of supervision to be imposed on people of 18 or 16. It is hard to understand why the Opposition are so keen to support the pools industry but wish to restrict the sale of tickets, and therefore of pools coupons, to 18-year-olds; that is the logic of what they are saying.

My judgment is clear. I am proud to say that I have come to the debate with a civil service brief because my civil servants have worked extremely hard for a year to get the Bill right, and it is right. My right hon. Friend the Secretary of State and I have decided that 16 is the sensible age.

The House has heard thoughtful, sensible, down-to-earth and common-sense contributions by the hon. Members for Glasgow, Cathcart (Mr. Maxton) and for Great Grimsby (Mr. Mitchell) on this topic. When faced with the difficult problem of the sale of goods to young people, do we make it easier or more difficult? My judgment is that, if the amendment is accepted, it will increase the problem, and that would be silly.

We heard a great deal about advertisements in the United States. But this is not the United States and such advertisements could not appear here. Our proposals are sufficient to control misleading or scurrilous advertising of the type that the hon. Member for Liverpool, Mossley Hill (Mr. Alton) took great relish in describing to us. The Advertising Standards Authority ensures truthfulness, and clause 12 gives the Secretary of State power to make regulations about information that must be given. The powers of the director general to license operators under clause 5 and games under clause 6 also provide protection.

Some pools companies have had occasional lapses of discretion in advertising. A few years ago, Littlewoods had to withdraw a poster campaign, based on a poster that said, "You'll never work again", because it was thought distasteful. The hon. Member for Stalybridge and Hyde (Mr. Pendry) is happy to support an industry that made an error of judgment like that.

The new clause shows a patronising attitude. It is suggested that although at 16 one can get married, leave school and get a job and at 17 one can fight for one's country, one should not be able to buy a national lottery ticket before one is 18. The hon. Member for Mossley Hill said that the question of age limits was discussed extensively in Committee. He said that we had argued that we should logically take the age limit for small lotteries, 16, to be the age limit for buying national lottery tickets, but that he disagreed with that.

Under clause 12, the Secretary of State can regulate for the age limit on buying national lottery tickets. I told the Committee that I was minded to set the age at 16. If the limit were set differently from that for other lotteries, retailers who might be selling both national lottery and other lottery tickets would have a hopeless task in trying to apply two different age limits. They might be put off dealing in different types of lottery and that would lead to the kind of exclusive deals about which hon. Members are concerned.

Is the hon. Member for Mossley Hill minded to increase the limit for charity lotteries, thereby preventing 16 and 17-year-olds from buying raffle tickets, the mainstay of many church functions, let alone ward political functions and football and other sports clubs everywhere? All those small lottery operators would be done a grave disservice.

It is logical to set the age limit for the pools at the same level, not least from a practical point of view, because often retailers will be selling both lottery tickets and pools coupons side by side. The Secretary of State would be able to change the age limit that he sets for the national lottery in the light of experience, should there be proven to be any of the dire consequences that the hon. Gentleman cranked out so predictably. The new clause is unnecessary, patronising and impractical, and should be rejected.

In Committee, my hon. Friend the Member for Surbiton (Mr. Tracey) drew my attention to the problem about which my hon. Friend the Member for Colne Valley (Mr. Riddick) has spoken forcefully this evening and about which my hon. Friend the Member for Medway (Dame P. Fenner) has also spoken to me—the anomaly with pubs. I am glad that the matter has been raised. On Second Reading, my right hon. Friend the Secretary of State said that we were minded to regulate under clause 12 to ban the sales of tickets in pubs and licensed premises. In Committee, I was subject to representations on that point, and I have received further representations.

My right hon. and learned Friend the Home Secretary has recently announced potential changes in the regulation of pubs which might fundamentally change the character of the public house. I know that people were jesting when they talked about the local community centre, but they have a good point in respect of rural areas. The pub is often the focus of community life. After due consideration, we have concluded that it would not be right to regulate the sale of tickets in pubs, but that we should leave it up to the operator. A potential operator might consider that using the pub was one way to reach remote areas where the Pope is the focus—*[Laughter.]* Well, the hon. Member for Mossley Hill will no doubt be delighted to hear that the Pope is the focus of rural life, as indeed he probably is in some areas, but I meant to say pub.

The pub might not be an appropriate point of sale, as the Pope might not be, if, for example, there were a preponderance of gambling and amusement machines on the premises. However, it is right that such decisions should be for the operators, in the light of the changing nature of public houses, and I hope that the way in which we have responded to the representations that have

sensibly been made will ensure that that goes smoothly. Therefore, I hope that the House will join me in rejecting the new clause.

Mr. Alton: I am surprised that the son of a former Bishop of Truro should confuse the Pope with a pub, but I suppose that the Minister can be forgiven that lapse. I am also surprised that he was so trenchant in his opposition to the new clause and so strident in his language. He waxed lyrical in his enthusiasm to promote the sale of tickets to those aged between 16 and 18. It is nonsense to reduce to absurdity the argument that, because someone buys a raffle ticket, it is all right for him to go out and do all those other things as well.

The hon. Member for Cathcart said that, because people could get married at 16, it was all right to encourage them to gamble at 16. Many people think that 16 is rather a young age at which to make such a major decision about the rest of one's life. People who get married at such a young age, more often than people who come to such a decision later in their lives, would be wiser to wait longer. Perhaps it would be better if they did not decide so early.

6.45 pm

Mr. Maxton: I take the hon. Gentleman's point. It may be better if people wait before they get married, but is he seriously saying that we should pass a law insisting that 18 is the age at which people may get married? That is what he seems to suggest.

Mr. Alton: The hon. Gentleman will be relieved to know that that is not part of the new clause. In answer to his point about when people get married, I am merely saying that that is a young age at which to take such decisions. However, that does not negative the new clause, which deals specifically with the encouragement of gambling among young people. That is a different argument about a different proposition.

I am surprised that the Government should show such enthusiasm for doing this. The Minister said that it would be impossible to enforce the new clause, but the same argument can be applied to the sale of alcohol and to bookmakers in betting shops. They already have to distinguish between customers on the basis of age. There is also the nonsense that it is not possible to decide when somebody is aged 18, but it is possible to decide when a person is aged 16. Those are silly arguments, put forward in an attempt to discredit the new clause, which is not just about the technical question but about the principle of whether we should be encouraging gambling among young people.

I am grateful that the House has given the matter some consideration. I hope that the Government will reflect, even if not in the context of the Bill, on the general problem of young people, many of whom gamble far too easily and readily and often steal to raise the money to feed their gambling addiction. If the national lottery does anything to stimulate that problem even further, its promoters will have a great deal to answer for. However, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 9

LIMITED CARRY-FORWARD OF DIVIDENDS IN POOL COMPETITIONS

".—(1) Schedule 2 of the Betting, Gaming and Lotteries Act 1963 (registered pool promoters) shall have effect with the following amendments.

(2) In paragraph 14 (which enables the rules applicable to competitions promoted by registered pool promoters to contain certain provisions as to prizes)—

(a) after paragraph (b) there shall be inserted—

"(bb) that, where no competitor makes the most successful forecasts possible (taking into account the rules of the competition and the outcome of the events on which it depends), the highest prize, or shares in that prize, shall not be paid or be paid in full, and that the amount which would have been payable in the case of winning bets qualifying for, or for shares in, that prize shall be applied in increasing the amount payable in the case of winning bets qualifying for, or for shares in, the highest prize in any of the following three competitions promoted by the promoter;"; and

(b) for "sub-paragraph (c)" there shall be substituted "sub-paragraph (bb) or (c)".

(3) In paragraph 20 (statement to be sent by pool promoter to accountant after competition) after paragraph (b) there shall be inserted—

"(bb) the total amount of prizes or shares in prizes not payable or payable in full and applicable as mentioned in paragraph 14(bb) of this Schedule;".

(4) In paragraph 21(1) (statement to be sent by pool promoter competitors after competition), in paragraph (a) for "the aggregate prizes in" there shall be substituted "the aggregate prizes in all those competitions (whether or not payable or payable in full)".

(5) In paragraph 23 (annual statement to be sent by pool promoter to accountant and registering authority)—

(a) in sub-paragraph (1) for "the aggregate prizes in" there shall be substituted "the aggregate prizes in those competitions (whether or not payable or payable in full)";

(b) in sub-paragraph (2)(a) after "competitions" there shall be inserted "(whether or not payable or payable in full)";

(6) In section 7 of the Betting and Gaming Duties Act 1981 (pool betting duty) after subsection (4) (which provides that the expenses and profits taxable under subsection (1)(b) of that section are to exclude expenses provided out of stake money) there shall be inserted—

"(4A) Where any amount applied in accordance with paragraph 14(bb) of Schedule 2 to the Betting, Gaming and Lotteries Act 1963 in increasing the amount payable in the case of winning bets qualifying for, or for shares in, prizes would not (apart from this subsection) be treated for the purposes of subsection (4) as provided for out of the stake money, it shall be so treated.".'.—*[Sir Malcolm Thornton.]*

Brought up, and read the First time.

Sir Malcolm Thornton (Crosby): I beg to move, That the clause be read a Second time.

There are some good reasons why I and other hon. Members from both sides of the House have tabled the new clause, which is supported by scores of hon. Members from all parties. It would allow the limited carrying forward of dividend, otherwise known as roll-up, in pools competitions. The Government have some way to go before we can believe, with confidence, that the pools industry will be able to compete effectively and fairly with the national lottery. My hon. Friend the Under-Secretary announced in Committee the Government's decision to

[Sir Malcolm Thornton]

legalise the sale of pools coupons in shops and that is a welcome development and certainly a move in the right direction.

However, the change in the law on the sale of pools coupons in shops and the right to sponsor television and radio programmes that are unrelated to football results are simply not enough in themselves to put the industry on an equal and competitive footing with the national lottery. On the basis of what my hon. Friend told the Committee, the lottery is to be allowed to roll up its prize three times, whereas the pools are prohibited from doing so at all.

The new clause provides that in a week in which no one claims the maximum number of points on a treble chance coupon, the promoters may be permitted to carry forward a proportion of the first dividend prize to the subsequent competition. The number of occasions on which the roll-up may be permitted will be limited to three—the same number as my hon. Friend the Minister said would apply to the lottery.

This is an important issue to the pools industry because rolling up the prize over a number of weeks is an extremely effective means of increasing the game's attractiveness to potential customers. A game that is allowed to roll up its prizes will naturally become more successful and popular than competitive games that are not allowed to do so. It is the classical means by which state lotteries abroad have the market rigged in their favour at the expense of other soft, long-odds gambling.

No one doubts that the pools and the national lottery are equivalent forms of gambling. That point was made by the Select Committee and by my hon. Friend the Minister of State in Committee:

"They are a form of low-stake, long-odds gambling from which the threat of social harm is small."

That is why the Government tabled an amendment to reduce the age of pools entrants to 16, to match that for the national lottery. The two forms are so similar that they must, by the rules of the marketplace, compete for similar markets. There is nothing wrong with that. The Government have always stood for free and open competition and I hope that they always will.

I tabled new clause 9 because I feel strongly about that issue. It seeks to allow the pools to compete freely and effectively with their closest competitor, which is something that my hon. Friend the Minister must welcome.

In Committe, my hon. Friend the Member for Ribble Valley (Mr. Evans) made similar points on a roll-up amendment. His words echoed many of my own sentiments:

"I tabled the amendment in the spirit of fair play. I seek no advantage to the pools companies but parity on roll-up. Similar to national lottery prizes, pools prize money could be rolled up for three weeks."

I hope that my hon. Friend feels able to support new clause 9.

I have read reports that a number of Cabinet colleagues of my right hon. Friend the Secretary of State have lent their support to allowing the pools a limited roll-up. In an article in *The Guardian* on 21 April, my right hon and learned Friend the Home Secretary viewed the existing restrictions on pools operations as "unnecessary and bureaucratic". My right hon. Friends the Secretaries of State for Wales and for Scotland are also reportedly concerned about likely job losses if the pools are not allowed to maintain their markets through fair and free competition. Allowing the industry a limited roll-up would be a big step towards ensuring that.

I am also concerned about the job losses that would be generated by a pools industry that was robbed unfairly of its customers by having the market rigged against it. As the constituency Member of Parliament for Vernons on Merseyside and for many of the city's thousands of Littlewoods employees, I would regard it as unforgivable if my constituents lost their jobs after their companies' products were put out of business solely because of Government legislation. I am concerned not just about Liverpool; the pools industry is a healthy and competitive industry that employs thousands of people in areas of significant unemployment throughout the United Kingdom, in particular, in Glasgow and Cardiff.

Doing the pools is a great British institution. In his excellent speech on Thursday, my right hon. Friend the Prime Minister spoke of the pools as one of the enduring characteristics of British life that must continue regardless of how far we progress towards the European single market. He said:

"Fifty years from now, Britain will still be the country of long shadows on county grounds, warm beer, invincible green suburbs, dog lovers and pools fillers."

I am sure that we all agree with those sentiments.

If the lottery is to be allowed a limited roll-up, so should the pools. The reasons are that they would both be competing for similar markets; are both long-odds, low-stake competitions; they pose a low risk of social harm; and they generate sizeable sums of money for good causes—the pools more so than the national lottery, as a result of the Government's decision to set the lottery prize fund at 50 per cent.

No sensible person can seriously accept that there is a distinction between the pools and the lottery on the basis that one is run for good causes and the other for commercial gain. That cannot be so when my right hon. Friend the Chancellor of the Exchequer takes 37·5 per cent. of pools turnover in tax and the pools donate a further 10 per cent. to good causes in sport and arts and take less than 3 per cent. profit.

I urge the House to accept new clause 9. The pools companies and the national lottery can and should be allowed to co-exist on fair and level terms. As the Bill stands, they will not.

Mrs. Ann Clwyd (Cynon Valley): We recognise and welcome the progress that was made in Committee. On Second Reading, we argued that there should broadly be a level playing field between the national lottery and the pools industry. In that regard, the Bill certainly left the Committee in a more acceptable state than it arrived. I congratulate all those responsible.

It is good news that pools coupons will be legally available in retail outlets, including licensed premises and betting shops. That move sensibly brings the letter of the law into practice and forms an essential element of measures necessary to ensure that the pools are given a reasonable opportunity to compete with the national lottery. That is not to say that we have been completely reassured that the pools will be able to compete on fair and level terms. The change in respect of shops takes them some way towards that, but, as the Government know, there remain a number of other important changes to be made to allow the pools to compete fairly.

Allowing the pools a limited roll-up is one. If the national lottery is to be allowed to roll up a prize three times, as it will be, so should the pools companies. We welcome new clause 9 for its attempt to redress the balance. The fact that hon. Members of all three main parties have put their names to it signals the strength of feeling on the issue.

The words of the hon. Member for Ribble Valley (Mr. Evans) have been quoted on many occasions, and they were particularly important in respect of establishing a level playing field. The Government claim to believe in fair competition. If that is the case, I hope that they will demonstrate their belief this evening by supporting the amendment.

We are well aware of the dangers with roll-up, and in other circumstances we would like to have seen that practice denied to both the national lottery and the pools. We heard much in Committee about the detrimental social effects of the rolling up of large prizes and the frenzied ticket buying that that generates. In Committee, my hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry) outlined the dangers. He warned that lotto mania can lead to huge surges in lottery ticket buying in the days leading up to a draw. We are also aware of the syndicates of professional gamblers who exploit a rollover system through bulk ticket buying. If the national lottery is allowed a limited rollover, so should the pools. As my hon. Friends have forcefully argued today, there are too many pools employees' jobs at risk in Liverpool, Cardiff, Glasgow and London for us to accept such unequal and unfair treatment.

As we all know, there is no intrinsic difference between the pools and the national lottery. For that reason, there can be no sound economic rationale for discriminating between the way that each is allowed to operate in the marketplace. To do so would be contrary to the principles of free and fair competition. The pools are for a long-odds chance of winning a large prize for a small, usually consistent, stake, on the basis of a modest, once a week bet. That can in no way be regarded as a harder form of gambling than the national lottery.

If contributions to good causes are a determining factor in deciding whether one gambling activity is softer than another, the pools also make a substantial contribution. If, of course, there were any future circumstances in which roll-up could be restricted further, we should wholeheartedly support it and would seek similar restrictions for pools roll-up also. Until we obtain that guarantee, we shall support new clause 9. That will ensure that the pools companies and their employees can compete effectively alongside the national lottery.

Anything less than a clear commitment from the Minister today that he accepts the underlying principle in new clause 9 will be unacceptable to this side of the House. If the Minister finds that the principle is one that the Government can accept but that he wants to bring it back to another place, we shall accept that. However, we will not—nor will many hon. Members on both sides of the House—accept anything less. I hope, therefore, that the Minister will respond positively and accept new clause 9.

7 pm

Mr. Nigel Evans: I am grateful for the opportunity to support new clause 9. I am also grateful for the kind words of my hon. Friend the Member for Crosby (Sir M. Thornton) and the hon. Member for Cynon Valley (Mrs. Clwyd).

The Bill has come a long way since it was considered in Committee. Hon. Members have commented on the fact that people aged 16 will now be able to participate in either the pools or the national lottery and that pools coupons will be made available through retail outlets. I, more than many hon. Members who are in the Chamber, am grateful for that announcement. As you may know, Mr. Deputy Speaker, my retail outlet was one of the 20,000 that distributes pools coupons until I sat on the Standing Committee, when it was pointed out to me that it was illegal.

Immediately I started to look for the grey areas. I found only black and white, however, and therefore had to cease distribution of pools coupons in my retail outlet in Swansea. I cannot wait for the day when the Bill becomes an Act so that once again we can distribute pools coupons. The Government have gone a long way towards altering the Bill in such a way as to enable the distribution of pools coupons by retail outlets once again to become a reality.

As for roll-up, I, too, was not convinced that a £2 million prize, rolled up three times to £6 million, would be any more attractive than the £2 million prize. When I put a £1 stake on Virginia Wade winning Wimbledon and won £16, I was absolutely delighted. I had to sit down for about three hours to get my senses back. If I won £2 million, I should probably have to be put on a life support machine.

We must be mindful of the fact that many small pools companies exist alongside Littlewoods. They would be grateful for the opportunity to roll up their prizes so that their top prizes were more attractive in the weeks when no one won the top prize outright.

The pools industry is extremely important to this country. It has a turnover of just under £1 billion. The Exchequer benefits to the tune of a third of a billion pounds in pools betting duty. The Sports Council and the Arts Council receive £65 million. Many rural constituencies, such as mine, benefit from having this sum of money to distribute. Moreover, the Football Trust receives £36·5 million.

The creation of the national lottery will have a significant impact on jobs, certainly in the north-west. I know that many of the hon. Members who are in the Chamber are equally concerned about its impact on jobs. We are talking about 6,500 full-time jobs and 80,000 part-time jobs. The 80,000 part-time pools collectors do not receive massive sums of money for the coupons that they distribute, but what they do receive—£30 or £40, or even less—is an important part of their total income. We should ensure, therefore, that that part of their income is preserved.

I support new clause 9 not only because it would help to preserve jobs, but because I believe that there should be competition. All of us want the national lottery to be a great success, with tickets sold and the profits invested in good causes. To enable the national lottery to be enthusiastic about selling as many tickets as it possibly can, we must ensure that, for it to remain enthusiastic about selling tickets, there is competition.

[Mr. Nigel Evans]

The Conservative party is the party of free enterprise and competition. We want to ensure that the national lottery does not have a monopoly and does not rest on its laurels. I have sufficient faith in the pools companies to believe that they will try to ensure that they do not disappear. Both they and the national lottery will benefit from fair competition. Then the good causes to which I have referred will also benefit.

The point was made in Committee that we did not want a level playing field to be created for the pools companies and the national lottery. It is not so much a question of a level playing field as of adjacent playing fields. We want to ensure that one of the players is not kicked off the pitch and that both playing fields can exist side by side, with healthy competition between them. By giving life to one form of gambling, the national lottery, we should not kill off another form of gambling, the pools. Both are useful as a means of raising funds and creating jobs. I hope that the principle of new clause 9 will be accepted.

Mr. Alton: On Second Reading, the Secretary of State said:

"I am also minded to outlaw the discounting of tickets and limiting rollover, which will help to avoid abuse."—[*Official Report*, 25 January 1993; Vol. 217, c. 722.]

It would have been better if no allowance for rollover had been made in the Bill, for the reasons which the Secretary of State advanced on Second Reading—that rollover allows syndicates to develop and leads to abuse. We should be concerned about the fact that rolling up prizes could lead to the discrediting of the national lottery and possibly, in due course, to the discrediting of the football pools.

I shall support the hon. Member for Crosby (Sir M. Thornton) because I believe that, if the provision is being made available for the lottery. It should also be made available for the football pools. However, it would have been better if the principle of equality were applied by allowing neither to roll over their prizes. Of course, it is still not too late for the Government to consider that idea.

The hon. Member for Ribble Valley (Mr. Evans) rightly said that there should be fair and free competition but not a monopolistic practice. The lottery should certainly not be allowed to set out like a whale to swallow the minnows in the sea around it. It would be highly undesirable if the Bill were to complete its Report stage with provisions allowing only the national lottery but not the pools to roll over.

The hon. Member for Ribble Valley also mentioned the size of prizes. I am very apprehensive about such large prizes being offered. The devastating effect on the life of an average family of winning such large prizes has not been properly considered. I would prefer more modest prizes to be awarded, perhaps on a wider basis with smaller amounts of money being given to a larger number of winners. I am worried that we are feeding the idea that people should always want bigger, faster, better and more, which seems to be a feature of our society. It may be rather old-fashioned to say so, but we should not deliberately stimulate such an idea. I hope that the Government will consider that issue before the Bill reaches another place.

Mr. Peter Lloyd: I am glad to have caught your eye at this stage in the proceedings, Mr. Deputy Speaker, because I may be able to help the House to reach a conclusion a little more speedily.

Choosing my words carefully when speaking to amendments ably moved by my hon. Friend the Member for Ribble Valley (Mr. Evans), who has made a similar case today, I said that the Government remained to be persuaded that the rollover facility for the pools was necessary or desirable. In particular, I said that the circumstances in which the pools companies proposed to roll over prize money did not seem to be altogether fair and were certainly quite different from those in which the rollover would operate for the national lottery.

My hon. Friend's amendments would also have given the pools companies a free hand to roll over prize money in any circumstances they cared to invent, the only restriction being a limit of three in the number of successive rollovers. Had we accepted the amendments, the result would have been not fair competition between the pools and the national lottery but a clear competitive edge for the pools.

New clause 9, ably moved by my hon. Friend the Member for Crosby (Sir M. Thornton), responds helpfully to some of the criticisms that I made in Committee. By providing for more limited rollover facilities, the new clause is a move in the right direction, but I regret that it does not go far enough. Let me take a few minutes to explain my continuing reservations.

We have been told by the big three pools companies that, under their present rules, the rollover arrangements set out in the new clause would produce six rollovers a year for Littlewoods, about a dozen for Vernons and perhaps 26 for Zetters. Of course, those figures are estimates; the actual number of rollovers could turn out to be higher. In any event, it would be open to the pools companies to change their rules of competition to produce more frequent rollovers. Let us compare that with what is likely to happen to the national lottery.

The experience of most other European state lotteries suggests that rollovers are used sparingly. Single rollovers might happen perhaps once or twice a year whereas successive rollovers would be extremely rare. We expect the operator of the national lottery to set the odds so as to produce a similar pattern in this country. The operator will, regardless, need to obtain prior clearance for the rules for any particular lottery from the Director General Office of the National Lottery.

Mr. Ashton: The Minister cites only the European experience. When I, my hon. Friend the Member for Oldham, Central and Royton (Mr. Davies) and other members of the Select Committee went to America, we found that rollover occurred every week. People were convinced that that whipped up the frenzy about the big prize on Saturday night and that that was what brought in the money.

Mr. Lloyd: I accept that there are other ways of running national lotteries. Most lotteries abroad have rollovers only twice or three times a year, which is what we expect in this country, but I accept that other countries do things differently.

As I was saying, the pools companies would be free to set their own rules. However, the director general will want to ensure—I direct my remarks especially to the hon.

Member for Bassetlaw (Mr. Ashton)—that the rules are fair to the participants, and he will also be aware of public feeling against excessive first prizes. That point was made by the hon. Member for Liverpool, Mossley Hill (Mr. Alton).

New clause 9 would not, therefore, produce the level playing field sought by so many hon. Members. The national lottery, operating under the close supervision of Oflot, would roll over prize money perhaps once or twice a year. In contrast, the football pools would have rollovers six or more times a year and would have a free hand to change their rules to engineer more frequent rollovers. In such circumstances, the national lottery would—to repeat a phrase that has already been used—have the market rigged against it.

7.15 pm

Mrs. Jane Kennedy: This is the first time that I have heard that argument. I understood that rollover occurred when a prize was not won in the draw, whether on the pools or in the lottery. How can one predict with such apparent accuracy how many rollovers there will be on the pools or in the lottery?

Mr. Lloyd: By chance. There are odds which can be predicted to a certain extent in the way that the rules are drawn up. The rules which the pools company suggested to us initially, and which I said in Committee I did not find very convincing or fair, meant that if there were one winner, he would receive the whole prize. However, if there were two winners, instead of them halving the prize between them, half would be rolled over for the following week and the two winners would each get a quarter of the prize. That was one suggestion.

The hon. Member for Mossley Hill mentioned spiralling jackpots. The fear was expressed in Committee that we could be turning the United Kingdom into a Las Vegas island. The new clause would allow that to happen but only with the pools, not with the national lottery. It would stoke up jackpots without let or hindrance. There would be pressure for the national lottery to compete and to ensure that it too had rollovers at least six times a year, perhaps more. The Bill could come to be seen as a Trojan horse that unleashed an explosion of jackpots—if jackpots can explode—for which I do not think the public would thank us in the long run.

For those reasons, I cannot accept new clause 9 in its present form. However, the passion and eloquence behind and in front of me, some of which I feel is still pent up and not yet unleashed—perhaps it will be unleashed after I have sat down—is very compelling. I am glad to be able to say that I am convinced that there is a good case for allowing the football pools to operate limited rollovers similar to the national lottery.

I can tell my hon. Friend the Member for Crosby, those who have spoken in favour of the new clause and those who would have liked to have done so that we intend to introduce our own proposals in another place to ensure that where rollover is involved the pools will enjoy similar freedom and opportunity to those enjoyed by the national lottery. I think that that was what the hon. Member for Cynon Valley (Mrs. Clwyd) wanted.

In view of my assurance, I hope that my hon. Friend will feel that he has achieved his primary purpose in tabling the new clause and will be willing to withdrawn it so that the Government can introduce one in another place in due course.

Sir Malcolm Thornton: Perhaps I can assist the House and avoid the unseemly spectacle of so much pent-up emotion being unleashed. I am grateful to my hon. Friend the Minister, who is correct. I seek parity between the pools and the lottery, and nothing more. In view of his assurance, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 10

POWERS AND DUTIES OF DIRECTOR GENERAL

'(1) The Secretary of State shall by regulations made by statutory instrument prescribe the powers and duties of the Director General under this Part; and such regulations shall be subject to an affirmative resolution of each House of Parliament.

(2) The Director General shall exercise his functions under this Part in the manner he considers the most likely to secure—

(a) that the National Lottery is run, and every lottery that forms part of it is promoted, with all due propriety, and

(b) that the interests of every participant in a lottery that forms part of the National Lottery are protected.

(3) Subject to subsection (2), the Director General shall in exercising those functions do his best to secure that the net proceeds of the National Lottery are as great as possible.

(4) In subsection (3) "the net proceeds of the National Lottery" means the sums that are paid to the Secretary of State by virtue of section 5(6).'.—*[Sir Ivan Lawrence.]*

Brought up, and read the First time.

Sir Ivan Lawrence (Burton): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael Morris): With this it will be convenient to discuss at the same time the following amendments: No. 123, in clause 4, page 2, leave out lines 6 to 18.

No. 125, in clause 5, page 2, line 20, leave out 'body corporate', and insert 'charitable foundation.'.

No. 124, in page 2, line 39, leave out 'Secretary of State' and insert 'Director-General.'.

No. 126, in clause 6, page 3, line 7, leave out 'body corporate' and insert 'charitable foundation.'.

No. 127, in clause 11, page 5, leave out lines 23 to 29.

No. 128, in clause 19, page 9, line 9, leave out 'Secretary of State' and insert 'Director-General.'.

No. 129, in page 9, line 11, leave out 'Secretary of State' and insert 'The Director-General.'.

No. 130, in clause 20, page 9, line 15, leave out 'Secretary of State' and insert 'Director-General.'.

No. 131, in clause 22, in page 10, line 8, leave out 'Secretary of State' and insert 'Director-General.'.

No. 132, in clause 24, in page 10, line 28, leave out 'Secretary of State' and insert 'Director-General.'.

No. 133, in page 10, line 33, leave out 'Secretary of State' and insert 'Director-General.'.

No. 134, in page 10, line 33, leave out 'by order'.

No. 135, in page 10, line 37, leave out 'Secretary of State' and insert 'Director-General.'.

No. 136, in page 10, line 41, leave out 'Secretary of State' and insert 'Director-General.'.

No. 137, in page 10, line 44, leave out 'Secretary of State' and insert 'Director General.'.

[Mr. Deputy Speaker]

No. 138, in page 11, line 1, leave out 'Secretary of State' and insert 'Director General'.

No. 139, in clause 25, page 11, line 6, leave out 'Secretary of State' and insert 'Director General'.

No. 140, in page 11, line 6, leave out

'by order amend section 20(3) so as to'.

No. 141, in page 11, line 8, leave out 'there' and insert 'in section 20(3)'.

No. 142, in page 11, line 19, leave out 'Secretary of State' and insert 'Director General'.

No. 143, in page 11, line 19, leave out

'by order amend subsection (1), (2), (3) or (4) of section 21 so as'.

No. 144, in clause 26, page 11, line 21, leave out 'to'.

No. 145, in page 11, line 23, leave out first 'to'.

No. 146, in page 11, line 25, leave out 'to'.

No. 147, in page 11, line 26, leave out 'to'.

No. 148, in page 11, line 28, leave out 'amendment' and insert 'change'.

No. 149, in page 11, line 28, leave out 'the amended subsection' and insert 'it'.

No. 150, in page 11, leave out lines 37 to 42.

No. 151, in page 11, line 44, leave out 'an order', and insert 'decisions'.

No. 152, in page 11, line 45, leave out 'order' and insert 'decisions'.

No. 153, in page 12, leave out lines 1 to 5.

No. 154, in clause 27, page 12, line 18, leave out 'Secretary of State' and insert 'Director General'.

No. 155, in page 12, line 18, leave out 'by order'.

No. 156, in clause 29, page 13, line 9, leave out 'Secretary of State', and insert 'Director General.'.

No. 157, in page 13, leave out 'the order under section 26(1) mentioned in that paragraph has been made' and insert

'action has been taken in accordance with section 26(1).'.

No. 158, in page 13, line 12, leave out 'order' and insert 'action.'.

No. 159, in clause 58, page 22, line 20, leave out

'on such date as the Secretary of State may by order appoint; and different dates may be so appointed for different provisions or for different purposes',

and insert

'six months after receiving Royal Assent.'.

No. 197, in schedule 2, page 24, line 30, after 'staff', insert 'and advisers'.

No. 160, in page 24, line 30, leave out from 'determine' to end of line 32.

Sir Ivan Lawrence: I can without immodesty claim some part in the conception of the thoroughly desirable institution of a national lottery that will benefit such good causes as the arts, sport, heritage and charities. Therefore, I have a kind of parental interest in the Bill. However, I am alarmed at the direction in which it looks as though the legislation is moving.

Before I explain my reasons, may I say how immensely grateful I am to my right hon. Friend the Member for Mole Valley (Mr. Baker) who, when he was Home Secretary, took up the idea of a national lottery for good causes, and to my right hon. Friend the Prime Minister for the imagination that he showed in making the national lottery an election commitment. I am also grateful to those of my right hon. Friends who have changed their minds on the matter and now support the idea, to my right hon. Friend the Secretary of State for National Heritage and his Parliamentary Under-Secretary of State, and to the Minister of State, Home Office, my hon. Friend the Member for Fareham (Mr. Lloyd), for turning the idea into a reality and for dealing with everyone's concerns so sensitively as the Bill has passed through its Committee stage and is now passing through its remaining stages. I hope that my right hon. Friends will treat what I am about to say with their customary consideration and seriousness, and that nothing that I say will be taken as diminishing their achievement.

In a nutshell, I am unhappy to see the national lottery developing alarming features which are not at all what I had in mind. First, there is far too much involvement by the Secretary of State and the Government, and too little independent arm's-length control without Government interference. Secondly, big business will be involved. What I had in mind was a lottery sponsored and supervised by the Government but run in all its essential elements not by big business but by a charitable foundation.

I was not permitted to serve on the Standing Committee, doubtless on the usual ground that the fewer people serving on a Standing Committee who have any knowledge of the subject the better, because such people would delay the proceedings with questions and suggestions for improvement. Even after the closer consideration that the Bill has been given in Committee, it is still beginning to look very different from what I had in mind.

I am encouraged to know that I am not alone in believing that the Government should keep the lottery at arm's length, and keep it as charitable as they can. Paragraph 13.62 of the report of the Royal Commission that considered a lottery from 1976 to 1978 said:

"One of the most appealing features of an independently administered but state sponsored national lottery for good causes is that it escapes or by-passes the normal Government decision making procedures for resource allocation. In practice, a Government of any party, subject to day to day public and political pressures, finds it impossible to devote more than meagre resources to good causes of the kind that are desirable rather than essential. But the paradox is that while each individual cause may not be essential, it is essential for the health of our community that some resources are devoted to such purposes. There is a crucial need in our society for a source of substantial funds to provide support of a kind with which any Government experiences great difficulty. The objective should not be to replace the function of central Government but rather to fill the gap created by the inevitable disappearance, in a society where the accumulation of private wealth has become much more difficult, of private support of worthy causes on a large scale. (There will be no new Nuffield Foundations.) The proceeds of a national lottery should not only be allocated outside the normal Government machinery: they should be immune, subject to annual scrutiny by Parliament, from Government influence."

My right hon. Friend the Member for Mole Valley said, when he made his contribution to the matter, that he—I cannot for the moment find the quotation——

Mr. Deputy Speaker (Mr. Michael Morris): Order. May I assist the hon. and learned Gentleman? He is presumably looking up his quotation about the powers and duties of the director general. That would help us forward.

Sir Ivan Lawrence: Oh yes, Mr. Deputy Speaker, of course I am addressing the matter of the director general and the charitable foundation, which are the subject

matter of the amendments selected by Madam Speaker. I am not wandering one inch away from that, but I must——

Mr. Deputy Speaker: Order. For a few seconds the hon. and learned Gentleman did not appear to be wandering anywhere. I was just trying to help him.

Sir Ivan Lawrence: That was very kind, Mr. Deputy Speaker, and I am sure that a little good humour will leaven what might otherwise might be the tedium of my argument. I was saying that my right hon. Friend the Member for Mole Valley, the former Home Secretary, also supported in his speeches the idea that the national lottery should be kept at arm's length from Government.

On the second limb of my amendments, the Royal Commission said:

"In this way a public body which we suggest should be called the National Lottery Board, analogous to the charitable foundations established in former years by individuals, would help many good causes across a wide spectrum of different activities. A national lottery for good causes is, therefore, a rare opportunity to improve, indirectly if not directly, the quality of British life."

The Royal Commission had in mind a charitable foundation, not a lottery run by big business.

Sadly, although those two matters are fundamental to the direction that the national lottery will take, I believe that no amendment along the lines that I have suggested was tabled in Committee, nor was the point extensively argued or discussed, if it was discussed at all. Unfortunately, when I made my speech on Second Reading I did not remember that I had been called at a time when there was a 10-minute limit on speeches, so just as I was about to voice my concerns about the Bill, I was stopped. If the *Official Report* is correct, I was stopped a minute before my time. Had I had that extra minute I would have been able to float the subjects and they would have been taken up in Committee. That is why I have been left to table the amendments and the new clause, which I hope the Government will consider.

I believe that the Government should be more at arm's length from the lottery, because what is needed in that great enterprise—it is an exciting, fun enterprise, which we hope will stimulate the British people's imagination—is not the dead hand of the state, which the Government have turned away from everywhere else, but the imaginative stimulation of an independent decision-making procedure.

An agency is needed. In every other area, we are moving towards agencies at arm's length, agencies with directors general, and we should not be inhibited from following here the same process which we think is so important in many other areas of our political life.

So long as the Secretary of State has control of the purse strings, the state lottery will be vulnerable to the greedy and lustful attentions of any future hard-pressed Chancellor of the Exchequer. I hope that Conservative Chancellors will not be hard-pressed or greedy as the years move on, but we cannot guarantee that that will be the position for all time.

It was the intention of my right hon. Friend the Member for Mole Valley not to substitute lottery money for money that might be raised by taxation. He said in the House that he was against additionality. He said:

"Once fully developed, it could raise up to £1 billion a year for good causes. I must emphasise that this will be additional funding. The Government do not intend that the money provided from the lottery should substitute for existing expenditure programmes. Nor do we believe that lottery proceeds should go to the main areas of public expenditure, such as the national health service. These services are of fundamental importance to the community and must continue to be funded by the Exchequer in the normal way." —[*Official Report*, 6 March 1992; Vol. 205, c. 563.]

I apologise to my right hon. Friend for the way in which I have delivered what would have been a perfect delivery coming from him.

7.30 pm

The point is this. Where is my right hon. Friend the Member for Mole Valley? He is no longer Home Secretary and no longer a Minister in charge of these matters. He is now on the relatively powerless Back Benches with the rest of us. Such undertakings cannot be guaranteed from Government to Government. All that can guarantee that there will be no additionality is the enshrinement of protective measures in the Bill. The most important of those would be to take away the power of the Secretary of State to control the running of the national lottery. That point should be enshrined in the Bill.

Mr. Ian McCartney (Makerfield): There is already additionality in the national health service budget. Scanners, for example, are provided almost entirely through public subscription by the running of local lotteries and other activities. Of the 78 scanners purchased in England, 52 were purchased by the local community and the resources for them are still being provided by the local community. The Department of Health gives no money for the maintenance of those scanners. The problem raised by the hon. and learned Member for Burton (Sir I. Lawrence) is already happening. The Government should address themselves to his comments and should give some concrete commitment. If they do not, additionality will come into play in a range of other services.

Sir Ivan Lawrence: I half agree with the hon. Member for Makerfield (Mr. McCartney). I see no reason why the desire of the community to raise money for important equipment for its local hospital should be stopped, but I am concerned that no part of the essence of the national health service or of any such vital control activities should be funded out of the national lottery. Such areas should be funded out of taxation in the normal way and that should remain the case. There should be no temptation for the Government to use the national lottery for such purposes, and that is why I quoted the words of my right hon. Friend the Member for Mole Valley. As the Minister then in charge of the lottery, he stated that view.

Mr. Andrew Hargreaves (Birmingham, Hall Green): My hon. and learned Friend spoke of the relative powerlessness of Back-Bench Members. It was such relatively powerless hon. Members who secured from the Minister a valuable commitment, which is embodied in new clause 7, that bodies that receive funds from the national lottery will have to account wholly separately for the moneys they receive. Although that will not ring-fence the money in the way that some people would like, it will bring about total transparency so that all of us in the Chamber and people elsewhere can see how the funds are being used. We can then make our own comparison with Government funding.

Sir Ivan Lawrence: That is a substantial step forward, and I welcome it as my hon. Friend the Member for Birmingham, Hall Green (Mr. Hargreaves) has done. However, when the Minister turns to Back-Bench Members, whatever their power, and says, "It is vital for the maintenance of the national health service that we should decide to use some of the lottery money," will my hon. Friend go into the Lobby against the Government and against the party? He may well be as brave as some of my hon. Friends have been in the debates on the Maastricht treaty, but the point is that they are not winning. With the best will in the world, ring fencing cannot be achieved unless we take away some of the powers given to the Secretary of State. I say nothing against him personally, because I know that he will operate the lottery with as much good will as is humanly possible.

I have no doubt that the same undertaking that there would be no additionality was given about the Irish state lottery. But, as a journalist said in *The Irish Times* last week, the Irish lottery is accused of deviating

"so far from the original intentions of providing funds for arts, sports and community development, and it has largely become a slush fund to buttress inadequate Exchequer spending."

I do not know how accurate that view is, but I believe that it shows that, six months or so into a national lottery, it can be easy for a modern Government to turn to the lottery to fund some of their necessary state expenditure.

We must realise that the more money is taken in tax from the lottery, the less will be available for art, for sport, for heritage and for charities. Irish state funding for sport was reduced dramatically shortly after the lottery started. The purposes of the lottery have been modified and sport has suffered. Ireland still does not have enough Olympic-sized swimming pools, and it has almost no large sports arenas. As Mary Harney, a prominent Irish politician, said last week at a conference in England on the national lottery, there is a need to make the lottery "politician-proof".

The lottery will be tax-productive enough without tax being deducted from the institution itself at source. It will generate thousands of jobs. It will make small businesses and corner shops more productive and thus keep them in existence. It will stimulate the sport, arts, heritage and construction industries. Increased taxes will roll in. If so much power is given to the Secretary of State that he is able to introduce taxation at source for the lottery, the good causes will lose out all along the line.

That is why I tabled amendments Nos. 123 and 127, with 24 consequential amendments. I suggest in those amendments that the powers given to the Secretary of State should be transferred to an arm's-length director general. Amendment No.124 seeks to delete the requirement that the licensee shall pay such sums of money to the Secretary of State as the Secretary of State shall from time to time require.

The new clause would strengthen the powers of the director general. I hope that I am not alone in preferring a national lottery that is not in the Government's pocket. If the public believe it to be a Government activity, they may say, "We have given already" when the lottery seller invites their participation. Sport, arts, heritage and charities will be the losers.

The reasons why I believe that the lottery should be run as a charitable foundation are linked to my first point, as has been accepted in the grouping of amendments. People will support a charity, but they will be less willing to support the Exchequer. A charitable foundation properly led and guided by philanthropists can be better trusted to spend the money than a Government—even this Government—can be.

There are even more cogent reasons for having a charitable foundation rather than big business in control. The pools, which are big business, manage to devote only 27 per cent. of their take to prizes, while 32 per cent. of their turnover goes in expenses and profits.

A recent article in one of the national papers reported the expectations of prospective operators as being £100 million of profit a year. I have nothing against profit; our free enterprise system depends on it. However, if that profit diminishes the purposes of the national lottery, and if it deprives art, sport, heritage and the charities of £100 million a year, I am against it. We set up a national lottery so that the money should go to those causes.

The more big business becomes involved for profit, the more difficult it may prove to keep the workings of the national lottery free from abuse and scandal, either of which would destroy public confidence in the institution. Those involved in organised crime will be looking with greedy eyes at the profits of lotteries. A charitable foundation, properly run and controlled, will make their intervention less likely.

For those reasons, I have tabled amendments Nos. 125 and 126, which provide that the director general may license a charitable foundation to run the lottery, and not a body corporate—in other words, big business. I hope that I will not be alone in preferring a charitable national lottery to a lottery run by big business. The public are more likely to respond if they feel that a profit is not being made out of giving for good causes.

The new national lottery that is shortly to be born will be an immense force for good. When it gets going, the quality of our nation's life will benefit immensely. Up to £3 billion of additional finance will be raised, and £1 billion will be available to use for good causes. There will be improvements in our sports, with more stadiums, running tracks and swimming pools; in our arts, with enormous scope for more theatres and music; in our heritage and the protection of our national history and buildings; and in our charities—although they may or may not be adversely affected by the idea of the national lottery.

Perhaps most important of all, our children will grow up in a society t hat is physically and mentally healthier. They will have less need to take to the streets or look to crime for diversion or peer approval. Our society will be calmer, safer, healthier and more stable.

We must get the national lottery right: it must not get off on the wrong tack. I believe that the dead hand of Government and the dangerous and unnecessary hand of big business in running what is essentially a chartiable undertaking—which will be enormous fun if it is properly run—are simply not desirable. If my hon. Friend the Under-Secretary of State does not have time to consider these important measures today, I hope that he will at least undertake to think further on them. I look forward to the issue being pursued further—if necessary—in the other place.

Mr. Austin Mitchell: I support new clause 10 and the amendments grouped with it, especially amendment No. 197, which provides that the director general may appoint

such staff as he may determine. The intention behind the new clause and amendments is to stop the Government hijacking the national lottery, which they seem to me to have done. The amendments provide the basis for a hands-off operation to be conducted by an independent charitable foundation totally independent of the Government rather than by a profit-making organisation —not least because such arrangements will generate more trust among those in the community.

The arguments are simple and straightforward. The hon. and learned Member for Burton (Sir I. Lawrence) has covered them, so I shall be brief. There can always be the imputation of political patronage in the allocations determined by a Government body or agency. That imputation is always there and will always be made. The hon. and learned Member for Burton quoted *The Irish Times*, which talked of the Irish lottery being used as a slush fund: political imputations were being made about the allocations. This Government sincerely and honestly trust this Government. We can say objectively that they are as pure as driven slush, but there is always the imputation that the funds will be used in that fashion unless an independent charitable foundation handles them. I want to ensure that that happens, and the amendments provide the basis for that.

7.45 pm

The amendments tackle a second problem—the danger that the Government will use the proceeds of the lottery as a substitute for funds allocated to the arts, sport or other purposes which should properly be sustained by the Government. The lottery promotion company, which put forward the idea of the establishment of a charitable body to run the lottery, has sensibly suggested that the management of that arm's-length structure should include representatives of the Arts Council, the Sports Council, the National Trust and so on. That will ensure not only proper co-ordination but that the lottery money is not being used as a substitute for Arts Council or Sports Council funding. The lottery represents a great opportunity, but if lottery money is simply used as a substitute for other forms of spending that are properly the responsibility of the Government, that opportunity will be missed.

We must ensure that we are talking not about substitute spending but about additional spending. In that sense, an independent body—particularly a charitable foundation —could act as a court of appeal. These days, if one develops an enemy on the Arts Council, one does not get one's grant. If there is an additional source of funding in the form of an independent charitable body, there can be a court of appeal.

A further great advantage of a charitable body is that it will enable us to avoid both the bureaucracy of a governmental body and the profiteering orientation of a lottery run by a private company. We certainly want to avoid the high administrative expenditure attached to other bodies. Amazingly, the Arts Council costs £7·8 million a year in administrative expenses alone. The administration costs of the Sports Council are £9·5 million a year and the regional arts bodies cost £8·3 million a year to run, which means that 20 per cent. of the money that they distribute goes in administrative expenses.

It is crucial that the punters know that all the money is going to dedicated purposes, that the overheads are low and that the lottery is run by a charitable organisation that they can trust. An independent charitable organisation can also give the lottery a long-term sense of purpose rather than its zig-zagging every which way in response to pressures from the Government.

The lottery represents one of the most exciting opportunities that we have had for many years. It gives us the opportunity to bring facilities to areas outside London, and I am anxious that money should be spent on a considerable scale outside London.

I used to go on holiday every year to a little village called Beg Meil in Brittany. It was enormously exciting to find that it had its own maison de culture—a centre for the performing arts, for exhibitions and for workshops and where facilities were made available for craftsmen and artists. All that was provided locally for a small community of about 1,000 people. Just think what the opportunities would be if we could provide in Grimsby the sort of auditorium that we need to attract theatre companies and to put on local performances, orchestral concerts, opera and pop. Most communities—indeed all communities—need such facilities, which could be provided from the funding that the national lottery will provide if it is efficiently and effectively run.

We have the opportunity of a cultural renaissance and provision of facilities on a huge scale outside London in communities which need them and which are deprived of them at present—if we run the national lottery on the proper basis for which the amendments provide.

Mr. Corbett: I shall be very brief. Ever since the idea of a national lottery was first mooted, there has been a debate about the best basis on which to establish it. The Library issued an intriguing note in January about the history of lotteries in Britain. It seems that they all collapsed in scandal. Although memories of such things may not be fresh in the minds of those in the Department of National Heritage, I have no doubt that they are fresh in the minds of those in the Home Office. If we are to run a lottery for the purposes set out in the Bill, all the best and sensible steps must be taken to safeguard the interests of those who participate in the lottery so that some of their ticket money goes to good causes.

I understand the amazement of the hon. and learned Member for Burton (Sir I. Lawrence) about the fact that the Government have chosen to run the lottery almost as a nationalised lottery instead of relying on the private sector to deliver it with the necessary safeguards from this place.

We debated such issues on Second Reading and in Committee. We must ensure that the moneys generated by the national lottery in no way substitute for the proper investment of public funds in the good causes listed in the Bill. It is proper that there should be concern about that point.

We were frustrated when we tried to write that provision into the Bill, partly because it was not the Committee's concern to set the level at which the Chancellor of the Exchequer would dip his fingers into the price of tickets, and partly for the broad reason that levels of spending by Governments year on year will alter for a variety of reasons, some good and some bad. There is no reason why those levels should not change over time.

It is difficult to nail down something that is moving. We have now decided that we want what my hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry) has described as transparent accounts so that, as the hon.

[Mr. Corbett]

Member for Ribble Valley (Mr. Evans) said, when we see the accounts and compare them with the level of Government spending in that financial year, we can draw our own conclusions about whether any substitution has taken place.

The ambition to avoid substitution is perfectly clear and I believe that that ambition is shared by hon. Members on both sides of the House. On those grounds, there is a great attraction in the new clause and the amendments suggested by the hon. and learned Member for Burton. However, I must point out to the hon. and learned Gentleman and to my hon. Friend the Member for Great Grimsby (Mr. Mitchell)—I saw the Home Secretary in the Chamber a moment or two ago and perhaps he has been bought another pair of shoes—that it is not clear from the amendments whether the setting up of a charitable foundation would mean that no tax would be payable on the price of a ticket.

If there is any form of tax, one of the ambitions to make it impossible for the Government to engage in substitution would go out the window. While there is a tax, demonstably it can be altered over time. It can go up or down and I suspect that I know in which direction it is likely to go.

In an enterprise of this kind, we are concerned to ensure that there is more to it than simply the making of money. It is not that we are anti-profit, but the exercise is not wholly or mainly about putting dividends into the pockets of private people. The whole purpose of the lottery, as described by the Secretary of State, the Minister and others, is to raise new money for the good causes on the face of the Bill. If that is the case, I see risks in relying on the private sector to ensure that that is achieved in an open and accountable way, as is broadly proposed in the Bill, because the private sector will face other pressures.

The Minister may want to think very deeply about my next point before the lottery is up and running. Under the arrangements proposed by the Government, the lottery will rely to a large extent on the competence of the people in the distribution bodies who will need to build on and extend the skills that they presently exercise when handling money from Government by way of grants.

My hon. Friend the Member for Great Grimsby referred to what, on the face of it, appears to be a fairly high proportion of the moneys that go on administration. The Minister will be as aware as I am of criticisms which are made from time to time about what I would broadly describe as bureaucracy around the Arts Council and the Sports Council. Such claims are perhaps easily made.

The Sports Council, the Arts Council and similar bodies were designed to listen to, meet and represent the constituent bodies that are part of the particular sectors of sport, the arts or whatever. Trying to make such a body more accountable and democratic will cost more in administration than a purely commercial exercise. There is a price tag involved, although it need not be a large amount.

That is a price worth paying to achieve that involvement. It is also a price worth paying to have bodies that are open and accountable to those on whose behalf they were set up by the House and, in addition, accountable to the House where—if not on the Floor of the House then through the Select Committee system—they can be asked to explain what they have been up to.

I do not want to finish before paying tribute, as I am sure we all do, to the work of Denis Vaughan, the executive director of the Lottery Promotion Company. He has been extremely persistent in his efforts to get a national lottery off the ground. He feels—I perhaps share this sentiment to some extent—that his case, which is reflected in the amendments, has not received a satisfactory response from the Government. The Government have not established whether their proposal is unarguably better than the charitable foundation route suggested.

Even at this late stage, and before the Bill goes to another place, the Government should take another look at the mechanics and return to the position as it was when we set out to put the Bill on the statute book. We should try to have a system that can persuade people that there is no intention to have substitution. Although I accept that, it must be demonstrated. Perhaps we can find a better way to demonstrate that to people whom we want to participate in the national lottery.

Sir Ivan Lawrence: I welcome the tribute that the hon. Gentleman has bestowed on Denis Vaughan and the Lottery Promotion Company, but does he realise that Denis Vaughan is not alone in his view? Millions of people would prefer the lottery to be run as a charitable foundation, rather than as big business: they would like it to be a free foundation, rather than being in the grip of the Secretary of State and the director general.

Mr. Corbett: That is an important point, but, although the mechanics involved in achieving the desired result are not unimportant, the central issue is substitution. I would have been more impressed by the case that has been made had it been founded on the principle that the Chancellor should take no tax from a charitable foundation. That may or may not be possible.

I know that the Government are aware of our concerns. Perhaps, in the other place, they will find a way to demonstrate that the fears expressed by some hon. Members today bear no relation to their intentions.

8 pm

Mr. Key: I pay tribute to the work that my hon. and learned Friend the Member for Burton (Sir I. Lawrence) has done for some years. He must be very proud of the progress that the Bill has made, but he must also be frustrated by the fact that it is not proceeding in the exact form that he planned. Having read the debate that he secured just over a year ago, before the general election, I know that his idea of a national lottery attracted wide support—and someone else who has attracted wide support and has campaigned for years is Denis Vaughan, to whom tribute has already been paid.

Let me answer some of the specific points that have been made before dealing with the principles. New clause 10 seeks to allow Parliament to prescribe the powers and duties of the director general by affirmative resolution of both Houses; that, of course, is already in the Bill. Amendment No. 127 would leave the Secretary of State with no means of controlling, for example, certain sorts of game that might be considered undesirable on social policy grounds, but which would not give the director general similar cause for concern.

Amendments Nos. 124 and 128 to 158 would change the director general's role entirely: instead of taking sole charge of the regulation of the lottery and the licensing of the game—which together would constitute no small task—the director general would also have a controlling role in the distribution of the money available for good causes.

One of the strongest points that emerged from the consultation period that followed the White Paper's publication last year was that the functions of running the game and distributing the money should be kept separate. The powers that the amendments would give the director general would allow him to decide on, for example, changes in the shares going to each of the five beneficiary sectors and on the matters that the distributing bodies should take into account when deciding on grant applications.

Amendment No. 160 would give the director general complete discretion in regard to the number of staff in Oflot, and their pay and conditions. Amendments Nos. 125 and 126 would make it a statutory requirement that the licence to run the lottery, and the licences to run games as part of the lottery, could be held only by a charitable foundation. There is nothing to suggest that a charitable organisation would be able to introduce a more successful United Kingdom lottery than any other organisation. Amendment No. 159 would remove the Secretary of State's power to enforce the Bill's provisions as appropriate—a power that is not unusual in legislation.

My hon. and learned Friend the Member for Burton is inviting us to go back to the drawing board—to produce a completely different national lottery. Let me make it clear that the Government have been thinking about and working on the lottery idea for more than a year. We have sought advice widely; we have examined the experience of more than 50 lotteries around the world. We have taken a view on a number of difficult issues and have come up with an animal which is indeed rather different from the original proposals of my right hon. Friend the Member for Mole Valley (Mr. Baker) before the general election. We have done that for good reasons—precisely the same reasons that my hon. and learned Friend the Member for Burton now suggests that we consider.

First, there is the suggestion that the lottery should be politician-free. Everything that the Bill is designed to achieve is indeed at arm's length from Ministers. Ministers will not be able to decide who is given any money; that will be entirely up to the distributing bodies. We decided to establish more than one such body, for the good reason that a single body would constitute another substantial bureaucracy, duplicating the expertise that already existed in the bodies we chose—the Sports Council, the Arts Council and the National Heritage Memorial Fund. We decided that, rather than establishing a single ministerial-led body to deal with charities, it would be far better to establish a system with the charities board that would have the confidence of charities, which would know that it would distribute money fairly between charities and across the nation.

A different set of considerations apply to getting the money in. We felt that the efficiency of the lottery should be paramount and that the maximum possible sum should be raised for good causes. There are various ways of approaching that aim. We decided that the most efficient private-sector operations should be invited to compete and that competitive tendering was most likely to put downward pressure on profits, to ensure that excess profits were eliminated and to maximise the efficiency of the machinery for securing the money.

There is, of course, another overriding factor, in the form of the members of the public who are to part with good money. The main objective of the lottery is to provide fun and prizes for those who put up the stakes. We decided—admittedly, it was not a difficult judgment to make—that the chance of winning was what would encourage people to have a bit of fun, in the same spirit in which they might buy a raffle ticket for their local church or a political party. We felt that people's motives for taking part in a national lottery would be quite different from their motives in giving money to a charity or other good cause at a time of crisis. We believe that those motives will continue to flourish in this country, as in others. There should be no confusion in people's minds between charities and the efficiency of a national lottery.

Mr. Tracey: The House appreciates the way in which my hon. Friend is setting out the argument, but he must be aware that, in one regard, the lottery is not politician-free. I refer to the level of taxation. The public, and the various good causes that will receive the proceeds of the lottery, are still very unhappy, even with a 12 per cent. rate. I know that my right hon. Friend the Chancellor said that he had originally envisaged a higher rate, but 12 per cent. is still too high.

Mr. Key: I was coming to that, as they say. The taxation issue is crucial. My right hon. Friend the Member for Mole Valley and others always envisaged a tax take; it is a fallacy to pretend that, if the whole operation were run as a charitable foundation, it would somehow escape taxation. Taxation is right for a national lottery because expenditure is displaced from other parts of the economy on which tax would be levied.

Mr. Renton: I apologise for interrupting my hon. Friend in full flood, but I must tell him that I disagree with his comment about the White Paper produced by my right hon. Friend the Member for Mole Valley (Mr. Baker). As Minister for the Arts at the time, I played a part in its composition: perhaps over-optimistically, we felt that we had a real chance of getting away with no tax at all. *[Laughterter..]* I understand why hon. Members laugh at our naivety, but I am merely taking up my hon. Friend the Minister.

I fully understand the work that has gone into developing the model in the past year, and that other models around the world have been looked at. But, as my hon. Friend will know, the Irish national lottery, which I visited twice and which impressed me with the way in which it was run, pays no tax. It is an arm of the treasury, but it pays no tax. We hoped that perhaps we would get

Another point that my hon. Friend may consider—forgive me, Mr. Deputy Speaker; I shall bring my intervention to a close soon—is that the real difficulty is that if an arts company already does not find favour with the Arts Council for subjective reasons, perhaps because it does not like the quality of its performances, and therefore does not receive the amount of subsidy for its current expenses which it feels that it deserves, it will have to go back to the same lady bountiful for its capital requirements from the national lottery. It could lose on both counts.

Mr. Key: My right hon. Friend is far more experienced in the art of politics and the art of the possible than me, but he was perhaps over-optimistic in thinking that there might be no tax on the national lottery. Of course, he was there and I was not. If he says that that is what he and the Government envisaged at that time, I accept it. But it was always my understanding that it was accepted that there would be some level of taxation.

The point on which I shall finish is central to the argument about the national lottery. We decided that it was crucial that, if changes were to be made to the lottery, they should be made by Parliament. We decided that Parliament should have the last say and that the operators and distributors should ultimately be responsible to Parliament through the Director General of Oflot and my right hon. Friend the Secretary of State for National Heritage.

Probity and transparency are fundamental to the success of a national lottery anywhere in the world. Once there is any idea in the minds of the public that a fiddle is going on at any level, the first thing that happens is that receipts drop off sharply. That is why we have improved the transparency and accountability of the lottery since the Bill first appeared, as we have been requested to do. But we do not want a director general of some charitable foundation to decide who gets what. We believe that the construction of the lottery with 20 per cent. bands is sensible.

We shall come to the millennium fund later. We believe that it should receive 20 per cent. After the millennium, the amount will reduce and that money will go to the other four areas. So Parliament will have the final say. It will be able to change the 20 per cent. distribution figures. Parliament will be responsible for ensuring that there are fair shares for all the beneficiaries and that the Government keep their word on additionality.

We could not have been more clear about additionality. It would not have been possible to make it clearer that the money for the national lottery was outside the planning total and that we have no intention of substituting it for other money. However, ultimately substitution will be in the hands of the distributors. For example, if a distributor in sport slips into the habit of giving grants for parts of sport which would normally be funded by a local authority or the Sports Council, it will have only itself to blame if in future years a Chancellor of another political hue said, "They are funding that themselves now."

The intention is clear. We have done all that we can. I hope that I have answered my hon. and learned Friend in the serious way in which his arguments should be addressed. He invites us to start again and produce a different model of national lottery. His new clause and amendments would certainly have that effect. They would take us back to the drawing board. I could not recommend that to the House for a good reason. Every day that we delay the implementation of the national lottery, good causes will suffer.

Sir Ivan Lawrence: With the leave of the House, Mr. Deputy Speaker.

Dame Elaine Kellett-Bowman: Object.

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. The hon. and learned Gentleman has the right to reply.

Sir Ivan Lawrence: I thank my hon. Friend the Minister for his helpful and well-meaning speech. I appreciate that the argument is not one-sided. Things can be said on both sides—*[Interruption.]* If my hon. Friend the Member for Lancaster (Dame Elaine Kellett-Bowman) will allow me to think without babbling away behind me, I shall be grateful and my remarks will be shorter.

I fail to see how my hon. Friend the Minister can sustain the argument that the national lottery will be politician-free in the light of clause 11, which says:

"The Director General shall in exercising his functions under sections 5 to 10 comply with any directions that he may be given by the Secretary of State."

8.15 pm

Clause 5(6) clearly states:

"A licence under this section shall include a condition requiring the licensee to pay to the Secretary of State at such times as may be determined by or under the licence such sums out of the proceeds of lotteries forming part of the National Lottery as may be so determined."

He who pays the piper calls the tune and he who takes the money also calls the tune. That is the politician.

It would be sensible if I did not press the new clause at this stage because it is clear that the Government of a year ago had a different view from that of the Government of today about how the national lottery should proceed. If such a change can take place, perhaps with a little more time the change can be reversed. That time will be provided by due consideration in the other place. That consideration will not be helped if I press the new clause tonight. So with the leave of the House, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 4

Overriding duties of the Secretary of State and Director General

Mr. Alan Howarth (Stratford-on-Avon): I beg to move amendment No. 8, in page 2, line 16, at end insert—

'( ) The Secretary of State shall provide for monitoring to be undertaken in order to determine the effect, if any, of the National Lottery on the level of charitable income.'

Mr. Deputy Speaker: With this it will be convenient to take amendment No. 9, in page 6, line 37, at end insert—

'; and such report shall include an estimate of the effect, if any, of the National Lottery on the level of charitable income during that financial year.'.

Mr. Howarth: The purpose of the amendment is to place an overriding duty on the Secretary of State to ensure that the effects of the national lottery on charitable donation income are identified and monitored. That was, indeed, a recommendation of the National Heritage Select Committee. Several members of the Committee have participated in our debates this afternoon.

Paragraph 11 of the Select Committee's report of 14 January 1993 states:

"A fourth matter of concern to the Committee relates to the position of charities and the likely impact of the Lottery on their resources. The Bill contains proposals intended to make small charitable lotteries more attractive. But the Committee remains concerned that competition from the National Lottery will have an adverse effect on the level of funds donated to charities. Nor is it convinced that the distribution of funds through the new National Lottery Charities Board will leave no individual charity in a worse

position. The Committee accordingly recommends that the Department of National Heritage should monitor the possible impact of the National Lottery on charities."

It is against that background, and because I feel that it is extremely important that monitoring should take place, that I have tabled amendments Nos. 8 and 9.

I am glad that amendment No. 8 was selected. I believe for two reasons that it is preferable that the duty to monitor be placed on the Secretary of State. First, it will ensure that the Secretary of State has control of the methodology of monitoring. Secondly, it should mean that the funding necessary to conduct the exercise will come from the Department rather than from the proceeds of the lottery. Placing that general duty on the Secretary of State will make it possible for the appropriate research to be carried out into any area where the possible effect of the national lottery on charitable income may be a matter of concern.

Three areas of concern have already been identified. Rigorous impartial research to establish the position in each of those areas as the national lottery becomes established and proceeds would make it possible to determine whether any action to restore the financial position of charities were required. I believe that the Government ought to accept this responsibility since they are creating the national lottery and unleashing an immense force, the effects of which cannot be predicted with precision but which will undoubtedly be important.

The first area of concern that I wish to see monitored is that of any possible reduction in funding from local and central Government. I fully accept the genuineness of my hon. Friend's pledges that it is the Government's intention that the resources generated by the national lottery should be additional to any funding that the Government would in the ordinary way provide for the good causes that will also be beneficiaries of the lottery. It is critical that the generation of funds from the national lottery does not, over time, lead to a reduction in the existing funding of charities from either local or central Government.

I greatly welcome what I regard as a significant statement made by my hon. Friend the Minister in the previous debate, when he made it clear that it was his view that Parliament should monitor the issue of additionality. If we are to monitor, we will need the data that a monitoring exercise sponsored by my right hon. Friend the Secretary of State would provide.

It is disappointing to hon. Members on both sides of the House that the Government have not found a way to write their pledge on additionality in watertight terms into the Bill. To be fair, I accept that that is an extremely difficult thing to do—I cannot see how it can be done—but the fact that it is impossible to do so in the way that we would desire, makes it all the more important that the monitoring should take place.

The second concern that should be monitored is the impact that the national lottery may have on the income from small charitable lotteries. There are reasons to be apprehensive that the introduction of the national lottery may lead to a decline in charitable income from small lotteries, and it is a matter of regret that the Government rejected amendments in Committee to prevent the use by the national lottery of games giving an instant win. I would have preferred that the Government had been willing to allow charities to have a clear run in instant lotteries. That would still leave the national lottery immense scope to raise funds for its purposes.

The third area of concern that ought to be monitored is the impact that the national lottery will undoubtedly have on charitable donations. Research carried out by the National Council for Voluntary Organisations suggests that the level of charitable giving will decline with the advent of the national lottery. My hon. Friend the Minister again made it clear that, in the context of taxation, the Government accept that the national lottery will displace expenditure elsewhere. That is the basis on which the Minister sought to justify the level of taxation that my right hon. Friend the Chancellor of the Exchequer has proposed. If expenditure on the national lottery displaces expenditure in other areas, that will obviously include charitable giving and it is important that we should follow exactly what happens.

The NCVO has estimated, based on market research conducted by NOP that the national lottery could lead to a loss in charitable donations income of around £250 million per year or 7 per cent. of the income currently received by charities from the public. That figure of £250 million has been decried as an exaggeration. It is, of course, based on certain assumptions and scenarios. The NOP survey concluded that the lottery is perceived by the public as a scheme to benefit "good causes". That picture of the lottery, as revealed by that survey, is one which accurately reflects the Government's own purpose.

The NCVO concluded from that survey that £230 million is likely to be lost in donation income. That figure, I fear, is within the realms of possibility. I hope that those of us who have this apprehension are proved wrong, but it is on the cards that we could see a diversion of the donations given to charity of that order.

I welcome the commitment given on Second Reading by my right hon. Friend the Secretary of State, and confirmed by the Minister in Committee, that it is the Government's intention that the lottery will not be promoted in ways likely to lead to a reduction in donation income. I should like that commitment to be expressed in the Bill. Even if forswearing that kind of promotion may mean that the loss to the sector proves to be less than the 7 per cent. that I mentioned, research still suggests that it could well be in the region of 4 per cent. of donation income.

The report of the Rothschild royal commission on gambling quoted its own market research, conducted in 1978. That research suggested that the lottery would result in a loss in income to charities of about 4 per cent. More recently, the report of D&M Economic Consultants, commissioned in 1991 by the Irish An Post National Lottery company, also revealed that 4 per cent. of those who bought Irish state lottery tickets said that, in the absence of the state lottery, they would have given the money to one charity or another.

I concede that market research has its limitations. It does, after all, ask people to consider their likely future actions and none of us can be certain of them, not even Ministers, to their own surprise, they may be moved to accept amendments—if not today, perhaps in another place. However, as the Rothschild royal commission accepted, market research is the best means that we have to reach a judgment about the likely activity of the public in such matters.

A drop of 4 per cent. in donation income may not sound terrible, but given the scale of charitable giving in this country, it would mean a considerable loss in cash terms. The same NOP survey revealed that the public

[Mr. Howarth]

donated £3·1 billion to charity in 1992. A drop of 4 per cent. in that income would mean a loss of £120 milion per annum. A loss in income on such a scale would mean a reduction in services to some of the most vulnerable groups in our society that the charities serve.

In Committee, my hon. Friend the Minister referred to the overriding duty placed by the Bill on the director general and the Secretary of State to maximise the proceeds available to beneficiaries from the lottery. The expressed aim of the Bill is to ensure that the lottery generates maximum additional resources for the specified "good causes"—arts, sport, heritage and charities. The available evidence, however, suggests that the lottery would result in a reduction in donation income and public support to charities.

It is possible that lottery proceeds may fail even to compensate for the income lost to charities as a result of the lottery. Surely it is intended that proceeds from the lottery will not only compensate for any loss, but provide additional new money. In Committee, the Minister said that the Government had acknowledged that probable outcome by including charities in the list of beneficiaries, which was not part of the original intention, on the assumption that proceeds from the lottery would, in part, compensate for the resulting drop in income. That decision has been greatly welcomed.

The corollary of the Government's concern that they will wish to satisfy themselves about the practical effect of their policy. As things are, however, nothing in the Bill provides for the effect of the lottery on charities to be monitored. It is vital that its impact on voluntary sector donation income is monitored and assessed.

In Committee, my hon. Friend the Minister also gave a welcome assurance that the impact of the lottery on voluntary sector income would be taken into account when beneficiary shares come to be reviewed. That being so, surely it is sensible to incorporate amendment No. 8, or something along the same lines, to ensure that the Government have the data and the information on which to base their consideration of the effect of the lottery on donations to charities.

Mr. Orme: The issue of additionality is important, because there are signs that the Government are considering funding the millennium fund for the year 2000, out of lottery proceeds. Who is to say that the Government would have donated such money to that fund if those lottery proceeds were not available? This issue is important because hon. Members on both sides of the House are concerned about it. How does one check it? How can one tell what the Government would have put into sport or the arts without it? It is only human nature, is it not? My experience of the Treasury, as a Minister and as a Member, is that it cannot be trusted when it comes to finance on this sort of scale.

I accept that the Government have given an undertaking that lottery proceeds should be additional to the funds provided by normal Government expenditure programmes, but there is no evidence of how it will be programmed or monitored. Experience in other countries suggests that unless very firm measures are put in place this undertaking will be eroded after a relatively short time. Elsewhere in the world lottery proceeds are dedicated to particular causes, as they will be in the United Kingdom, either to the arts or to sport. The mention of sport prompts me to refer to the rather small attendance in the Chamber this evening which may have something to do with the fact that England is playing Holland at the moment.

Mr. Corbett: What is the score?

8.30 pm

Mr. Orme: I have no idea, but England is playing Holland at Wembley at the present time, and some of our thoughts are with the English team.

Let me give an example of the erosion of funding. In 1976, the Massachusetts state lottery was set up to raise money for the arts. State funding from taxation for the arts gradually decreased until by 1992 all public funding in that state had stopped. Similarly in New Zealand a lottery for the arts was set up in 1987. For the next three years Government funding of the arts remained at the same level, although without any increase for inflation. Four years after the lottery was established, the Government grant for the arts in New Zealand was cut by half.

We must take these things into account. For instance, a study has shown that, in the state of New York, the decline in support for education programmes set in five years after the establishment of the lottery. In New Jersey it was six years. However, in Michigan and Illinois, the states in the study which has most recently established their lotteries, the decline in expenditure by the state on education was almost immediate.

We are, of course, opposed to any of this money going into education or social services or any other particular area—a point that was made by the right hon. Member for Mid-Sussex (Mr. Renton). But I warn the House that there will be pressure from some sections of the public that this be taken into account, and unless the guidelines are very firmly established and hon. Members clearly stipulate what they want to happen, the effect could be disastrous.

The evidence from Ireland regarding additionality is even more striking. The hon. Member for Stratford-on-Avon (Mr. Howarth) referred to DKM carrying out research in 1989 on behalf of the Irish An Post lottery company. It estimated that, between 1987 and 1989, 49 per cent. of lottery funding substituted for Government expenditure and only 51 per cent. of the total received by the beneficiaries from lottery proceeds represented new money.

In the light of this evidence, it is of the utmost importance that the monitoring proposed in the amendment should also take into account the effect of the lottery on public support of causes benefiting from the lottery. This is particularly important for the charitable and voluntary sectors. Voluntary organisations currently receive almost £600 million per annum in support from local authorities. A National Council for Voluntary Organisations survey in 1991 revealed that in the previous financial year this funding had been cut by almost £29 million.

Local authority support for voluntary organisations is discretionary. It is therefore one of the areas of local authority funding most under threat at times when public expenditure is tight. The availability of new sources of funding locally, such as the lottery, may tempt local authorities into using it as a justification for further reducing their support for voluntary organisations.

The Government have made it clear that they do not intend lottery proceeds to be a substitute for local and

central Government support for charities, the arts, sports and heritage projects. They have made that declaration. But we want a guarantee that this will not take place, and many of us are concerned that, in the case of a new opera house or even the development of Covent Garden, or some other spectacular development, much of the money could be siphoned off into that project when it should be funded by the state because of its national status.

Monitoring mechanisms are therefore important. I do not expect the Government to accept these amendments of clauses 8 and 9. Nevertheless, I hope that they will take into account the importance of additionality and monitoring and of the fact that many people will judge the success or otherwise of the national lottery by its development and by its independence from the Government, not least from the Treasury.

Lady Olga Maitland (Sutton and Cheam): I support the amendment moved by my hon. Friend the Member for Stratford-on-Avon. The amendment came about as a result of fears voiced to us by a considerable number of charitable and voluntary organisations which can see themselves being totally swamped by an enormously successful national lottery. I fear that the Government are almost backing away from envisaging just the kind of figures that the lottery could bring in. Experts who have studied lotteries in other countries and based their analysis on the success of those lotteries estimate that, within four years of being established, a national lottery in this country could bring in an income of about £2·8 billion in one year or, to put it differently, £55 million a week.

Just how can small voluntary or charitable organisations stand up to such a stupendous success unless provision is made to protect their interests? It is therefore vital that the Government not only monitor the progress of the income of voluntary organisations but put that commitment to monitoring in the Bill so that there will be no doubt about their sincerity. I know that they have taken the point and that it has been heard in Committee. Nevertheless, there is a slight flaw—the belief that somehow or other all will be well on the day.

The voluntary organisations have a real concern that they could be totally overwhelmed and that their donation income could sink unless we pay due attention to the problem. We must make sure that the money they lose is more than made up by additionality which could accrue from the national lottery. I support the amendment, and I trust that those considerations will be taken into account.

Mr. Robert Maclennan (Caithness and Sutherland): I declare an interest, although not a financial one, in two charities: the Foundation for Management Education and the Cancer Research Campaign, both of which have reason to expect—particularly the latter—that their incomes will be adversely affected by the Bill.

Historians may look back on this as the point when the country first failed to match its aspirations, with Exchequer money, by backing projects that it valued with taxpayers' money. The passage of this Bill is likely to mark the point when a great nation turned away from funding important projects in the arts and in sport in this way. Instead, like the Roman empire in decline, we have begun to rely on lotteries and the impulse of greed to meet our aspirations. Charities will probably begin to feel the adverse effects of the change more immediately than any other sector.

The hon. Member for Stratford-on-Avon (Mr. Howarth) was right to try to chart the consequences of what we are doing.

Mr. Renton: I do not want to interrupt the hon. Gentleman, but he has just made the most astonishing statement. Does he not know that the Sydney opera house was built from the proceeds of a lottery? No one could possibly call Australia a declining or tired nation. How was the British museum built, if not from funds raised in a lottery? It was built to house the Sloane collection in the second half of the 18th century. We are only going back to the same means of raising money for good causes that was followed successfully by our Georgian and Victorian ancestors.

Mr. Maclennan: Our Georgian and Victorian ancestors —particularly the Victorians, who are often prayed in aid by the Government—had a greater sense of civic pride and responsibility. The great municipal collections and institutions were the result of private giving or of municipal endowment. Only in the 20th century have we sought, using taxpayers' money, to establish institutions on the scale that we have come to enjoy. It is a sad comment on the decline of this country that the Government have begun clutching at straws, for that is what this Bill amounts to. Some people have been remarkably naive to believe that the Bill will have any lasting beneficial effects on the good causes that it purports to help.

I say "naive", because it is not possible to write into the Bill any sort of protection for additionality. Ministers have given their word in this respect in earlier debates, but already the Department of National Heritage has been blighted. I cannot prove this, but I would be astonished if the Minister said that the Chief Secretary to the Treasury did not tell him during the last public expenditure round, in which the Department took a savage cut by comparison with other Departments, that he could look forward to the bounty of a national lottery to make up the shortfall in the Department's vote. That was but a foretaste of what is to come. Future public expenditure rounds will show up the consequences of this unfortunate measure.

8.45 pm

The charities did not ask for this. The Government have claimed that charities will be protected, in the sense that they will benefit. To the extent that that intention is translated into fact, it will be necessary to judge the impact on charitable giving. The hon. Member for Stratford-on-Avon has done us a valuable service, although it will be very difficult to chart the impact charity by charity, as people change from putting something in the tin proffered at the underground station on behalf of guide dogs for the blind and instead buy lottery tickets from a kiosk. That this change will happen, however, is certain. I hope that the Government will respond positively to the amendment.

Mr. Peter Lloyd: I can well understand the concerns voiced by my hon. Friend the Member for Stratford-on-Avon (Mr. Howarth) and other hon. Members about the effect of the national lottery on voluntary organisations' incomes. Much of the debate inside and outside Parliament since the national lottery became a real prospect has centred on this.

[Mr. Peter Lloyd]

The evidence from abroad is inconclusive, but I believe that most people will go on giving to their preferred charities and taking part in their small lotteries, which the Bill includes major measures to encourage.

Nevertheless, I have a great deal of sympathy with the motives behind the amendments. I know that my hon. Friends the Members for Stratford-on-Avon and for Sutton and Cheam (Lady O. Maitland) have actively sought to protect the interests and incomes of charities in the new situation that the Bill will create. I applaud their objectives, although I do not think that they will be effectively advanced by adopting these amendments at this time.

In any survey it would be very difficult to separate beyond dispute the impact of the lottery from the effect of other factors, such as changes in the economic climate or in the voluntary sector. Although I did not agree with everything that the hon. Member for Caithness and Sutherland (Mr. Maclennan) had to say, his scepticism about how far research can dissect what has occurred is well placed.

I do not believe that a requirement to make a comprehensive assessment of the impact of the national lottery on every part of the voluntary sector every year, as the amendments would require, would be illuminating or a good use of resources. It would be quite expensive; there are 500,000 voluntary organisations. The charities board, however, will have to keep a sharp eye on all charities as it decides how best to distribute its share of the funds raised by the national lottery. It will soon learn of it if charities are experiencing a drop in their incomes, for charities will not be slow to let the board—and Ministers—know if they believe that they have lost out.

The Charities Aid Foundation also provides statistics which are illuminating—as far as they can go. My right hon. and learned Friend the Home Secretary will be able to set in train research when he judges that more information on a certain sector is needed. My hon. Friend the Under-Secretary said that he expects the issue to be considered by the House every Parliament so that the House can express its view on these matters.

I accept my hon. Friend's essential point that the Government and the House must continue to take an informed interest in how the charities succeed in living and hopefully prospering, with the national lottery. There are more flexible and useful ways to get the necessary information and to inquire into prima facie problems than the amendment would provide.

Additionality lies slightly outside the scope of the amendment, but it is important and was mentioned by the right hon. Member for Salford, East (Mr. Orme). The Government have given undertakings that lottery money will not be used as a substitute for public spending. The hon. Member for Caithness and Sutherland (Mr. Maclennan) opined some scepticism. As I have said, the hon. Gentleman was right to say that it was difficult to judge whether, ultimately, there has been substitution because public expenditure moves up and down and there are always complaints.

However, it would be difficult to see whether the movement had been affected in any way by the lottery. Suffice it to say that recipients of money from the lottery who felt that they had lost an equivalent or greater sum than that which they could have expected from the Treasury will not be slow to say so. There will be not a dearth of information but a surfeit and hon. Members, the Select Committee and others will have to make a fair and reasonable judgment upon it.

I am grateful to my hon. Friend the Member for Stratford-on-Avon for drawing our attention to this issue and for making it clear that it requires continuing attention. It will certainly have the Government's sustained interest and I am glad that the amendment has enabled me to put that on the record. The Home Secretary and I will seek to produce methods that will show useful known trends in charitable giving and the effect of different lotteries. However, I suspect that we shall rely much more on the resources of outside resource bodies, which will keep an eagle eye on what is happening.

Mr. Alan Howarth: I thank my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland), the right hon. Member for Salford, East (Mr. Orme), and the hon. Member for Caithness and Sutherland (Mr. Maclennan) for taking part in the debate. I do not agree with everything that the hon. Member for Caithness and Sutherland said in his lugubrious analysis, but he certainly underlined the importance of the lottery's impact on charitable giving and on other aspects of our national life.

I am grateful to the Minister for his recognition of the importance of the issue. I agree that it would be a technically difficult, extensive and demanding exercise to carry out the sort of systematic monitoring that I continue to think it is incumbent upon the Government and Parliament to find ways to carry out. I am grateful that he acknowledged that it is important to continue the search for ways to enable the Government and Parliament to follow closely and assess critically and intelligently the national lottery's impact.

The Minister used a phrase that gave me some encouragement because he suggested that it was not appropriate to legislate now. Perhaps the issue will be further examined in another place. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 5

Licensing of a body to run the National Lottery

Mr. Corbett: I beg to move amendment No. 101, in page 2, line 22, at end insert—

'( ) A licence under this section shall include a condition forbidding the licensee from making arrangements which seek to prohibit the sale of tickets in local or society lotteries in outlets authorised to offer for sale tickets for the national lottery and those lotteries forming part of it.'.

The amendment is designed to avoid what happened in Ireland, where, over a period, those who operate the national lottery have driven from outlets authorised to handle national lottery tickets those who sell society and local lottery tickets. The Government cannot want that to happen, so there should be no difficulty in accepting the amendment or its principle.

The Under-Secretary of State may say that this is a matter for the Director-General of the National Lottery, but it is too risky to leave to him or to the good sense of those who will eventually be licensed under clause 5 to operate the lottery. The retail outlets that will be authorised to sell lottery tickets are matters for the

commercial judgment of the lottery operators.

There must be ground rules, and the first, must be that exclusive arrangements which compel shopkeepers to get rid of local lottery and society tickets if they want to sell national lottery tickets are unfair and anti-competitive, and should not be tolerated. In a phrase that will doubtless appeal to the Under-Secretary and his hon. Friends, the decision should be left to the person running the retail outlet and his customers. It is for them to decide and decisions must not be imposed upon them by those who operate the lottery.

There is no reason at all why the national lottery operators should try to do that, because we are virtually agreed that, generally, the two sets of tickets are competing for different money, probably from different people. I am glad to see that the Under-Secretary of State nods. However, there is a suspicion that in circumstances where the national lottery is not doing as well as expected, the operator may feel that the best way to drive up custom is to bear down on shopkeepers and threaten that unless they stop selling all other forms of lottery tickets they will not be allowed to sell tickets for the national lottery.

Under competition policy, a shopkeeper, probably a customer and certainly a large retail chain would be able to take action. As the Under-Secretary knows, that is the case in Ireland and I suspect that it is a fairly long route. When local lottery and society tickets have disappeared from the shop counter, the shopkeeper may decide to acquiesce and agree to what is going on.

If the Minister feels unable to accept the amendment, perhaps he will acknowledge its principle and think about ways to try to ensure that this does not happen, so that retailers and customers can decide on the tickets they want to buy—none or both, one or the other.

Mr. Alan Howarth: I endorse the arguments of the hon. Member for Birmingham, Erdington (Mr. Corbett). It is important that we do what we can to ensure that the national lottery does not become a monopoly. We can guard against this by legislating to ensure equal opportunities for small lotteries in the marketing and distribution of tickets in the United Kingdom. As he said, in Ireland the national lottery reinforced its monopoly position by practices that severely restricted the sales of tickets for charity lotteries. We would do well to learn from the experience of Ireland, where the system is similar in many ways to the one that will exist here.

Within two years of the introduction of the national lottery in Ireland, sales of charity lottery tickets were reduced by 60 per cent. The reason was mainly a concentrated selling campaign by the national lottery and its insistence that sellers of national lottery tickets did not sell the tickets of any other lottery.

Mr. Key: I know all about that.

Mr. Howarth: I am glad to see my hon. Friend acknowledging the importance of that experience. I would expect him to be aware of it. It is important to state on the record now what has happened and the danger that we need to guard against.

The tactics went further, in that the best sales outlets of charity lotteries were specifically targeted to sell national lottery tickets. When a market for those tickets had been built up, the operators refused to supply further national lottery tickets unless the outlets stopped selling tickets for any other lottery. That resulted in the national lottery coming to control 98 per cent. of the market. An outcome along those lines would be a disaster to charities here.

I accept, as the hon. Member for Erdington said, that national and European legislation forbids such restrictive trade practices, but by the time that action can be taken under such legislation the damage will already have been done and it will be too late to save most small lotteries. The practices of the national lottery in Ireland were the subject of protests to the Office of Consumer Affairs and Fair Trade and a restrictive practices order was made in May 1990, but I am advised that those practices continue and that the problem has not altogether been resolved.

9 pm

Furthermore, another practice has been developed. The Irish national lottery sets much higher targets for retailers handling other lotteries and, if they miss their targets, they lose the agency, or the most lucrative part of it. That threat has worked and charities in Ireland have found it impossible to persuade shops and other outlets to take on their business. It is important that there should be specific provision in the Bill to prevent such an experience in Britain. Unless it is written into the Bill, small lotteries will be at a severe disadvantage and in danger of being forced out of business.

Mr. Bob Cryer (Bradford, South): I support the amendment. It is necessary to protect small lotteries as much as possible. I have here a letter from Bradford Northern rugby league football club. I am sure that the Minister will know that it has the best amphitheatre site in the north of England and probably in the country, but it has financial difficulties in maintaining the ground and the site. I will not go into the detail of the letter, because this is not the debate in which to do so, but it makes the point that small lotteries such as the one that it runs could be in difficulties as a result of the national lottery unless statutory protections are given, to enable it to run its lottery, as it does now, to provide income for the worthy cause of helping to maintain rugby league football at Bradford Northern.

The club says that, already, much of the Bill is designed to make life as difficult as possible for the small local lottery. It feels that some of the Bill's provisions are unnecessary. Therefore, a safeguard on the sale of tickets would be a useful protection for small lotteries. I am sure that the Minister does not want to see worthwhile ventures such as that pushed out of existence. If that occurs and the lotteries run by Bradford Northern are prejudiced, it will be a serious financial blow to them. Like most Bradfordians, and many others besides, I want rugby league football to be maintained in Bradford for many years to come.

Mr. Davidson: One issue has been concerning small lotteries, and I hope the Minister will address it. As he will be aware, in Committee we debated what should happen in the event of there being more than 52 Saturdays in a year. Has the Minister made an adjustment to the rules covering that? Another amendment deals with the matter, but I hope that he will take the opportunity to address it now.

Mr. Key: That last point is important. However, it is the subject of a different amendment, and it would be helpful if we dealt with it in its turn.

[Mr. Key]

The hon. Member for Bradford, South (Mr. Cryer) is right. We do not wish Bradford Northern or any other club to be prejudiced. That point was dealt with by my hon. Friend the Minister of State, Home Office and we will bear it in mind. It is also relevant to the clause, because it is a question of fair trading. I hope to reassure the hon. Member for Birmingham, Erdington (Mr. Corbett) that I concur with his instincts, and my hon. Friend the Member for Stratford-upon-Avon (Mr. Howarth) that we have learnt from the Irish experience.

The concerns behind the amendment, which are well taken, were addressed in Committee. It seeks to prevent those who deal in national lottery tickets from entering into exclusive deals with retailers that would preclude the selling of other lottery tickets. As I said in Committee, a contract that sought to hold a retailer to an exclusive deal would have the potential to be anti-competitive and would be open to scrutiny and challenge by United Kingdom competition authorities—principally the Office of Fair Trading—and by the European Commission. It would also come under scrutiny by the lottery's director general.

There would of course be nothing to stop an operator establishing its own shops or franchises dealing exclusively in national lottery products—that is a separate issue—but an operator would clearly be open to challenge if it entered into exclusive, anti-competitive deals with general retail outlets, as would pools companies or United Kingdom charity lotteries.

Although I agree with the principle behind the amendment, it is not necessary. I realise that it is based on fears expressed by charities as a result of practices in the Republic of Ireland, which were graphically described this evening, where the Irish national lottery marketed itself very aggressively against existing lotteries. It is made clear elsewhere in the Bill that such practices will be dissuaded. There is no intention to market the national lottery against existing lotteries.

The United Kingdom is not the Republic of Ireland. The economy and the market in which the national lottery and other lotteries operate in the two countries are significantly different in a number of ways. We have also had the benefit of observing what happened in the Republic of Ireland, and of course we recognise that such practices are undesirable.

Those who run small lotteries in this country will be quick to spot tell-tale signs of uncompetitive behaviour and it will need only a telephone call to Oflot's director general to alert him to the problem. I do not accept that that will be a long and bureaucratic procedure.

Mr. Cryer: That is the very point that concerns me. It might be helpful to have some indication in the Bill so that people do not become bogged down. If an exclusive trading agreement is reached which puts out a local lottery, and if several weeks elapse before any effective alteration can be made, the local lottery will be severely handicapped during that period. I suspect that the Minister wants to avoid that as much as I do.

Mr. Key: Yes, we both want to avoid that happening. I made the point earlier, in a different context, that we have more than a year to get this right. Precisely that sort of detail must be addressed by the lottery's director general. It would be against the operator's long-term interest, if it wants its contract to be renewed—because contracts are likely to run for only two or three years under clause 6—to enter into anti-competitive deals that would prejudice its future. I hope that I have reassured the House that the situation does not call for the amendment. When the director general is appointed, he or she will want to bear that aspect in mind, because it will be in no one's interests to damage club lotteries, large or small, or any other lotteries.

Mr. Corbett: The Under-Secretary of State has again demonstrated that he is not only or mainly the gas and gaiters that he may have inherited from his father. He has listened and demonstrated that he understands the anxieties voiced tonight and those of the organisations that properly expressed their concerns to us.

I am also grateful to the Minister for putting it on record that the lesson from the Irish experience has been learnt. I feel as satisfied as anybody can be that those who are thinking about applying for a licence under clause 5 will know that this has been said and that the director is likely to jump on them hard if they try it on. With the leave of the House, therefore, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Maclennan: I beg to move amendment No. 3, in page 3, line 8, after 'lotteries', insert

'other than lotteries using scratch-off instant tickets'.

If the Minister has paid great attention to the experience in Ireland, I hope that he will give a sympathetic hearing to amendment No. 3. Its intention is to deal with a problem that has been identified in Ireland in the working of the national lottery there.

The Irish National Lottery Company has used aggressive practices, as the Minister said when he replied to the previous debate, and has, apparently, put pressure on retailers not to sell competing charity scratch card tickets. Many retailers there no longer accept these tickets for sale, with the result that charities find it difficult to obtain good sales outlets.

It is fairly widely accepted that the main motivation of lottery operators in using instant win scratch card games is to drive charitable lotteries, particularly small ones, right out of the market. Evidence of that has been drawn to the attention of hon. Members by the National Council for Voluntary Organisations, in New Zealand and a number of other countries. We are not in entirely uncharted territory.

Scratch card tickets can account for as much as a quarter of the revenue of state lotteries abroad, so it is not an insignificant amount, particularly if it is transferred directly from charitable giving. That is why I move the amendment, which is intended to restrict the use of scratch card tickets in the national lottery. I do not doubt that the charitable sector will inevitably lose income from small lotteries as a result of the national lottery, but if we do not do something about instant win scratch cards in particular, its position will be substantially worse.

I need not delay the House unduly on an amendment whose purpose is widely understood.

Mr. Orme: This matter was raised by the Minister in Committee. He said:

"The operators will have to form a view as part of their overall marketing strategy. It may be reasonable not to have

instant gains, but we want to leave that up to them."—[*Official Report, Standing Committee A, 4 February 1993*; c. 74.]

I was astounded when I heard that the national lottery would allow scratch games to be played. I had assumed that the national lottery would be a weekly affair and that people would buy a ticket for it. Scratch cards are used by football clubs, charities and political parties and bring in a great deal of revenue. Scratch cards will, I believe, demean the national lottery.

The Government, I acknowledge, have gone a long way towards meeting the issues raised in many of the amendments and that they have met some of the anxieties that have been expressed. However, many of us still oppose in principle the establishment of a national lottery. However, it is our job to try to improve the Bill and to safeguard the charities which it will put in jeopardy.

The House will obviously approve the Bill, which will go to another place and receive Royal Assent. It will establish a national lottery, but we do not need scratch cards within that lottery, and I ask the Minister to acknowledge that.

9.15 pm

Mr. Graham: I agree entirely with my right hon. Friend the Member for Salford, East (Mr. Orme). Many organisations in my area, which work on behalf of people with mental handicaps or for football clubs or the scout organisation, rely on charitable ventures and use scratch cards, domino cards and spot-the-ball games. The Minister should not allow the national lottery to stray into scratch card territory. Scratch cards are like an instant lottery, and political parties use them all the time. My idea of a national lottery is something like that which operates in Spain, for example. If we allow the national lottery to use scratch cards, we shall be adversely affecting charities, sports clubs and other organisations which the Minister would like to help.

Most of the instant scratch cards are sold by guys in pubs and clubs—Labour has had some success in that way—and usually cost 10p or 25p. I plead with the Minister not to allow the wee clubs to be harmed, although I fear that the national lottery will clearly affect those which raise their own funds. I hope that he will take steps to ensure that they can still earn their dough through the scratch card.

Mr. Key: There are many lotteries in life, one of which is up and running and doing well at the moment—I gather that England was 2:1 up at half time and that Wales drew 1:1 in Prague. However, the lottery with which we are dealing is not yet up and running, but I want it to be up and running and to be a huge success.

If there is any misapprehension about the nature of the national lottery, let me dispel it. It will consist of more than one game. Different types of game will be licensed under clause 6. The issue of scratch cards, which was raised at length in Committee and again this evening, is important. National lotteries worldwide are a mixture of longer-term draw games and instant games. At the birth of this new enterprise—raising money for good causes—we should not shackle it with primary legislation ruling out an entire important category of lottery.

Instant games are an important source of income in the majority of national and state lotteries. Instant lotteries operate in all the states of America in which lotteries are run and contribute about 26 per cent. of overall turnover. In other countries, the contribution made by this type of game can be as high as 40 per cent.

Mr. Graham *rose*——

Mr. Key: I shall give way in a moment, but I must make a little progress.

The impact of outlawing instant games as part of the national lottery could therefore lead to the loss of many millions of pounds for good causes, including charities, and may call into question the very viability of a national lottery.

Mr. Graham *rose*——

Mr. Key: I promise that I am coming to the hon. Gentleman's point about local charities. If I do not, I shall of course allow him to intervene.

The Bill does not designate particular games for the national lottery. Such legislation could soon become outdated and would place burdensome restrictions on the director general and the operators. Each individual game will require a clause 6 licence from the director general, who will be able to examine in detail the proposed workings of a game. Games should not be accepted or rejected at this stage by rules set in stone a full year before the lottery even begins running.

I am aware that the promoters of some society and charity lotteries are worried that the national lottery will provide them with direct competition backed by a higher market profile. However, as we have argued for some hours, the national lottery will be an entirely different proposition from charity lotteries.

No one will be in any doubt about the distinction. The lottery will not be marketed in the same way as charity lotteries. I expect that, within reasonable limits, marketing decisions will be taken independently of Government. Evidence submitted by respondents to the White Paper, and other contributions that have been made over the past few months, have suggested that the fun, winning images of national or state lotteries are by far the stronger in promotional terms. The motivation is what matters, and the motivation for buying charity or club lottery tickets is very different. Charity and sports club lotteries are played by people who, for the most part, identify with the cause that they are supporting. I am sure that we shall continue to purchase lottery tickets and raffle tickets for local good causes and other causes dear to our hearts.

Part III makes further provision for charity and society lotteries, raising the existing limits on turnover and on prizes and improving their ability to continue to raise funds. Motivation is what the hon. Gentleman was concerned about, and I believe that people will continue to support their local football clubs, local charities and other clubs, in addition to any fun that they may derive from buying national lottery tickets.

I know that some hon. Members are concerned that instant lotteries may be addictive. It is impossible to state categorically that no one will find a certain form of game addictive, but our intention is clear: the director general will not license games structured or marketed in such a way as to heighten the aspects of a lottery which most appeal to the gambler. If at any stage such tactics appear to be a problem, the Secretary of State can use the powers in clause 11 to direct that certain types of game should be ruled out altogether. However, to rule out every sort of

[Mr. Key]

instant game at this early stage could in effect ensure that the national lottery was a failure, so I hope that right hon. and hon. Members will join me in opposing the amendment.

Mr. Maclennan: This has been a short debate, but I hope that it will not be considered unimportant. I realise that the Minister, who has shown good temper and patience throughout the proceedings, would no doubt like to canter quickly through the latter part of the process.

Mr. Key *indicated dissent.*

Mr. Maclennan: I am delighted that the Minister is still so enthusiastic about his job.

I do not wish to press the amendment to a Division, and I hope that the debate will be noticed in another place so that the matter can be raised again.

I do not think that the Minister's answer to the debate, and especially to the right hon. Member for Salford, East (Mr. Orme), was wholly adequate. He sought to make comparisons with the United States, and did not deal with the example of Ireland at all. The position in the United States is simply not comparable. The whole ethos of charitable giving in the United States is made entirely different by the tax structure in that country, which positively induces people to give money to charities and other good causes. In this country people are not drawn to give in the same way, because there is no obvious benefit in doing so. In the United States there is far less reliance on the scratch card technique of fund raising.

Mr. Graham: I am sure that the hon. Gentleman heard the Minister say that scratch cards may be used and that the quick money makes roughly 26 per cent., so there will only be that opportunity to make all that money. In that case, why do the Government not take control of all types of gambling in which instant money can be made? It goes against the grain if we are to punish organisations that use instant scratch cards, and the Government will not allow them to carry on, so that the charity organisations will lose again unless they get money from other sources.

Mr. Maclennan: I have no doubt that the hon. Gentleman is right. My point about the United States is that lotteries relying on scratch cards there do not have the adverse effect on charities that they will have in this country where charities rely on scratch cards to a far greater extent. There are different tax incentives for private giving in the United States.

I find it notable that the Minister failed to address the Irish example. In Ireland, there has been a charted decline in charitable giving which the Irish attribute in no small measure to the use of instant-win scratch cards. I do not wish to repeat the arguments that have been well made by others in this debate. However, I wish to signal clearly to the Minister that the matter will be returned to in another place.

I acknowledge that none of us can predict with certainty what the outcome of the Bill will be. He and I are both in the dark to some extent. However, when so many charitable organisations whose very existence is at stake take a certain view, we as a legislature are obliged to give them heed.

Mr. Robert Banks (Harrogate): I support what my hon. Friend the Minister has said tonight.

The hon. Member for Caithness and Sutherland (Mr. Maclennan) referred to scratch cards in the United States. Is he aware that scratch cards printed in this country cannot be imported into the United States? Does he agree that it would be highly undesirable for tickets printed in the United States to be imported into this country for the purposes of the national lottery?

Mr. Maclennan: I did not know that. I am grateful for the hon. Gentleman's support. On first blush, I think that the hon. Gentleman must be right. I hope that that point is also borne in mind by the Minister.

Scratch cards are a major issue. The Minister illustrated their significance when he said that, if the lottery was not able to use that technique, it could make or break the lottery. By the same token, if it makes or breaks some of our major charities, it will have a damaging effect which can be no part of the Government's purpose. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 7

LICENCES UNDER SECTIONS 5 AND 6:

FURTHER PROVISIONS

Amendments made: No. 27, in page 3, line 41, leave out 'and' and insert 'including'.

No. 28, in page 3, line 42, leave out 'documentary form' and insert 'writing'.—*[Mr. Robert G. Hughes.]*

Clause 12

REGULATIONS AS TO THE PROMOTION OF LOTTERIES

Mr. Pendry: I beg to move amendment No. 23, in page 5, line 36, at end insert—

'( ) the use which may be made in advertising and promotion of reference to charitable causes which may be likely to receive moneys from lottery proceeds;'.

The purpose of the amendment is to ensure that the regulation-making powers of the Secretary of State include specifically the possibility of the imposition of requirements or restrictions on the use of images or other materials derived from the charity sector in the advertising or promotion of the national lottery. The Secretary of State gave an assurance on Second Reading that the national lottery would be marketed as a lottery and not as a charitable enterprise. That assurance can only be welcomed. However, I am glad that the Secretary of State is in his place because I want to point out to him that his statements relating to the issue appear to be contradictory.

The Secretary of State said that the lottery—*[Interruption.]* The rugby crowd are in. The Secretary of State said that the lottery would attract those interested in having a flutter who would also contribute to a good cause. He thus appeared to acknowledge that the good cause element would encourage more people to participate in the lottery. That was confirmed—I am sure that the Secretary of State is all ears as I proceed with the argument—by the findings of the NOP survey commissioned by the National Council for Voluntary Organisations. Some 24 per cent. of those questioned said that their main reason for purchasing national lottery tickets would be to make a

donation to a good cause. That research clearly shows that the term "good causes" is identified in the public mind with charities.

9.30 pm

There is a potential danger, therefore, that, unless there exist specific controls on the ways in which the lottery may be promoted, it will be promoted using captions and images that are likely to mislead the public. The NOP research shows—and other research studies confirm these findings—that projects that meet people's urgent needs, such as those assisting the elderly and the disabled, are more popular causes than sports, arts or heritage. The lottery operators may therefore be tempted to use images of charitable organisations in their advertising material.

Lottery operators could, for example, use to a disproportionate degree in their promotional material images of famine relief work undertaken by organisations such as Oxfam or the work of organisations such as Help the Aged, recognising that images of starving children or isolated elderly people will be more likely to encourage people to buy tickets than images of sports stadiums or restored monuments.

Although the Minister gave an undertaking in Committee that the amount of stake money available for good causes would be included on the ticket, that will not rule out lottery advertising of a nature that encourages the public to slide into the assumption that a greater proportion of lottery proceeds than is actually the case will be passed on to good causes, and to charities in particular. If that happens, it will have a serious effect on charitable donation incomes, as people will feel that they have given to a charity when they buy a lottery ticket and will therefore be less inclined to give directly to charity.

There is also the issue of the sort of images of charity work that are used in advertising material. A number of charities have made efforts to ensure that their work is presented to the public in a way that does not patronise or offend the groups of people for whom they are working. It will be important that those promoting the lottery obtain the advice of charities on how to present their work and develop good practice. That is especially important, as the advertising budget for the national lottery is likely to rival that of some of our largest corporations.

The Minister may respond by saying that our anxieties are unnecessary because the Advertising Standards Authority would be able to address such problems if they arose. The ASA has a responsibility to monitor advertisements and investigate complaints if advertising material is not legal, decent, honest or truthful. We are arguing not that the lottery promoter will make unfair claims about what proportion of the lottery proceeds will go to good causes but that lottery promotion may be of a nature that encourages the public to believe that charities will benefit more from the lottery that is actually the case. That is more intangible and difficult to monitor than the making of false claims.

Although the ASA would have a role in monitoring and responding to anxieties that lottery advertising implied exaggerated claims, we should prefer the Government to give a commitment to prepare and consult on regulations imposing restrictions on the use of charities in lottery promotion material. On the issue of the presentation of charitable work in lottery advertising, the ASA would provide some, but not sufficient, protection.

The ASA responds to complaints that advertising has caused grave or widespread offence. Therefore, it would only offer protection in some of the more extreme cases to charities anxious about how their work was being presented to the public. Although we appreciate the good work of the ASA, we consider it vital that the Government introduce specific regulations covering the way in which the lottery uses good causes in its promotional material.

The question of lottery advertising is important to charities, as I am sure the Minister will agree. The way in which the lottery is promoted will directly affect the income of the voluntary sector and will also have an impact on the public's perception of the work of charities. I therefore hope that the Government will be prepared to accept the amendment and, in consultation with the charities, to consider further the restrictions that should be placed on the use of charities in lottery promotional material.

Mr. Alan Howarth: I have a great deal of sympathy with the objectives of the hon. Member for Stalybridge and Hyde (Mr. Pendry) in moving the amendment, but I fear that considerable problems of definition and practicality will be involved in the achievement of that objective. I wonder whether the right way to achieve such restraints on detrimental advertising is not through contracts with operators rather than through the Bill.

As my hon. Friend the Minister considers the amendment, I invite him to reflect on the desirability of taking steps to ensure that the national lottery cannot advertise in terms that are effectively disparaging of small charities' lotteries. That will be very important in relation to scratch cards where the competition will be intense.

The national lottery will have available to it the saturating power of large-scale advertising backed by very big money. It is extremely important that the lottery should not abuse that position by suggesting to members of the public that they can win only peanuts if they buy a ticket in a charity lottery, while they can win a massive jackpot in the national lottery. I hope that my hon. Friend the Minister will consider that point.

Mr. Cryer: It would be a good idea to incorporate the provisions in the amendment into the Bill. The power for the Secretary of State is not mandatory, it is permissive. Clause 12(1) states that the

"Secretary of State may by regulations make such provision",

and clause 12(2) states:

"Such regulations may in particular impose requirements or restrictions".

The Bill does not state that the Secretary of State shall impose the restrictions. The power is permissive. It is all very well for Ministers and others to talk about the existing provisons for curbing false and misleading advertising, but it takes time to implement those provisions.

If the Secretary of State is given a permissive power on the face of the Bill, he can say that if the national lottery pursues particular practices as it promotes itself which are detrimental to small lotteries, such as the lottery promoted by Bradford rugby league club at Odsal stadium, the Secretary of State can say that he will introduce regulations fairly quickly. As the Minister is aware, regulations can be introduced very rapidly.

The regulations to which I am referring relate to the negative procedure. They can be stopped only if they are

[Mr. Cryer]

prayed against or if a revocation motion is made subsequently. The power is in the Secretary of State's hands. Knowing the object and aim of our debates, the Minister can bear our comments in mind and, if he sees abuse of the sort described tonight, he will feel bound to introduce regulations, and that will probably be sufficient to stop the abuse and exploitation which would militate against the good causes for which many local lotteries already seek to provide.

As has often been said, the national lottery will be disruptive. The national lottery will be new on the scene and it will cause many difficulties for local lotteries and for existing organisations such as the pools promoters. If that is so, the Government have a duty to provide protection for small lotteries. The amendment offers a means of incorporating that protection on the face of the Bill.

It would be extraordinary if the Minister were to reject the opportunity to have reserve powers which may never be used. If the Minister is right, they might never be used. However, if he is wrong, the powers will be contained in the legislation ready for him to operate and so end any difficulties that might occur.

Mr. Key: I believe that this is the first occasion that I have heard the hon. Member for Bradford, South (Mr. Cryer) urging a Minister to take a permissive power to himself. My initial reaction is that there must be something wrong here. I will have to resist the temptation to accept the amendment.

However, not for the first time, the hon. Member for Stalybridge and Hyde (Mr. Pendry) has made an important contribution to the debate. I detect that his thinking on the advertising and promotion of the national lottery has moved on since the Committee stage, as has ours. We have made progress in the past five or six weeks. We have talked to a good many people about the issue, because it is clearly very important.

My hon. Friend the Member for Stratford-on-Avon is right: the establishment of a national lottery should not denigrate smaller lotteries, nor should such a lottery seek to market itself in a way that detracts from the success of local or charitable lotteries. One way of safeguarding against that is to market the national lottery with its own logo, thus making it clear to purchasers of tickets that they are entering that lottery.

The hon. Member for Stalybridge and Hyde is right to say that we should consult the charities, and other beneficiaries of the lottery, about the most appropriate way of promoting their causes. However, it is clear from the experience of successful lotteries in other countries that productive marketing depends on a number of factors—in particular, the fun of participation and the prospect of winning. The benefit gained by a good cause is a non-specific seondary effect, which serves as a non-specific reinforcement but is not a principal stimulus that can be exploited as a marketing tool.

That is why the national lottery will be clearly differentiated from lotteries whose whole purpose is to raise money for specific causes. Such lotteries have the advantage of benefiting specific causes, which encourages people to participate; if they are sensible, they will capitalise on that when the national lottery is introduced.

If a lottery operator chose to market itself primarily on the basis of the good causes that it helped, it would have great difficulty finding an effective focus, given the wide variety of causes that would benefit. Such a campaign might lead to considerable under-performance by the lottery and the director general would then become interested in what a cursory look at lotteries abroad would suggest was an inept strategy.

I am reluctant to accept the amendment. It is too specific and not in keeping with the broad enabling thrust of the Bill. However, I am grateful to the hon. Member for Stalybridge and Hyde for his important contribution to the debate. We have now reached a stage in dealing with the details of the Bill which means that we have time to get it right and we shall consider the hon. Gentleman's proposals over the next year.

We shall bear in mind the problem that the hon. Gentleman has outlined. I hope that he will not press the amendment; I believe that we can achieve his objective in a better way.

Mr. Pendry: As I am sure the Minister would expect, I found his reply rather disappointing. However, I believe that the issue is likely to be raised in the other place; I also take on board the Minister's assurance that the position will be monitored over the next year. He can rest assured that we shall do the same.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 20

APPORTIONMENT OF MONEY IN DISTRIBUTION FUND

Amendment made: No. 29, in page 9, line 16, at end insert 'and held in the Distribution Fund for that purpose'. —*[Mr. Key.]*

Mr. Pendry: I beg to move amendment No. 90, in page 9, line 18, leave out '20' and insert '25'.

Madam Speaker: I understand that it is convenient to discuss also the following amendments: No. 91, in page 9, line 20, leave out '20' and insert '25'.

No. 92, in page 9, line 22, leave out '20' and insert '25'.

No. 93, in page 9, line 24, leave out '20' and insert '25'.

No. 94, in page 9, line 24, leave out from 'expenditure' to end of line 26.

No 95, in page 9, line 24, at end insert—

'(4) Until the year 2000, of each allocation specified in section 20, 5 per cent. shall be spent on projects approved by the Millennium Commission established under section 36 to mark the year 2000 and the beginning of the third millennium.'.

Mr. Pendry: I must say that, from the beginning, I have had difficulty with the concept of the millennium fund. According to the White Paper "A National Lottery: Raising Money for Good Causes", published last March, national lottery proceeds would benefit

"arts, sport, heritage and charities".

It was last year's Conservative party manifesto that introduced the fifth beneficiary, the millennium fund. How does the manifesto describe the purpose of the fund? It says that it will be used for projects to

"commemorate the start of the twenty first century and will be enjoyed by future generations."

I consider that a pretty vague and unsatisfactory description of the aim of a fund that will receive 20 per cent. of net proceeds. We hoped that the Minister would further clarify the Government's thinking on the fund in

response to probing in Committee. However, after the Committee stage, we are left with no clear idea of how eligibility for the fund might be determined.

9.45 pm

The Conservative party manifesto last year provided a list of undoubtedly worthy projects which could receive millennium fund money. They include restoring historic buildings, improving amenities of canals and rivers and bursary schemes for volunteers. However, that list makes me more dubious than ever about the worth of establishing a separate millennium fund with separate bureaucracy to administer it.

All the projects that I mentioned would surely be eligible for funding as the main beneficiaries of the lottery —arts, sport, heritage and charities. So why set up a separate and expensive bureaucracy funded from the lottery proceeds, thus reducing the total amount available for good causes, to make decisions better made by the four specialist distribution bodies?

One of the only projects mentioned in the Conservative manifesto which would not be eligible for funding for the arts, sport, heritage and charities is an international trade fair. I shall deal with another one in a moment. I know that industry in Britain is in the grip of recession, but does the Minister really believe that an international trade fair is a good cause which should be funded from lottery revenues?

The list of projects set out in the manifesto also gives rise to a more important query. I address this point to the Secretary of State. The manifesto suggested that the Manchester bid for the Olympics could receive funding. Yet that is a scheme in the pipeline and not, in our view, one which should be eligible for public support. How can the Government claim that they want to safeguard the additionality of lottery funds and then announce that a project such as the Manchester bid for the Olympics could be funded from lottery proceeds?

Opposition Members are as anxious as anyone to see the Manchester Olympic bid succeed. I have a sports portfolio and a Greater Manchester constituency, so I am as anxious as anyone to see it succeed. But the funding should be provided by the Government. They secured a high profile by acclaiming Manchester's previous unsuccessful bid when the games went to Atlanta. Chris Patten, the then Secretary of State for the Environment, gave an assurance that adequate public funding would be made available if Manchester's bid was successful. That should be the case with the current bid.

More importantly, in the context of the Bill, the Government's suggestion that the Manchester bid could receive national lottery funding highlights the Government's inconsistency on additionality. The Government's position in the Second Reading debate was clearly stated by the Secretary of State. He said:

"I am excited by the potential of the millenium fund. It offers a scope for making real improvements to the face of the United Kingdom. Because it will be funded out of a new income stream, which will not count as public expenditure, the projects that we will be able to take forward will be additional to those already planned and in prospect. This will apply to the private sector as well as the public sector, for I envisage that the main large-scale projects will involve funding partnerships with the private sector."—[*Official Report*, 25 January 1993; Vol. 217, c. 728.]

The Opposition concur with those remarks.

However, it would appear that Ministers, including the Secretary of State and the Prime Minister no less, are not ruling out funding from the millenium fund some of the planned projects already submitted to the International Olympic Committee in the official bid document. Clearly, that is a breach of the Government's stated aim on additionality spelt out by the Secretary of State on Second Reading. I have here documents on some of the plans that are already in the pipeline. Therefore, I ask the Minister to deal with that specific and important point.

The Bill creates three new bodies—Oflot, the National Lottery Charities Board and the Millennium Commission. We acknowledge the need for a lottery regulator and for a new board to distribute funding to charities, as recommended by both the National Council for Voluntary Organisations and the Association of Charitable Foundations in reports on the distribution of lottery proceeds.

We do not object to setting of the Millennium Commission to assist in decision-making. However, we object to the creation of an unnecessarily large bureaucracy. As the Bill is currently drafted, the Millennium Commission will employ staff who will take decisions on projects which may be considered by the other four distributory bodies—the Arts Council, the Sports Council, the National Heritage Memorial Fund and the National Lottery Charities Board.

May not the Minister be setting up a body which simply duplicates the work of those institutions in relation to lottery funding? Has he also considered that a further difficulty will arise because staff of the commission will not have the same expert knowledge as those employed by those institutions necessary to decide what counts as a good arts or sport project? A project could meet whatever criteria are set by the commission to receive funding, but I am at a loss if I try to speculate on just what specific criteria might be set for millennium projects. Experts in a particular sector may still consider that such projects are not of sufficient quality to be funded.

The Opposition are not killjoys. We like the idea of grants to celebrate something, even something as nebulous as the start of the next millennium. Therefore, we do not oppose the idea of the Millennium Commission, which would approve millennium project applications. We believe that it would be prudent, however, if those funding decisions were made in partnership with the specialist bodies that distribute the lottery money to the arts, sport, heritage and charities. We believe that the millennium fund should be excluded from the Bill and that the allocations to the arts, sport, heritage and charities should be increased from 20 to 25 per cent. of net proceeds.

We believe that 5 per cent. of each beneficiary allocation should be ring-fenced for millennium fund projects. Each distributory body would submit a programme or projects to the Millennium Commission, which would approve the spending of that ring-fenced 5 per cent.

Would it not give the Minister a warm glow to be able to increase the amount that will go direct to charities and other good causes at so little cost to himself? He must be only too well aware that, with a taxation rate of 12 per cent. on lottery proceeds, lottery beneficiaries are disappointed about their share. Who knows what that percentage will be after the first year of operation?

If the Minister were to accept the principle of the amendments, which represent a sensible modification to the Bill, it would increase the amount of money going direct to the distributive bodies for the arts, sport, heritage

and charities. That would be partial compensation for them for the fact that they must pay a higher level of taxation.

The proposal would mean minimal staff costs for the commission and would therefore mean that more money was in the fund to be distributed to good causes. It would also mean that the decision taken would be more likely to be sound, since projects would be referred to the commission by experts in a particular sector.

When we discussed this issue in Committee, the Minister suggested that the system proposed would result in the creation of more bureaucracy and that those seeking millennium funds would need to go, cap in hand, to eight bodies. That reveals a lack of understanding of what we are proposing. Our suggestion would result in a reduction in bureaucracy. It would mean that organisations in the arts, sport, heritage and charities would apply to one body responsible for funding rather than to two.

The Minister raised a further difficulty about the distributive bodies being restricted as to the areas of activity that could be funded through millennium resources. It was suggested that the proposal would make it more difficult to make imaginative decisions. If that is so, surely there are other ways round it than through the creation of a large bureaucracy.

I hope that the Minister will think again about the millennium projects about to be funded and will look closely at the constructive approach offered by the amendment.

Mr. Alan Howarth: I do not agree with the Opposition proposal that the millennium fund should no longer be one of the beneficiaries of the money raised through the national lottery. I believe in the millennium fund and I believe that it will be possible to do some exciting, important things as a result of it which would not otherwise be done. I am sure that we should resist the amendment.

We are faced with a problem, however, because I am concerned that too small a proportion of the resources of the lottery will go to good causes. After all, the object of that lottery is, overridingly, to benefit such good causes.

If one breaks down the call on the proceeds, it appears that my right hon. Friend the Chancellor intends to take 12 per cent. in tax; the Government have said that they expect 50 per cent. to go on prizes and my hon. Friend the Minister has said that he expects administrative and operational costs to range between 8 and 18 per cent.—an average of 13 per cent. That leaves only about 25 per cent. of the turnover of the lottery for good causes.

That must be divided five ways if the millennium fund is to remain among the beneficiaries. That in turn means that only 5 per cent. of the turnover of the lottery will go to charities and in most people's perception, "good causes" means charities. It is, sadly, a small proportion for good causes and particularly for charities. Then we must take into account the displacement of charitable giving which we are apprehensive that the national lottery will induce, and we are all aware that additionality is not quite cast-iron.

My hon. Friend is the Minister of pastime and pleasure and I have no desire to be a killjoy, but I find it difficult to see how the Government can justify diversion of money within our society on this enormous scale, with all this immense activity and the profits of the operators, unless a higher proportion of the money involved goes to good causes. A year ago, the White Paper suggested that one third of the money from the lottery would go to good causes.

The Labour party proposes to address this problem by cutting out the millennium fund. I do not agree with that. There are two other ways which we could consider and which would be preferable. We could look at prizes. I understand the need to have substantial prizes—if we do not have them, the whole soufflé may collapse—but we face a dilemma. Huge prizes will increase the likelihood that charitable giving will be displaced. I am unhappy about that, because, instead of people giving 100 per cent. of their donation to charity, they will buy a lottery ticket and, at the end of the process, only 5 per cent. will go to the charity. In that sense, it is a very poor deal for charities.

What I hope my right hon. and hon. Friends will be prepared to reconsider is the question of rollover. If we are to have rollover, as the Government seem determined we should, we will be looking at rollover jackpot prizes of the order of £20 million. I have seen persuasive calculations to suggest that that will be so; it could well be more. In Ireland, the average spend per head on the lottery is £72. In the United States it is $110, which is almost exactly the same. If we assume a greater native caution in this country and contemplate the possibility that expenditure will be £50 per head, the computations indicate that rollover jackpots could be as large as £40 million.

I ask my right hon. and hon. Friends to think very carefully about what they would be doing in creating such a situation. The lure of such great prizes may provoke people's fantasies and they may flock to buy tickets, but a considerable number of our compatriots may say that there is something rather indecent about prizes on this scale and about huge sums of money being gambled in a scheme not only authorised but created by the Government. They may look at the pockets of poverty that remain in our society, even after all the enormous social progress achieved by the Government, and at the other problems in society, and ask whether it is right that such huge sums should be absorbed in a national lottery.

It is my belief that the scale of pools prizes has in the past been enough and that the national lottery could prosper sufficiently on the basis of smaller prizes and without rollover. My hon. Friend the Minister earlier in the evening said emphatically that this is not the United States of America. Quite so. We need not emulate the United States in this respect. We do not need the $118 million jackpot that the state lottery of California has created or the $106 million jackpot of Florida. The national lottery here is overridingly for good causes, and I should be happy to see a smaller proportion of its turnover go on prizes and more on good causes.

I appreciate that prizes must be attractive, but we should not overdo it. I would be happy to contemplate a smaller turnover and a higher proportion of that turnover going to good causes, if that were necessary. The object should be not to maximise the total take of the lottery, but to maximise the amount that goes to good causes. So I ask my hon. Friend to reconsider the question of rollover.

We could use another angle of attack to deal with the problem that the amendment seeks to tackle: how to increase the proportion that goes to good causes. We can look at the tax treatment of the lottery. I suggest the Minister encourage the Chancellor to adjust his approach to taxing winnings instead of what he proposes to do.

It being Ten o'clock, the debate stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 14 (Exempted business),

That, at this day's sitting, the National Lottery etc. Bill may be proceeded with, though opposed, until any hour.—*[Mr. Robert G. Hughes.]*

Question agreed to.

As amended (in the Standing Committee), again considered.

Question again proposed, That the amendment be made.

Mr. Howarth: In the United States of America, the tax on winnings is often as high as 30 per cent. The public there seem to accept that, even though the culture does not favour high taxes. In his Budget speech, the Chancellor sought to justify the 12 per cent. rate on the basis that it would compensate the Treasury for income lost on account of the national lottery.

I was surprised by this proposition and I should be interested to know my right hon. Friend's evidence for it. It would be helpful if he revealed it. Surely the national lottery will generate additional revenue for the Exchequer, especially downstream tax revenues based on construction activity and a host of other activities that will be generated —even administrative and operational activities associated with the lottery will yield resources for the Exchequer: income tax paid by national lottery employees, VAT on purchases and so on.

I therefore anticipate that the revenue that the Chancellor will receive, generated by the lottery, will be significantly more than the 12 per cent. figure that he gave us. He will probably take in tax from the national lottery three or four times the amount that will go to charities.

Public expenditure is no doubt a good cause, at least in nearly every instance, but I submit that the public may take it amiss if they begin to perceive the national lottery as disguised extra taxation. The real good causes should not be an obscure residual, the poor relations to the Exchequer in the competititon for funds from the lottery. Ultimately, society's evaluation of the national lottery and the Government's policies in this regard will be based on its effect on good causes.

If Ministers are not prepared to write into the Bill the commitment that I have sought in an unselected amendment, that 35 per cent. of the turnover from the lottery should go to good causes, will they at least undertake to write that into the contract with the operator? Although I oppose the Opposition amendment, which would remove the millennium fund from the ranks of the beneficiaries, as a means of ensuring that enough can go to charities, the arts, sport and heritage, I ask Ministers to look again at this problem.

Mr. Andrew Hargreaves: I am pleased to follow my hon. Friend the Member for Stratford-on-Avon (Mr. Howarth) on this issue. He has said, in much the same vein as many of his colleagues in the Committee said, that it is desirable to try to ensure that between 30 and 35 per cent. of the total take goes to good causes. We discussed this subject at some length in Committee, so it is not worth detaining the House further, except to say that I am confident that the Minister has realised that Conservative as well as Opposition Members want a larger take for good causes.

I would only ask the Minister to assure the hon. Member for Stalybridge and Hyde (Mr. Pendry) that the very purpose of the arm's-length commission for the millennium fund is to ensure its independence. I oppose the amendment.

Mr. Key: I am grateful to my hon. Friend the Member for Birmingham, Hall Green (Mr. Hargreaves) for his contribution. The Millennium Commission is an arm's-length organisation and I am glad that my hon. Friend has drawn attention to that. I should like to think carefully about the wide-ranging speech by my hon. Friend the Member for Stratford-on-Avon (Mr. Howarth). However, I can say at once that I shall have to disappoint him in terms of writing a 35 per cent. figure into any contract, let alone into the Bill. My hon. Friend the Minister of State, Home Office has said that the Government will produce proposals on rollover. They will be considered in another place.

The hon. Member for Stalybridge and Hyde (Mr. Pendry) asked me to address the issue of Manchester's bid for the Olympics. The Millennium Commission is an independent body and will make its own decisions in the light of the quality of the applications it receives. There is no possibility of the Government allocating any money for a specific project, whether a facility for the Manchester Olympics or anything else. Legitimate applications for funding from the Millennium Commission will be judged by the commission, on which Ministers would be in a small minority. The hon. Member for Stalybride and Hyde will recall that I conceded that in Committee.

A substantial amount of public money is already committed to Manchester's bid. When Manchester wins —hon. Members representing Manchester constituencies are in no doubt about that—there will be substantially more money. Perhaps one of the special or one-off projects for the Manchester games in the year 2000 would be appropriate for an application. It will not be in my gift to say whether it will succeed. The arguments in Committee about additionality and the Manchester games were thorough and I have nothing to add to them.

The amendments seek fundamentally to alter a key provision in the Bill to establish a commission to mark the beginning of the third millennium and the year 2000. Far from having a rosy cheek if I accepted the amendment, I would undoubtedly have a blush of shame at deserting an important national lottery objective, which is to find an appropriate way to mark the new millennium for the nation.

The Bill as drafted establishes an independent commission, appointed by the Queen and free to make its own decisions on spending from a discrete pot of money that will form 20 per cent. of the lottery proceeds until the end of the year 2000. There is provision to extend the amount of time during which money will flow into the funds in order to allow funding to continue for projects that overrun. This is clearly prudent and it is not, I hasten to add, an invitation to profligacy. I am sure that hon. Members will agree that a half-finished millennium project which no funding could be found to finish would be regarded less as a memorial to the achievements of the previous millennium than a monument to folly and the short-sightedness of the House.

I have been at pains to point out that the United Kingdom national lottery and the benefits accruing from it should be set in the context of a vision of improved

[Mr. Key]

quality of life for the whole nation. The amendments seek to blinker some of that vision and to change the character of the Millennium Commission and of the Bill as a whole.

The provisions are also impractical. We envisage that millennium projects should consist of a small number of large projects and a larger number of small projects, which might be of local significance, as well as bursaries, which might be for people from particular walks of life to undertake work within the United Kingdom on projects that will enhance their contribution to the community on its completion. However, exactly how the money is used will be a matter for the commissioners themselves. They will take a bold, forward-looking approach to their task, and it is important that they they have discretion in this area.

I have already said that they will fund a small number of large projects. They need access to reasonably large funds to do this, and a reasonably free canvas on which to work. Going cap in hand to eight or more bodies for money to spend and being constrained over areas to work within will not make for imaginative decision making. If the bodies were tardy in releasing funds, a mechanism to require them to do so would be necessary. There might be a need for appeal machinery and so on. We should be creating a bureaucratic framework for what is a simple process, already effectively provided for in the Bill as drafted.

I regret that I cannot agree to the amendments. They are outside the spirit and vision of the Bill and would fundamentally alter its purpose. I am not willing to accede to that.

Mr. Pendry: That was a disappointing reply. My hon. Friends have told me that the Minister was saying no. He missed the point about what the Secretary of State said on Second Reading on the Manchester Olympics bid, which was that no lottery money would go into the planned projects. That will not be the case. The matter will run and run—but not now, as it is obvious that the House wishes to make progress. Therefore, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Corbett: I beg to move amendment No. 102, in page 9, line 19, at end insert 'including films,'.

Mr. Deputy Speaker: With this it will be convenient also to discuss the following amendments: No. 119, in page 9, line 19, at end insert—

'including films, for which purpose monies shall be allocated to the British Film Institute and the National Film Corporation.'.

No. 120, in page 9, line 25, leave out '20' and insert '5'.

No. 121, in page 9, line 26, at end insert;

'and

(f) 15 per cent. shall be allocated for expenditure for the purposes of film, to be divided between the British Film Institute and a body established for the purpose of assisting British film production and approved by the Secretary of State under directions provided in section 21.'.

No. 104, in page 9, line 28, clause 21, after 'arts', insert 'and film'.

No. 193, in page 9, line 29, leave out '97.2' and insert '82.2'.

No. 103, in page 9, line 30, after 'Britain', insert 'who shall distribute such proportion as they think appropriate for the purposes of film'.

No. 122, in page 9, line 30, after 'Britain', insert 'who shall distribute such proportion as they think appropriate for the purpoues of film between the British Film Institute and the National Film Corporation'.

No. 198, in page 9, line 30, after 'Britain', insert 'who shall distribute not less than 15 per cent. for the purposes of film to the British Film Institute'.

No. 194, in page 9, line 30, after 'Britain', insert—

'(aa) as to 15 per cent. for distribution by a sub-committee of the Arts Council of Great Britain, for expenditure on or connected with film, and'.

Mr. Corbett: The amendments bring us to the British film industry. The House will recall that we could hear the cheers down Whitehall when the Secretary of State expressed his delight at the six Oscars that British entries took at last month's awards and then claimed that that demonstrated that Britain was "a centre of excellence" for cinema film production. It is true that we have excellent writers, producers and directors, but they work mainly for foreign earnings in foreign lands. The film industry is in crisis.

Mr. Key: Nonsense.

Mr. Corbett: I hope that the Under-Secretary will listen to the facts behind that assertion.

Last year, just one big feature film, "City of Joy", was made here. As to the Oscars, most of the cash for "Howards End" and "The Crying Game" came from abroad, with British contributions limited to welcome slices from Channel 4. There is nothing the matter with that. I am not complaining. I am asserting that we do not do enough to ensure that more films are made in Britain, whether by British producers, writers and directors or anyone else. Fewer and fewer genuinely British films are being made by the cinema. Only 15 cinema films were made last year by British production companies. Some 59 films were shot, but most were low-budget, partly financed by television and consequently with limited cinema potential.

As Derek Malcolm, the distinguished film correspondent of *The Guardian* commented after the Oscar awards:

"If we do well"—

that is, the British film industry—

"the government suggests that we don't need assistance. If we don't, the government complains that we hardly deserve support."

That is about the length of it.

Although we welcome the round of talks about the future of the film industry on which the Secretary of State has embarked, we want that talking followed by action. As my right hon. and learned Friend the Leader of the Opposition told the Prime Minister:

"our film industry could be even more successful if it received the same backing and support from Government as do its competitors in other countries".

By that, he meant capital allowances and tax breaks that many, if not most, other European countries offer to those making films.

The Prime Minister's response was somewhat mean-spirited. He said:

"Once again, the right hon. and learned Gentleman equates real encouragement with the spending in subsidy of taxpayers' money".—[*Official Report*, 30 March 1993; Vol. 122, c. 152.]

No one is asking for subsidy in that sense. Alongside what the Government decide separately to do, the amendments are designed to ensure that our film industry, especially its

independent sector in production, distribution and exhibition, gets a proper share of the cash available for the arts from the national lottery.

When that matter was debated, the Under-Secretary of State said that a special Arts Council committee, including film industry representatives, would be established to deal with the allocation of money from the lottery. He undertook to reconsider the arrangements for distribution to film but alas, despite talks with the British Film Institute and other bodies, no changes were proposed.

10.15 pm

The present arrangements are not believed to be sufficient. The Arts Council remit on film, as the Under-Secretary of State well knows, is very narrow and confined to activities relating to avant garde films and documentaries about artists. Of course those have their place, but the arrangements do not begin to address the problem confronting the British film industry. In any event, the Arts Council is far detached from the industry.

The BFI argues that there is a need to assess how the development of film and video should proceed across the whole country and to back that with lottery distribution. It adds:

"If the present proposal is maintained, we fear that film will continue to be treated as the poor relation within the national funding system."

The amendments seek, on behalf of the BFI, to establish a separate film committee of the Arts Council's lottery committee, so that people with expertise and knowledge of the industry can help direct where lottery moneys can best be spent to support it. That sub-committee should examine applications for funding relating to film and video and make recommendations to the Arts Council's main lottery committee. The Minister will be aware that such an arrangement does not fully meet the film industry's wishes, but it does go with the grain of the Bill.

I hope that the Government feel able to accept the spirit of the amendments, if not to the letter, and will agree that such an arrangement can be sensibly considered and made in the year before the lottery comes into force. That would give another signal to the industry that the Government do more than talk and generally want to act to help the British film industry.

Mr. Cryer: I shall concentrate my remarks on amendments Nos. 119 to 122 and 198, which I tabled and which fall into two categories, and declare my interest as a governor of the British Film Institute. Although I am very pleased to hold that office, I hasten to add that I receive no remuneration—I just have the pleasure of taking part in the work of the most important body in the country working for the preservation and promotion of the visual arts.

Being the Member of Parliament for Bradford, South, I represent the city that is the home of the National Museum of Photography, Film and Television, which is extremely successful. A new cinema, Picturedrome, also opened there recently—and that cannot have happened in many cities. Picturedrome is promoted by the museum and has become a centre of interest and importance for film and television.

As a matter of historical interest, the major office of what used to be Gaumont British was centred in Bradford. It was promoted by the Ostrer brothers, who were very big in the wool industry as the owners of a firm called Isaac Holden (Saltaire) Ltd. As one of them was a socialist, he offered the whole Gaumont British film circuit and the Gaumont British film studios to Ramsay MacDonald's Labour Government, who told him firmly that they did not think that Governments should have anything to do with film production. We have come a long way since then. The Ostrer brothers developed that great circuit from their offices in Bradford. I want to persuade the Minister that the Government should have something to do with promoting film archive work, protection work and representation of the industry work and with the production of films.

My amendments provide for a reduction in the Millennium Commission's funds and for the allocation of money to film—to be divided between the British Film Institute and a national film corporation. They also provide for money to be provided directly to the BFI from the sections allocated to the arts. An allocation percentage is provided for. I point that out so that the Minister will have plenty of alternatives on which to draw when making the sympathetic reply that I know he will wish to make.

It is important to emphasise that this money is not designed to be a substitute for existing grant aid on which the BFI exists. Therefore, I draw the Minister's attention to the purpose for which this money for the BFI, if supplemented, could be used. At the Elstree studios near Borehamwood, film archives for the old Associated British Picture Corporation were established. When the old ABP studios were sold off to Cannon, Cannon sold off the film archives—the visual treasures of our nation's history, going back to the 1890s—to an American company, the Wasserman Organisation.

Elstree studios were sold off by Cannon, and some of the ground area has been converted into a supermarket. The result is that the film archives are being transferred elsewhere. The BFI wanted to buy those precious film archives, for they represent living history, answered in a way that has never been possible before. Those precious assets belong to our nation. Although it made an effort, the BFI did not have sufficient money, from its existing grant, to purchase those precious millions of feet of film and preserve them for the nation, although that is the very purpose for which the Department of National Heritage is designed. When archive material of that nature becomes available in future, lottery money could be used to obtain it. However, those archives have been sold off to a French firm, Le Studio Canal.

If film archives were considered to be works of art, an export licence would be required if somebody wanted to export that material, but no export licence is required to export film. Many great British films are regarded by everybody as works of art. It is the most popular form of artistic culture that we have ever achieved. It reaches more people than any other art form. It combines all the arts into one medium which, at its best, can be the most powerful medium that humanity has known, yet those millions of feet have simply gone outside our control. The allocation of lottery money to the BFI could be used for that important purpose.

Let us take another example—the archives at Berkhamsted, where precious film which has been purchased, allocated or donated to the British Film Institute is carefully preserved. As the House is no doubt aware, though, until the mid-1950s film was developed on cellulose nitrate stock. Cellulose nitrate stock is fragile. It has the extraordinary and very disturbing property of

[Mr. Cryer]

being self-combustible at certain stages of degeneration. If, therefore, films are to be preserved, they have to be transferred to cellulose acetate stock, which is not subject to that degenerating process and is permanent.

The problem is that the transfer process is costly and is being undertaken by the BFI from its existing funds. We hope that the annual allocation by the Arts Council to the BFI will be a fixed percentage, if the Minister agrees, so that the BFI can calculate what sort of programme it can undertake and the transfer programme can be undertaken with money which is not part of the BFI's existing grant. That would mean that, if there were any serious deterioration in the nitrate stock, the stock could be transferred much more rapidly. I mention that as an example of what the BFI and other bodies could undertake if there were an allocation of funds from the lottery beyond their grant aid, which would give them more certainty for the future.

I know that it is late; the Minister should not frown about that, because the Government should have realised that such important legislation would be subject to scrutiny on Report. It is right and proper that the House should spend some time on this examination.

My hon. Friend the Member for Birmingham, Erdington (Mr. Corbett) mentioned film production. Some of my amendments would allow for an allocation to an organisation developed for the promotion of British film production and to the BFI, or to the BFI alone. The British Screen Advisory Council sent me a proposal for film production which, in essence, involves the development of a national film corporation. It was only a proposal, so the amendments provide for the creation of a body that could be authorised by the Secretary of State to allocate money. The amendments are highly flexible, which means that the Minister has a number of choices.

Film production is very important. The United States has two major exports. Aerospace items are first on the list and film and television programmes are second. They create revenue but also a cascade effect for a range of products. If British films are selling well abroad, the likelihood is that British aerospace items, British textiles and British engineering will benefit from their success. If the films are seen by millions of people—they will be if they are successful—they can establish a benchmark of excellence. That is what has happened in the United States because of the success of its manufacturing technology. It is not a question of production for production's sake—it is a matter of our national presence in the rest of the world.

We have the advantage of speaking English. The American market is the biggest English-speaking market in the world. It is worth bearing it in mind that this country has unsurpassed standards of technical excellence. That is why Steven Spielberg produced so many films here before the erosion of the capital allowances reduced the American presence in this country.

Spielberg attended a meeting in the House and I asked him whether it was true that, despite the fact that America has a great history of making classic films which we have all had the pleasure of enjoying, the standards of technical excellence in this country were as good as or, in many cases, better than those in the United States. Spielberg answered that it was true: the standards of technical excellence in this country are better because of our system of apprenticeship and the gradation of age. Older, more experienced people can pass on knowledge to younger people in the industry. If we have no British film industry and no British film production—we are already reaching that stage—the reservoir of knowledge and expertise will be eroded.

In 1991 there were 59 feature films, in 1992 there were 42, and as for this year, *Screen Finance*, produced by the *Financial Times* on 24 March 1993, said:

"Just four films involving British production companies and intended for a theatrical release are likely to have gone before the cameras by the end of the first quarter of 1993, according to information collected by *Screen Finance*. The figure, which includes three co-productions, is six fewer than in the comparable period in 1992 and five fewer than in the first three months of 1991".

So the prospect is not hopeful.

10.30 pm

The British Screen Advisory Council suggests that, especially in view of an increase in cinema admissions in this country from the low of 53 million in 1984 to more than 100 million in 1992, a national film corporation should be established on the basis of the successful period of the firm EMI, in which it had a pre-selling arrangement with the United States for five successful major feature films—"The Deer hunter", "Death on the Nile", "Convoy", "Warlords of Atlantis" and "The Driver". Only when EMI began to promote its own films in the United States did it pursue a disastrous production course, and it then lost about £90 million.

The company's earlier success was achieved on a basic budget of $9 million, which produced a gross profit of about $24 million for EMI, irrespective of the additional profit for the United States. That is the basis proposed by the British Screen Advisory Council, but that sort of money is needed to start things off.

A criticism of the EMI programme is that it could be argued that, apart from "Death on the Nile", the films involved were much closer to the United States than to indigenous British life and did not reflect our aims, culture and ambitions—which they should have done. However, on the back of successful co-productions, we could have smaller productions that reflected our way of life—films such as "Gregory's Girl", which was made for £350,000 10 years or so ago, and took more than £2 million.

My amendments cover such a proposal, and I hope that the Minister will respond sympathetically because, as a result of various failures which I do not have the time to enumerate—Goldcrest was a symbol of over-expenditure and financial failure, as subsequently was EMI, as I have just explained—the film industry now has a proposal for a potential success, but only if it receives help from the Government through the lottery. The Minister may say that that is not the Government's policy, but other nations in the English-speaking world are providing the help that has supplied the basis for export success. We have only to consider Australia to realise that its film production industry has been successful because of a basis of central and state government help.

I hope that the Minister will consider my proposal sympathetically. We must bear in mind the fact that, as he has repeated several times, he is considering the whole period of 12 months over which the lottery will be brought into operation. Proposals such as mine could be incorporated into the legislation so that we could both give the British Film Institute the extra money with which it

could do so much to preserve our film and cinema heritage and enable British film production to get off the ground again—I must tell the Minister that it is on its knees at the moment.

Sir Anthony Durant (Reading, West): As the other governor of the British Film Institute, from the Government side, I should like to contribute to this short debate.

There is no doubt that there are concerns in the film industry about the lottery and the way in which it is being handled. When the Government were returned at the general election, the industry welcomed the policy of having one Department to look after it. That was a great step forward, for which the industry had pressed for years. It was fed up with being handled partly by the Department of Trade and Industry, partly by the Education Department and partly by the Home Office. Being looked after by three Departments made it difficult for the industry to get its cause before the Government, so it welcomes as a great step forward the fact that there was to be only one Department.

The film industry has also welcomed the discussions that it is having with the Secretary of State. However, it feels that, because the Minister is suggesting that the money will go through the Arts Council, it will be sidestepped and will not have the opportunity to put its own case and to get its own money. The British Film Institute does not have great confidence that the Arts Council really looks after it. The institute feels that the Arts Council does not entirely understand films. Why not have a specialist committee to distribute money to the film industry? I urge the Minister to consider that point again.

The film industry remains a mixture of an art form, an entertainment medium, an educator and a big business. It is the art form—the cultural form—about which we are talking principally tonight. We need a greater British input to highlight our national heritage and culture. We make very good films when we are given the opportunity, and they do very well. However, the opportunities to make such films are diminishing. Distribution is one of the difficulties we face, although that is a side issue in this debate.

We should put more money from the lottery towards the film industry by the methods that the hon. Member for Bradford, South (Mr. Cryer) has mentioned to the BFI. I urge the Department to talk to the Treasury. The classification of film as a capital item some years ago revived the British film industry. It really got going, but then the scheme was stopped. It was a wonderful opportunity. An opportunity was created for people to invest money in the film industry, which is the key to it all, and it got the film industry going again.

We could use some of the lottery money on the Children's Film Foundation. It is a tragedy that the television companies do not make films for children, but only children's programmes. The foundation has done a remarkable job over the years in making very suitable films for children, especially for the Saturday morning matinees. That is a positive, educational and constructive area into which we could put some of the lottery money. I urge the Department to look again at the proposals for the film industry and at the way in which the money is distributed.

Mr. Key: I am grateful to my hon. Friend the Member for Reading, West (Sir A. Durant) for his contribution, and to the hon. Member for Bradford, South (Mr. Cryer). My hon. Friend raised some important and interesting issues. I shall consider the question of the Children's Film Foundation and learn about its contribution. It is clearly a matter of great concern to my hon. Friend.

My hon. Friend asked why we could not have a sub-committee for film. In a nutshell, the answer is that, if we had a sub-committee for film, we should have to have a sub-committee for every other branch of the arts. That would be wasteful and would not address the problem of how best to provide a fair distribution of resources within the 20 per cent. category for the arts as a whole. I take the point that the world of film feels that the Arts Council does not love it. That notion has been around for a long while. I do not intend to comment on the substance or otherwise of it. Nevertheless, it is a perception that we cannot ignore. I shall explain how we shall seek to address that point.

The hon. Member for Bradford, South made a very helpful contribution, and I am grateful to him for raising what he described as right and proper concerns even at this hour. I take on board what he says about Elstree. I recall my visit to Pinewood not so long ago, when I met a number of the interests there. I was, as ever, impressed by the capability and competence of our production centres. I include in the same breath Shepperton, which still makes a remarkable contribution and is very much part of our heritage. It is well represented by its Member of Parliament, my right hon. Friend the Member for Chertsey and Walton (Sir G. Pattie), who is here tonight.

The hon. Member for Bradford, South also drew attention to the interesting ideas in the amendment. We shall think about them. I am grateful for the hon. Gentleman's various suggestions.

I shall disappoint the House by not accepting wholesale —[HON. MEMBERS: "Or retail."] or, indeed, retail—the amendments on offer tonight, and I shall seek to explain why. I shall also seek to explain why I am prepared to listen and to work during the next 12 months to ensure that we get the answers right.

My right hon. Friend the Secretary of State has initiated a new round of discussions with the film industry. We have already had the first session, and we shall have another tomorrow, and a number are planned for the coming weeks. We are very much in listening mode and have specifically asked the film producers—and will ask the industry more widely—to think for themselves and then to share with us thoughts about the ways in which we might legitimately make progress on the issue of the national lottery.

I am well aware of the importance of the United Kingdom film industry; that goes without saying. I enjoy as much as anyone else taking my family to the cinema, and I know that my right hon. Friend the Secretary of State recently went to a cinema in my constituency to see an excellent British film. I am very proud of what the industry has been able to achieve. Although Oscars do not mean everything, those awarded recently mark the success of the United Kingdom film industry, which has been very significant of late. As the House knows, we support the film industry in a number of ways.

In the Bill, we have chosen to use one body—the Arts Council—to distribute lottery money to the arts. We are quite clear that the arts include film and crafts. We decided that it would not be practical to use a specific film sub-committee, because if we did that for film, we would have to do it for every other sector of the arts: there is no

[Mr. Key]

reason why we should not multiply the number of distribution bodies in other sectors to follow that argument. In effect, we would be opening the floodgates, and I do not think that that would be an effective way to proceed.

Under clause 24, we will direct the Arts Council to take into account the need to fund film and craft applications and we will generally direct the Arts Council and other distribution bodies that, if they do not have specific expertise in a particular area, they should seek it from a relevant expert body—unless, of course, that expert body is the one applying for the funding.

In considering applications for lottery funding, the Arts Council proposes to use a special lottery committee which will have on it at least one member with expertise on film and one with expertise on crafts. Those members will call on the advice of many expert bodies, such as—but not exclusively—the British Film Institute, to help them to make their decisions. We think that that provides a very flexible framework within which film stands to benefit a great deal from lottery proceeds.

I fully accept the spirit of amendments Nos. 102 to 104, although I hope to reassure the House that they are unnecessary. The Arts Council charter makes it clear that the council can fund film. I have said that, under clause 24, we will direct that it should fund applications from the film and craft sectors. In its annual report on how it has distributed the lottery proceeds, the council will have to publish the directions and demonstrate achievement against those directions. If film is not being given a fair share, it will be quite clear to the House.

On a practical level, it is now up to the Arts Council and the interested bodies to work together to find the best way to develop the film element. There is a read-across to other areas: the Sports Council will clearly be able to fund football and hockey from its lottery allocation, but we do not need—nor do we want—to specify that in the Bill.

Co-operation and a willingness to work constructively and with enthusiasm for the task are the key, as is an ability to use imagination and to regard the lottery money as a new source of funding that should be considered in a new way. Organisations, whether in the film world or in other areas, should not look to lottery funds as a means of financing long-cherished grant strategies or as a source of core funding. The intention of the lottery is to develop projects that are developed from the ground, not dictated as part of some grant plan. That is why I was especially grateful for the practical suggestions made by the hon. Member for Bradford, South.

The House should remember that, once the Bill is passed, the Arts Council and film representatives will have a year or so to get things right and to work out a suitable system to enable film to benefit to its maximum potential.

I cannot accept amendments Nos. 119 to 122, as they bring into play two additional bodies, including one which does not at the moment exist. The British Film Institute is very important and that is why we choose to allocate to it £15 million a year. However, it is only one player in the varied world of film and to name a particular body in the world of film in respect of the amendment would, to say the least, be a source of contention.

The BFI has a clear opportunity to work with the Arts Council and to discover the best way to distribute money for film within the framework offered by the Bill. The amendments also suggest removing most of the allocation of lottery proceeds from the Millennium Commission and giving them to film outside the arts allocation. I cannot accept that. The Millennium Commission is an intrinsic part of the Bill and film will clearly receive funding from the arts element.

10.45 pm

The amendment specifically mentions film production. The Bill does not rule out the possibility of funding film production. The exact use to which lottery money should be put will be for the distribution body to establish with the expert bodies in the film world. At the Secretary of State's first meeting on film last week, we specifically asked the film producers to work out ideas on how they believe lottery money might reasonably be applied. That will be of great assistance to the Arts Council, which will, in any case, consult widely about how money for film should be distributed.

We have an open mind and believe that the provisions in the Bill provide a wide canvas to create an excellent distribution mechanism that will work to the best advantage of film. I hope that I can persuade hon. Members not to press the amendment. I hope that I have been able to reassure them that we understand the problems of the film industry and that we will understand them better after we have completed our round of consultation.

As the Minister responsible for film, I will of course be paying the usual visit to the Cannes film festival. I expect no tears about that. It will be an extremely hectic and short weekend and I am warned that there will be no time for fun. Later in the year I will visit Paris and Berlin with David Puttnam to learn more about their industries. I will go with him so that I get the proper perspective.

I hasten to add that, following the examples of the French and the Germans, who have particular problems in having lesser used languages, does not necessarily mean that we would wish to emulate exactly what they do. Film producers have repeatedly stressed to us that they are not simply coming with a begging bowl looking for subsidy. They have a sophisticated and precise range of requests to which we are listening.

I have described a distribution mechanism that we have constructed which I believe will deliver to film and crafts a fair share of lottery proceeds.

Mr. Corbett: With the leave of the House, I would like to reply.

This has been a helpful and useful debate with some extremely informed contributions from my hon. Friend the Member for Bradford, South (Mr. Cryer) and the hon. Member for Reading, West (Sir A. Durant) with their great interest in the film industry.

The Minister's remarks are helpful, as they were designed to be, not least perhaps to the Arts Council, which will know that the film industry expects more than a nodding acquaintance in the distribution of lottery moneys under its auspices. The Minister is right to say that in no sense should the film industry look to lottery funds to take on the bulk of whatever may be decided as a result of the Secretary of State's consultations with the film industry and the propositions that it makes about how the Government may better help the industry. I understand that important distinction.

On the back of the Oscar awards, it does not help to say that they mark the success of the British film industry. The most that can be claimed is that they mark the success and excellence of a number of individuals in the British film industry which collectively is, and should be, more important than that. I am not knocking the contribution that those individuals and their colleagues made in the winning of Oscars, but that is no substitute for us having a properly based and organised British film industry.

The consultations in which the right hon. Gentleman is engaging with all branches of the industry prompts us all to ask whether we really want a British film industry. As my hon. Friend the Member for Bradford, South demonstrated—I know that he could have said a great deal more—it is not simply a question of what the British film industry can do in terms of our own popular culture, important though that is; it is a question of our ability to do what we have done so successfully in the past through the medium of film. Those films—many sadly, made in black and white—said so much about the Britain of that period. In a sense, they represent a sort of visual BBC World Service—but we should also see films as many of our European partners do: as a source of revenue for the industry and the country.

The debate has been worth while, and I thank the Minister for what he has said. I am sure that he appreciates that this is not the last that we shall hear of the matter, but I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Pendry: I beg to move amendment No. 14, in clause 20 page 9, line 21, at end insert

'of which some proportion shall be allocated for expenditure on or in connection with football'.

Mr. Deputy Speaker: With this we may take amendment No. 15, in clause 21, page 9, line 35, at end insert

'who shall distribute such proportion as they think appropriate to the Footbal Trust'.

Mr. Pendry: Rather than speaking to the amendments, I had hoped to be returning from Wembley after cheering on our national side. I had to give the tickets back; I hope that someone will shout out the score before I finish speaking.

The amendments go to the heart of a vital issue. We must ensure that, in introducing a national lottery, we safeguard the interests of football in this country. I hope that the Minister shares my view that football has particular needs which must be taken into account: it is our national game, and it is an important part of the fabric of many people's lives.

Happily, the game is thriving at all levels, from the very top of the professional game down to junior boys' and —in these enlightened times—girls' teams. Football has no parallel in terms of the extent and depth of participation; and, of course, no sport has such spectator appeal. The huge following that the game attracts represents a special dimension when we consider the needs of the sport.

It is right for the Government, and all of us, to take every possible step to ensure that our football grounds are safe. Clubs must meet the requirements laid down by Lord Justice Taylor in his report following the Hillsborough disaster of 1989, and ensure that spectators enjoy the standards of safety and comfort that they have every right to expect. I have no quarrel with any of that, but we must recognise that football faces a huge task in converting grounds to all-seated accommodation, and—in the lower divisions of the Football League and in Scotland—ensuring that any retained standing terracing is safe.

A great deal of ground development work has still to be done, and football faces an enormous bill in completing it —probably as much as £400 million in the years ahead. The traditional source of funds for football—indeed, until the recent television agreements, virtually the only source —has been the football pools. That is one of the main reasons why all my hon. Friends—and, I suggest, many Conservative Members as well—are so insistent that there must be fair competition between the pools and the national lottery. The lottery gives us the chance to do more for football, and that is the purpose of these amendments.

How can the funds best be channelled into the game? That is no easy task, as the Minister recognises. The needs and resources of clubs vary enormously. Clubs at the grass roots need basic facilities like pitches and changing rooms; as we move up the leagues, the requirements become greater. Certifying authorities are rightly concerned about safety and crowd control; that concern is reflected at the lower levels of the league as well as at the top. Many conference and feeder league clubs need to undertake major ground redevelopment work for safety reasons and to meet league requirements.

Fortunately, we have the Football Trust, a body vastly experienced in the complex matter of grant aid in football. I am sure that we are all aware of the crucially important work carried out by the trust. It provides essential help to football clubs from the top level to the grass roots of the game throughout the country. It has provided more than £150 million in grant aid to football at all levels since it started life as the Football Grounds Improvement Trust in 1975.

In 1990, the Government reduced pool betting duty by 2·5 per cent. on the understanding that the funds produced —some £20 million a year for each of the five years for which the agreement with the Government runs—would be used to help clubs to meet the requirements of the Taylor report.

The Government chose the trust as the vehicle for channelling much-needed support into the game. The Opposition fully understood why that decision was made. The trust has a long history of distributing grant aid money. It has tackled its priority task of helping clubs to implement Taylor. It has particularly helped clubs in the premier league and first division of the Football League to convert their grounds to all-seated accommodation. That has been a great success.

Grants totalling more than £63 million have been made to major ground redevelopment works, costing some £235 million. All that has been achieved with the interests of efficiency, cost-effectiveness and accountability firmly in mind. The trust has proven procedures in place involving professional surveyors and accountants designed to ensure the proper appraisal of clubs' plans. It has an annual budget of more than £36 million and a staff of only nine. Its administration overheads account for less than 2 per cent. of its income.

I have seen a letter, as I am sure the Minister has, from Sir Peter Yarranton, the chairman of the Sports Council, to Lord Aberdare, the chairman of the Football Trust, in which he acknowledges the position of the trust in channelling funds to football clubs. He says in his letter: "the Football Trust is clearly the appropriate organisation to continue its excellent and highly regarded work in this sector.

[Mr. Pendry]

I envisage that the Sports Council for England, Scotland, Wales and Northern Ireland would each wish to devote a significant share of their lottery revenues to annual allocation of the Football Trust, taking full advantage of your well tested methods of appraisal and allocation."

I quote that letter because it describes perfectly the sensible position that the Opposition wish to reach. I look forward to the Minister's commendation of it.

The Government have said that once they are satisfied that the football leagues and clubs are playing their full part in meeting the cost of ground redevelopment work from their own resources, they will extend the life of the reduction in pool betting duty for a further five years from 1995, to match the Taylor timetable. Football has already demonstrated that it is taking its responsibilities seriously and providing a reasonable part of the cost of redeveloping grounds from its own resources. I hope that football and the trust will not have to wait much longer for confirmation that the life of the betting duty concession is to be extended.

The point of the amendment is to say to the Minister that the Sports Council does not have a relationship with professional football and needs the assistance of a football trust and people with expertise to channel the moneys into the proper quarter.

Someone has told me that the score is England 2 Holland 2. I say that for the benefit of the Minister, but he knows already. I hope that the Minister accepts that we need a professional body linked with the Sports Council which can channel the money effectively to ensure that our football grounds are safe in line with Lord Justice Taylor's report. *[Interruption.]* I hope that the hon. Member for Derbyshire, West (Mr. McLoughlin), who is a Derby County supporter, agrees with me.

Mr. Key: I believe that we all agree about the importance of football as our national sport. In the past week, the saga of Gazza's knee has been a source of great concern to many people in England. The capacity crowd at Wembley has carried the burden of anxiety for many people tonight as England played Holland and drew, 2-2.

Other national teams of the countries of the United Kingdom were facing similar challenges tonight. Scottish hearts were turned to Portugal; Scotland, I fear, went down 5-0; the hopes of Wales were set on the Czech Republic, where the team drew; 1-1 while Northern Irish eyes were directed to Spain, where, unfortunately, their team went down 3-1.

Mr. David Hinchliffe (Wakefield): Can we have the rugby league results as well?

11 pm

Mr. Key: Later.

The prospect of all four nations being represented at the world cup in the United States next year is rather a faint one at the moment.

I understand the intention behind the amendment, but I am reluctant to agree to it. It would have many undesirable consequences. For example, to single out professional football for special treatment might be highly contentious—some hon. Members in the Chamber might agree—and could be detrimental to other sports.

The argument against singling out one potential beneficiary in the Bill was put when we discussed the film industry. I do not accept that, as a result of the lottery, the pools will suffer and so the income of the Football Trust will fall. I do not accept that, given competent management, the pools should suffer as a result of the national lottery. The changes already made to the pools regime places it in a far better competitive position than it has ever occupied. It would not be surprising if the pools increased its current turnover.

The income for the Football Trust comes partly from the 2·5 per cent. pools betting duty, contributed by the Treasury, and a contribution from the spot-the-ball competition organised by that happy band of Littlewoods, Vernons and Zetters. That is a proper contribution to the game, without which that band's competition could not exist.

It would not be right to name the Football Trust as a beneficiary in the Bill, but we are determined that football should be able to benefit from the lottery. It has been suggested that, as the Sports Council has not funded football hitherto, it will not do so in the future. That is not so.

How football clubs use their programme money is dictated by a set of priorities according to the level of resources available. Those clubs will, of course, be able to apply for funds from the lottery and it will give them far greater sums to use, according to applications received. Applications by that sport will be judged, genuinely, on their merits. The Football Trust will also continue to carry out its valuable work. That means that the sport will be in an extremely good position.

The amendment is unnecessary. We have no doubt that those connected with football will be able to apply for funds and that the Sports Council will do its duty. I hope, therefore, that the hon. Member for Stalybridge and Hyde (Mr. Pendry) will not press his amendment to a vote.

Mr. Pendry: With the leave of the House, I wish to reply.

The Minister has missed the point completely. In Committee, I asked him if he would endeavour to build a bridge between football and the Sports Council and he said that he would. I had expected him to give a much more positive response tonight.

I support the Sports Council, but its staff do not have the necessary expertise to do the jobs that football requires to be done as a result of Government legislation, no less. The sport therefore needs a much more positive response from the Minister. I hope that he will reflect on the matter.

I shall not press the amendment to a vote, but I should like to visit the Minister, if he will receive me, to put the case more clearly, if I did not do so tonight, because he has missed the point. I shall then try to offer him a better explanation of our argument. At this stage, however, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

National Lottery etc, Bill

Clause 21

THE DISTRIBUTING BODIES

Amendments made: No. 30, in page 9, line 27, leave out 'in' and insert 'paid into'.

No. 31, in page 9, line 28, at end insert 'in the Distribution Fund'.

No. 32, in page 9, line 33, leave out 'in' and insert 'paid into'.

No. 33, in page 9, line 34, at end insert 'in the Distribution Fund'.

No. 34, in page 9, line 42, leave out 'in' and insert 'paid into'.

No. 35, in page 9, line 43, after 'held' insert 'in the Distribution Fund'.

No. 36, in page 10, line 1, leave out 'in' and insert 'paid into'.

No. 37, in page 10, line 2, after 'held' insert 'in the Distribution Fund'.

No. 38, in page 10, line 4, leave out 'in' and insert 'paid into'.

No. 39, in page 10, line 6, after 'held' insert 'in the Distribution Fund'.—*[Mr. Brooke.]*

Clause 23

APPLICATION OF MONEY BY DISTRIBUTING BODIES

Mr. Key: I beg to move amendment No. 40, in page 10, line 12, leave out from 'body' to 'for' in line 13 and insert 'shall distribute any money paid to it under section 22'.

Mr. Deputy Speaker (Mr. Michael Morris): With this it will be convenient to discuss the following: Government amendments Nos. 41 and 42.

Amendment No. 11, inclause 24, page 10, leave out lines 33 to 35.

Government amendments Nos. 43 to 47.

Amendment No. 22, in clause 24, page 10, line 45, at end insert—

'(4A) The Secretary of State shall, before making directions under subsection (1) and (3), consult the parties concerned and publish reasons for the making of such directions.'.

Mr. Key: I understand that my hon. Friend the Member for Stratford-on-Avon may wish to speak to his amendments Nos. 11 and 22, which are grouped with amendment No. 40. That is certainly acceptable to me, if, Mr. Deputy Speaker, it is acceptable to you.

On Second Reading my right hon. Friend made it clear that we were considering how the drafting of parts of clause 24 might be changed. In Committee I undertook to table amendments which would take account of some of the concerns expressed to us. The first change that we propose—amendment No. 42—would change the contents of directions which I might give to the distributing bodies. The original draft of the Bill would give the Secretary of State the power to direct bodies as to the purposes for which the money might be distributed or applied and adds the conditions which must be satisfied before money is distributed or applied.

We have listened carefully to the concerns of potential beneficiaries and of disinterested parties that, under these powers, a Secretary of State might be unnecessarily prescriptive. It is certainly not the intention to be so, but I understand that the original drafting gave cause for concern and that the distributing bodies might be presented with either a shopping list which they would be required to fund or with a long list of proscribed projects.

We propose, therefore, to replace the current subsection (1) of the clause with the one now on the amendment paper. This new subsection will enable the Secretary of State only to direct the bodies on matters which must be taken into account in distribution decisions. With this amendment there is no scope for the Secretary of State effectively to take the distribution decision himself. However, he will be able to set broad criteria for applications, for example, that capital projects should be favoured where possible—this might not be appropriate in the case of the Charities Board—or that partnership funding arrangements are to be preferred.

Amendment No. 45 specifically extends the scope of directions to the National Heritage Memorial Fund so that the NHMF must comply with them when applying money. This takes account of the fact that the NHMF has the power to apply money on its own behalf, to purchase objects or buildings of importance to the national heritage and to hold these for a transitional period.

Amendment No. 47 requires the Secretary of State to consult a distributing body before giving any direction to it. This is to ensure that directions cannot be made which are unworkable or without the views of the body concerned being taken into consideration and it reflects the undertaking that I gave to the Standing Committee.

In amendment No. 47 we accept the principle behind the first part of amendment No. 22. It is desirable that the issuing of directions should be informed by the experience and opinions of the distributors. I cannot, however, accept the second part of amendment No. 22 because the Secretary of State may not refuse to account for decisions taken in the fulfilment of his duties. But to require the reasons for every decision to be published would place on the Department the duty to produce documents which, to a great extent, would not be of interest to anyone save the distributors themselves.

During the consultation process, before a direction is issued, the distributors will be made aware of the intentions behind each direction. If a direction appears to be based on unreasonable grounds, the Secretary of State can be asked by Parliament to account for his decision. I hope, therefore, that hon. Members will agree that amendment No. 22 is not necessary.

I cannot accept amendment No. 11. Our purpose in drafting subsection (2) was to ensure that the distributing bodies did not act in a way that might give rise to conflicts of interest. A conflict of interest would arise if a distributor made grants to a body which it owned or wholly sponsored, or whose members were all appointed by the distributor, or whose membership was conterminous with that of the distributor. It is vital that the Secretary of State should be able to make it clear that certain categories of potential beneficiary should not receive money. This power is exercisable only by order, so Parliament would have the opportunity to scrutinise and the Secretary of State could be required to account for decisions taken on the use of the power.

In drafting the clause we considered whether it might be possible to state this aim explicitly in the Bill, and amendment No. 10 attempts to do just that. However, there would be problems in reaching a statutory definition

[Mr. Key]

of a controlling interest, particularly since we are likely to be dealing with public bodies which are not always constituted in similar ways. In addition, the inclusion of a statutory definition would remove any discretion on the part of the Secretary of State to take a reasonable view.

It is possible that a body might appear technically to be substantially controlled by the distributor, but the working arrangements might make a conflict of interest unlikely. The option suggested here would be to remove the Secretary of State's power entirely, and that we cannot accept. The subsection as drafted would make it possible for certain types of potential beneficiary to be ruled out, but at the same time to ensure that a decision to do so could be scrutinised. So I hope that right hon. and hon. Members will agree that this mechanism is necessary and desirable and that they will agree to retain the subsection.

Mr. Corbett: I thank the Minister for the way he has responded to the concerns voiced by hon. Members on both sides of the House. He understands them and has set out fairly to meet them.

As the Minister knows, both the Sports Council and the Arts Council have close working relationships with the Department of National Heritage, but they are their own people. They work closely with and consult officials in the Department, but in a hands-off way. I am quite sure that those officials would never try to lean on the Sports Council or Arts Council when those bodies came to distribute the grants allocated to them. The councils lead lives separate from that of the Department, although they sensibly get together with Department officials from time to time.

I invite the Minister to acknowledge that this is so—that the Government have no intention of disturbing the relationship. I hope that he will confirm that the councils' role as distributors is not to be altered. The Minister, I am sure, can easily give this undertaking; but he will understand that there is some nervousness about the future. We are all reluctant about and resistant to change, and especially suspicious of anything new. I am sure that the Minister can make a statement to allay these fears.

Mr. Alan Howarth: This is a very important group of amendments. In Committee, my hon. Friend the Minister undertook to redraft subsection (1) of clause 24 to make the powers contained in it less sweeping. He has been as good as his word, and I welcome the Government amendments, which limit the Secretary of State's powers in a reasonable way and require him to consult before making a direction.

My amendment, No. 22, contains, as the Minister observed, a requirement additional to the requirement that the Secretary of State would place on himself by means of Government amendment No. 47. He would be required not just to consult but to publish reasons when he makes directions. I believe it right that if the Secretary of State uses his power in an area where traditionally the Government have dealt at arm's length, he should explain what he has in mind.

I did not entirely follow the Minister's problem with the documents. No one is asking for immense numbers of documents to be published. We simply want some explanation of why the Secretary of State intended to use his power of direction in this sensitive area.

Subsection (2) will also give rise to some anxiety. In his letter of 3 March to members of the Committee, the Minister explained that it is intended to ensure that the distributing bodies do not act in a way that would lead to conflicts of interest. The provisions of subsection (2), however, give the Secretary of State a much broader power to restrict persons or classes or descriptions of persons who may not be funded by the distributing bodies. The subsection therefore needs re-examination.

Amendments Nos. 11 and 10 attempt to deal with the matter in such a way as to make the Bill reflect more precisely the intention behind subsection (2), as set out in the Minister's letter. I hope that the Minister will accept the purpose of the amendments, which is to address in a more precise way the matter about which he is concerned.

Amendment No. 10 places a clearly stated duty on the distributing bodies to ensure that no possible conflict of interest arises, or seems to arise, in their grant-making decisions. Amendment No. 11 seeks to remove the more general power of direction to exclude beneficiaries, a power that I cannot imagine the Government wishing to use.

Unless clause 24(2) is replaced or redrafted, it runs the risk of affording some future Secretary of State the opportunity to forget the intention behind the clause and to use it to restrict the payment of grant to organisations that are perceived to be at odds with Government policies. We rightly pride ourselves on being able to operate an effective arm's-length relationship between Government and the voluntary sector, as well as the arts, heritage and sport. I am certain that we should not do anything to undermine that proper liberal principle.

11.15 pm

In the Committee debate on the clause, the Minister emphasised that the power in subsection (2) could be invoked only by order. While that represents some safeguard against the power being used unreasonably, it does not provide the same watertight guarantee that would be provided by redrafting. The terminology of the amendment is taken from the Local Government and Housing Act 1989 in which the question of local authority interests in companies is dealt with.

No doubt the amendment would technically need to be accompanied by other amendments to clarify aspects of its definitions and so on, but if my hon. Friend considers that the amendment is not the appropriate means of specifying his intention, perhaps he will undertake to look at the matter again with a view to tabling an amendment in the other place so that the matter may be made clear in the Bill.

Mr. Key: I thought that I had covered all but one of the points raised by my hon. Friend the Member for Stratford-on-Avon (Mr. Howarth). The exception was the detail in amendment No. 10, which I do not think is necessary.

We are satisfied that the intention of amendment No. 10 is correct, that bodies should not distribute money to bodies in which they have a controlling interest. We thought carefully about a number of wordings, any one of which was similar to the amendment. However, I regret that the amendment as drafted would not work. Defining a controlling interest would be impossible and would be open to many interpretations and challenges. We

concluded that the measure in clause 24(2) is the most practical approach. It might look draconian, but it is not intended to be.

I should like to read my hon. Friend's remarks to see whether I have failed to answer all his points. Perhaps he would also read what has been said, and we shall see whether we need to reconsider the matter.

I have no difficulty in giving the hon. Member for Birmingham, Erdington (Mr. Corbett) the reasonable assurance that he seeks. We have no intention of disturbing the relationship that we enjoy, and the arm's-length principle remains intact because it is a well-proven way forward.

Amendment agreed to.

Amendment made: No. 41, in page 10, line 16, leave out from 'manner' to 'if' in line 17.—*[Mr. Key.]*

Clause 24

CONTROL OF DISTRIBUTING BODIES BY THE SECRETARY OF STATE

Amendment made: No. 42, in page 10, leave out lines 26 to 32 and insert—

'(1) A body shall comply with any directions given to it by the Secretary of State as to the matters to be taken into account in determining the persons to whom, the purposes for which and the conditions subject to which the body distributes any money under section 23(1).'.—*[Mr. Key.]*

Mr. Hinchliffe: I beg to move amendment No. 1, in page 10, line 32, at end insert

"except that in exercising their functions under section 21(2) above, the sports councils shall in no circumstances distribute money to any organisation which practices discrimination as between players in amateur and professional sport".

I appreciate that it is late and that hon. Members have had a long and hard day. However, the issues with which the amendment deals are serious, and some of us have been waiting a long time for a proper debate on them. People have been waiting since 1895. The amendment is an all-party attempt to address discrimination in sport. Were it to relate to women or people from ethnic minorities, such discrimination would be illegal.

Mr. Maxton: That is not correct, because private clubs and sporting organisations can and do discriminate against women in many ways, and are not breaking the law in doing so.

Mr. Hinchliffe: I did not expect an intervention before I had put the arguments in support of the amendment. It addresses specifically what is deemed amateurism within the regulations of the Rugby Football Union and concerns the relationship between that and rugby league players, not just professionals but amateurs. The vast majority of rugby league is played by amateurs, not professionals. The professional game is a small part of rugby league and it annoys many of us interested in the game to hear it described as a professional code.

Some hon. Members will recall a recent early-day motion, 1342, on some of the issues with which the amendment deals—in particular, the case of Steve Pilgrim, a rugby union player who until recently played for Wasps in London. He also played as an England B team rugby union international. He had the audacity to go for an unpaid amateur trial with Leeds rugby league football club. As a consequence, he was automatically banned by the Rugby Football Union from playing rugby union football for two years.

The interesting point is that, if Mr. Pilgrim had gone to the Headingly rugby league ground in Leeds, but appeared on the other side of the main stand, on the Yorkshire cricket ground, for a professional trial for Yorkshire cricket, he would not have been banned. Had he gone to Elland Road, and been paid for playing for Leeds United, he would not have been banned. Had he been playing professional tennis, professional golf or even American football, he would not have been banned. Unfortunately, he played the game of rugby league.

He has not received a penny for playing rugby league, although he has had trials since then with the Halifax rugby league club. Neither club has signed him on, and he is now between the devil and the deep blue sea—not signed on by rugby league but banned from his previous sport. In the view of many decent, thinking people in sport as a whole, including many in the sport of rugby union, that is unacceptable in this day and age.

I mentioned 1895 because that was the year when what was then the northern rugby union split away from the rest on the issue of broken time payments. They are related to the fact that in the industrial north, and elsewhere, working-class people could not afford to miss time from work to play rugby union; therefore, young men were paid to cover the money that they could not earn in their normal course of employment because they were playing rugby. The ultimate result was the development of rugby league football.

Unfortunately, since 1895, some in the 15-a-side code have attempted, right up to the present day, to kill off the game of rugby league—both the amateur and the professional games. Many who have been involved in both rugby codes feel that that is unacceptable in this day and age. It is some measure of rugby league's strength and popularity that, despite all those attacks over nearly a century, the game continues to thrive and prosper, at both the amateur and professional levels. I shall be pleased to attend the nation's main sporting event on Saturday, to watch Widnes win the rugby league cup, along with the 75,000 other people who will pack Wembley to witness a great sporting occasion.

It is some measure of rugby's league greatness that, despite the obvious prejudice of the establishment, the media, the education system and the armed forces against the 13-a-side code, the professional sport of rugby league is second only to association football as the most popular spectator team sport in Britain. It would be encouraging if media coverage of rugby league reflected the fact that it draws crowds second only to those attracted to soccer. In terms of spectators, it is more popular than rugby union and cricket. The House has not considered the fact that rugby league is such a popular sport.

Amendment No. 1 attempts to address the discrimination against those who play rugby league football as amateurs of professionals that is still evident nearly 100 years after rugby league's break with rugby union.

Some years ago, when I played both league and union, I participated in a game of rugby union at a club in Otley, which is an area that the hon. Member for Keighley (Mr. Waller) knows well. When I entered the club house, I noticed a painting of the team that had won the Yorkshire rugby cup two years before the 1895 breakaway. A number of the faces had been blanked out. They were

[Mr. Hinchliffe]

players who had, after 1895, moved from northern rugby to play in the new northern union. They have never been forgiven. I want to see the day come, before too long, when the faces of those players are painted back into that picture, and an end to the nonsense of the past 100 years.

I speak with some passion because I, as an amateur league player, was banned from playing rugby union. Many of my friends and peers in Wakefield of a similar age still retain the letters that they received from local rugby union clubs saying that they were no longer welcome because, after the age of 18, they had played rugby league. We were considered sporting lepers. I will never forget that experience for as long as I live. Sadly, that attitude still prevails. Tonight, we hope to do something about making a long-overdue change to that period of history.

I pay tribute to those of my hon. Friends who, some years ago, achieved—at least in theory—a free gangway between the code of amateur rugby league and rugby union. I say "in theory" because I could give example after example to show that, often, that free gangway does not exist in practice. I shall cite just one that came to my attention as joint secretary, with the hon. Member for Keighley, of the parliamentary rugby league group.

In Reading, an attempt was made to form the Unity rugby club, to play both rugby league and rugby union under the same banner. That is entirely reasonable. Plenty of clubs play cricket and rugby, or soccer and rugby. Why not rugby league and rugby union? Why should they not use the same facilities, pitches and equipment? It would be sensible. However, permission could not be obtained from Twickenham, simply because, they were told, they were playing rugby league. Had it been cricket, soccer, or any other sport, there would have been no problem. There are many examples of the rugby union establishment leaning on the game of rugby league.

11.30 pm

My hon. Friend the Member for Warrington, North (Mr. Hoyle) has had to leave the Chamber, but before he did so he drew my attention to correspondence that he had received about a rugby league tournament that is held at Swansea Uplands ground in Wales. Amateurs from both codes are involved in games there each year. Rugby union players received letters threatening them with action if they took part in an amateur tournament, where the trophy was presented by Jonathan Davies, who, it just so happens, has left the rugby union code and gone north.

There have been many examples of what can only be described as blatant discrimination in the armed forces against people who want to play the game of rugby league football. We met Lord Merlyn-Rees, a former Defence Minister, who headed the delegation. The prejudice with which we were confronted at that meeting had to be seen to be believed. We were told that the armed forces could not afford to fund the game of rugby league. We made the point that the same balls, jerseys, shorts, boots, socks and other items that rugby players wear are used in both codes, but we were told that, because of insufficient resources, rugby union, not rugby league, was played in the armed forces. It is high time that we did something about that prejudice.

Mr. Hargreaves: Many of my hon. Friends probably share the hon. Gentleman's concern, and what he has said is enlightening. Those of us who served on the Committee probably missed out by not having this matter drawn to our attention earlier in the debate. However, at this stage of the proceedings on the Bill, is this the right place to raise such an important issue concerning rugby? Ought it not to be the subject of a debate?

Mr. Hinchliffe: I should be only too happy to initiate such a debate. The reason for the amendment is that many of us feel that although the rugby union game receives substantial public funding, particularly from the Sports Aid Foundation, the Sports Council and the education system, it practises blatant discrimination against rugby league players. That is why we feel that the Bill is an appropriate mechanism to get rugby union to take account of the strength of feeling in the nation about the way that it treats rugby league players.

The rules relating to amateurs appear to apply only to people who are concerned with rugby league, not to rugby union, although those people are, to all intents and purposes, professionals. We know for a fact that rugby union players are paid and that they receive rewards often far in excess of what is payable in the rugby league game. In France—which is a party to the International Rugby Board's rules on amateurs, which forbid professionalism in rugby—entire rugby league teams have transferred to playing rugby union because they can get more money from playing rugby union. In New Zealand and Australia, payments are commonplace. Can anyone tell me that David Campese is an amateur? Does he go to Italy every winter to play for nothing? Of course he is a professional, and rightly so. He is an excellent rugby player, so why should he not be rewarded for his skills and for the fact that he, like many others, entertains vast numbers of people?

Payments are also commonplace in South Africa. Recently, my own team, Wakefield Trinity, was in the process of signing a Springbok rugby union player called Albertus Einslin. He pulled back from signing the deal because he had been offered £200 a match and a job playing "amateur" rugby union in South Africa. It is absolute nonsense to suggest that rugby union is an amateur code. Many of us are annoyed that the South African Rugby Union has attempted to stamp on the development of rugby league in the black townships on the basis that its amateur code there will lead to professionalism although, as everyone knows, the South African Rugby Union is semi-professional, if not wholly professional.

In this country, the Pugh report considered the British rugby union players who went on the so-called centenary tour of South Africa against the advice of the various home unions. The Pugh report, which has been suppressed, suggested that those players received about £30,000 each. Let us remember that that was in an "amateur" game.

"Week In Week Out", a BBC Wales programme, recorded a player—I seem to remember that he was an international player—saying that, to his knowledge, payments were made in Wales in the dressing room, in front of a Welsh rugby union official, an official from the union that banned Jonathan Davies from commenting for the BBC at Cardiff Arms Park because he had gone north to play for Widnes rugby league club. That is the union that continues to ban Stuart Evans from returning to

playing rugby union in the valleys because he flirted with St. Helens' rugby league club but unfortunately did not have a very successful career in the 13 a side code.

We have in the House an hon. Member, who is not here tonight, whose main distinction in life was not arriving here some years ago but playing in my team, Wakefield Trinity. He told me one night that he had received far more money playing rugby union than playing for teams such as Wakefield Trinity.

The parliamentary rugby league group, which comprises about 70 members from this place and another place, has become rather impatient about this matter. We contacted the International Rugby Board to ask it to explain what its rules on amateurism meant in this day and age. Last Wednesday, we met Mr. Dudley Wood, the secretary of the Rugby Football Union, and Mr. Bob Rogers, the chair of the English Rugby Football Union amateurism committee. On behalf of the parliamentary group, I must say that we were most grateful that they were prepared to meet us. They had a fairly hot reception.

The two gentlemen said that the problems which they conceded were occurring in certain unions—not the English union—were due to interpretation of amateurism, not the principle. They insisted that, although there were problems in Wales, France and here, there and everywhere, in England everything in the garden was fine. They said that there was no evidence of any payments to players in the English Rugby Football Union.

The most memorable part of our meeting was a comment from the right hon. Member for Westmorland and Lonsdale (Mr. Jopling), who told us of his experience of standing as the Conservative candidate in Wakefield against my predecessor's predecessor in the 1959 general election. Because of contacts with the local Conservative party—at that stage, the chair of Wakefield Trinity was a prominent member of the Conservative party—the right hon. Gentleman was allowed to kick off the Wakefield Trinity versus Hunslet league match.

I was present, and there was a crowd of about 15,000. The local Conservative parliamentary candidate was allowed to kick off, which would be a huge boost to anyone campaigning in an election in that area. The right hon. Gentleman kicked off, the incident was reported in the press, and he found that he had professionalised himself and was banned from playing rugby union. The right hon. Member for Westmorland and Lonsdale—he is not an Opposition Member; no hard lefty he, but a former Minister and Government Chief Whip—is still banned by the rugby union. Thirty years of anger came out in the right hon. Gentleman last Wednesday in Committee Room 14—and rightly so. That nonsense is still with us, and we are sad that such attitudes still prevail.

There have been one or two developments since last Wednesday's meeting; things have moved quite rapidly. First—I believe that it happened the day after we met the two gentlemen—in Edinburgh the International Rugby Board came to the decision that rugby league professionals who have never played union would be allowed to play rugby union within two years of making their desire to switch codes known, but union players who have turned to league are still banned from returning to union. That reads like a Monty Python script.

The news was picked up in *The Independent* yesterday, when Alan Watkins wrote about what nonsense it was:

> "Religious conversion is much in the air these days, with several Anglicans going over to the Church of Rome. If we regard rugby league players as Anglicans, and union players as Catholics, it will be as if Anglicans can become Catholics and Catholics Anglicans. But Catholics who become Anglicans will not be allowed to revert to their original faith.
>
> As Winston Churchill once said of his own early shifts of political loyalty between the Conservative and Liberal parties: anyone can rat once, but it takes a man of character to rat twice."

Alan Watkins makes the important point that the lack of equality between the codes means that

> "White Jonathan Davies",

who, of course, will play for Widnes at Wembley on Saturday,

> "cannot return to Llanelli, or Martin Offiah to Rosslyn Park, there is nothing to prevent Ellery Hanley, say, from signing on for the Harlequins as Peter Winterbottom's successor, playing a couple of seasons at the Stoop, and then returning to Leeds or some other Northern club to see out the autumn of his days."

What absolute nonsense—yet that is the present position.

Another development following the denials of Messrs. Wood and Rogers in Committee Room 14 last Wednesday is reported in *The Times* this morning. The main article on the sports page is headed:

> "RFU finds breaches of amateurism rife".

That means breaches of amateurism in the same English Rugby Football Union that we were told last Wednesday was totally amateur. We were told that amateurism was its members' sacrosanct principle, and the most important thing in their game. Yet according to the article in *The Times*, a report circulating in English Rugby Football Union clubs

> "has forced the RFU to confront a situation it denied existed to any serious extent. It reveals numerous illustrations of disregard for the amateur principles which officials at Twickenham insisted had more to do with imagination than reality.
>
> A working party set up by the RFU to investigate growing allegations of financial benefits for amateur players has found the claims to be substantially true. Its report . . . says many examples of such payments have been received".

Is that not interesting? Yet at a meeting attended by many hon. Members who are in the Chamber now we were given clear assurances that everything in the garden was lovely in the English Rugby Football Union.

To put it mildly, there appears to be some inconsistency between the official position and reality. The official position is clearly in conflict with what we know and what the union, too, knows is happening. The worry is that the rules of amateurism as administered by the RFU apply only to those who have contact with the game of rugby league. It seems that anything is allowed to go on in rugby union.

I emphasise again the fact that many of us have no objection to rugby union players receiving payments. We have no wish to prevent funding from going to rugby union clubs. I have two—Sandal and Wakefield—in my constituency. I played discreetly for both teams many years ago as a rugby league player. I have friends who are involved in both clubs. They are two excellent rugby union clubs which are a credit to the game of rugby as a whole. I have no wish to see them deprived of funds that may accrue from the national lottery. However, the amendment would affect them only if the attitudes to rugby league continued. Through the amendment, we are saying, "For goodness sake, address the issues about which all of us here are concerned and back off. Let us have some common sense after 100 years."

11.45 pm

I am grateful to the House for tolerating a fairly lengthy contribution at this late hour. It is an important matter. The London-based media largely disregard rugby league. Many of us in the north are used to that. We can manage without them. From the point of view of the media, it is sad that they do not see the great sporting spectacle—some say the greatest sporting spectacle and I concur with that view—of rugby league football. What is more worrying is that the media fail to cover the civil liberties questions raised by the issues I have described. They do not cover the way in which players are refused their basic civil rights by those who run rugby union.

I pay tribute to the rugby league press for the way in which it has pushed the matter. I pay tribute to the *Rugby Leaguer* newspaper, to *Open Rugby* magazine, which has had a continuing campaign for freedom in rugby, and to the *League Express* newspaper for its campaign on the issue.

I shall read from the editorial in this week's *League Express* because its comments put more succinctly than I can the feelings that many people have about the matter. The editorial says:

"If the Union actions did not impinge on League, they could go to hell in their own hand-cart, at their own pace, without any comment from us, but the Union's hypocrisy, dishonesty and blackmail—to give it an honest name—prevent many people who would like to try our game from doing so. The message goes out to schoolboys and adults alike, that playing rugby league can seriously damage your health and career prospects.

As we have endlessly pointed out, professional soccer players, golfers or cricketers, don't need special dispensations from Twickenham to play union. And league players, union players or players of any damn sport at all, should not need permission from Dudley Wood and his cohorts to take some exercise on a football field.

They have no moral, legal or any other right to pronounce on the sport of rugby league, or prevent free men and women playing whatever sport they like. No amount of window-dressing . . . will alter the fact that their game is continuing to use unjust and illegal discrimination against a sport they perceive as a competitor to their own."

There is great anger on the issue. I hope that the Government will grasp the nettle and end this nonsense once and for all.

Mr. Gary Waller (Keighley): I strongly support and warmly commend the words of the hon. Member for Wakefield (Mr. Hinchliffe). Some people—this point was made by my hon. Friend the Member for Birmingham, Hall Green (Mr. Hargreaves)—may consider that the issue does not relate easily to the Bill. As the hon. Member for Wakefield explained, the rugby union is in receipt of substantial public funds through the Sports Council, so public policy issues arise which the Government cannot thrust to one side.

As an adherent of both rugby league and rugby union, like many other hon. Members, I do not seek to adjudicate between the qualities of the two codes. I congratulate Ilkley rugby union football club in my constituency on its achievement in gaining promotion this season. I also pay a warm public tribute to Keighley rugby league club, which had a magnificent season, winning the third division of the league and, equally importantly, attracting massive gates in the process. In the town and in the club there is enthusiasm to go on to greater things. Wigan and St. Helen's should watch out.

It is regrettable that the policy of disallowing a free gangway maintained by the International Rugby Board, which, despite its title, has no responsibility at all for the league game, should still mar the reputation of rugby after so many years. The Rugby Football Union claims that it wants to protect its amateur status. That makes no sense whatever because everyone with eyes to see and ears to hear knows that, in the top echelons, amateurism is an absolute sham. Many international rugby union players quite clearly have the benefit of a car and other benefits —including, perhaps, a job—simply because of who they are and because they are exceptionally good at the game they play.

As the hon. Member for Wakefield said, it cannot be right that a senior player like Steve Pilgrim should be banned from playing rugby union, possibly for life—certainly for a year from the time when he applies for reinstatement—just because he had a trial with a professional league club. That is a case about which Sir Peter Yarranton, chairman of the Sports Council and a past RFU present, has expressed concern.

The hon. Member for Wakefield referred to the fact that my right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling) was banned from playing rugby union many years ago because, as a parliamentary candidate, he was invited to kick off a rugby league match. I am sure that that goes a long way towards explaining why my right hon. Friend has such strong feelings about the issue.

Some forms of the discrimination practised by the administrators of rugby union may eventually be tested in the courts, where a finding that they are illegal may bring the whole house of cards crashing down. That may apply in relation to differential treatment of former union players who have played rugby league. The payment of money and inducements to move from one union club to another, revealed in the newly circulated RFU report, to which the hon. Member for Wakefield also referred, also casts doubt on the possibility that the present situation can be maintained indefinitely. Not for nothing did an article in today's issue of *The Times* refer to a "malaise among administrators". One day soon, the little boy who pointed out that the king was not wearing any clothes will prove impossible to shut up.

Tennis, cricket and athletics eventually came to terms with professionalism and in no way was the amateur sport harmed—quite the reverse. In due course, rugby union will have to do the same. In the meantime, however, the Government should take a leading role in making it clear that discrimination—even if well-intentioned but misguided—is not acceptable in any sport.

Mr. John Maxton (Glasgow, Cathcart): As an ex-rugby union player, I find little with which to disagree in the remarks of my hon. Friend the Member for Wakefield (Mr. Hinchliffe). Unlike him, however, I am not happy about the way in which rugby union is moving towards becoming a professional sport. As its rules—or, rather, its laws—stand at present, it is far too dangerous a game to be played for large sums of money. Unlike rugby league, rugby union has not adapted its rules to ensure that people are not in a position to injure other players and, if people were playing for large sums, it could be an extremely dangerous game. People could be seriously injured; there might even be deaths. I deplore that state of affairs. I repeat, however, that I find little with which to disagree in the tenor of my hon. Friend's remarks.

If I have an objection, it is to the wording of the amendment. The hon. Member for Keighley (Mr. Waller) said that athletics has sorted out the problems of professionalism. That is not true. The so-called professional Powderhall sprints are held in Scotland every new year. The prize money is about £150 to £200. But someone who wins that race and accepts the £200 is barred for life from taking part in amateur athletics.

If the hon. Member for Falmouth and Camborne (Mr. Coe) had run in any of those races, he would have been banned from taking part in any other race, yet we all know that, as a result of his prowess as a miler and a half-miler, he made enormous sums of money out of athletics. Not all sports have done away with that kind of discrimination, and athletics is one of them. As it is worded, the amendment would hit athletics as well as rugby union. That may be right.

The discrimination to which I have referred is not the only discrimination that occurs in sport. A very well-known golf club in my constituency is celebrating its centenary this year. It applied to Glasgow district council to ask whether it would hold a civic reception to celebrate its centenary. Quite rightly and very honourably the district council said that it was not prepared to give a civic reception to the Pollok golf club because the club would not allow women to become members.

That golf club actively discriminates, openly and blatantly, against women. However, it also discriminates much more subtly, without any openness, against Jews. There is racial discrimination in individual golf clubs and also in other sports. The House and the sports council will have to address that problem.

Bowls is another very popular sport in my constituency. However, in many bowling clubs, a woman can become a member only if she is the wife of a male member. She cannot join as a woman in her own right. There are other discriminations of which I hope my hon. Friend the Member for Wakefield is aware and they, too, should be addressed.

I fully support what my hon. Friend the Member for Wakefield said. However, I am concerned that the amendment would cover a much wider range of sports than simply rugby union and rugby league. I hope that rugby union will finally come to its senses and find a better way of dealing with players who play the two codes.

Mr. McCartney: As chair of the all-party rugby league group, I support the amendment. I formed the group in February 1988. I had never played rugby league, although I had played in many positions in rugby union. As I grew older and slower, the positions seemed to change with regularity.

We formed the group to promote rugby league in an amateur and professional way, to try to build bridges between rugby union and rugby league and to use our activities in the House to develop links between the codes in the hope that they would assist to break down the prejudices that have existed for 98 years and continue to exist.

It took five years—until last Wednesday evening—for the English Rugby Football Union to agree to the first meeting. That meeting came about because of the publicity generated in the House over the discrimination against Steven Pilgrim. He has not been banned for one or two years. As Dudley Wood pointed out in the meeting that I chaired last week in Committee Room 14, Steven Pilgrim has been banned for life from playing rugby union.

That ban does not just apply to playing; it applies also to coaching—whether of young children or adults. Steven Pilgrim's ability and right to play the game he loves has been taken from him by a group of elderly and out-of-touch gentlemen.

We did not simply call the meeting because of Steven Pilgrim. As a parliamentary group, we had amassed a growing dossier of evidence of the discrimination at an amateur level with respect to the attitudes towards playing rugby league. I am pleased that the Minister has been able to listen to this debate, because the Government, in relation to Ministers at the Ministry of Defence, have a case to answer. I do not make the point in a partisan way because Ministers at the MOD under the last Labour Government had the same case to answer.

Current Ministry of Defence policy is to try to ensure a complete blackout in the playing of amateur rugby league in the forces. The Ministry does that in two ways. First, rugby league is not allowed assistance from MOD sporting funds for development or insurance purposes, or to cover expenses in connection with playing the game. Secondly, when any attempt is made to organise rugby league—whether it is in the RAF, the Army or the Navy—senior officers take a number of steps to ensure either that the games do not take place, or that they can be quickly stamped out through the issuing of orders at specific stations.

12 midnight

The Ministry of Defence has been provided with the evidence on numerous occasions. We met the Minister of State and came to what we believed was an agreement on the development of the sport and its right to be treated in the same way as rugby union. Last week, in a meeting in Committee Room 14, we asked the Rugby Football Union to join us in agreeing a common approach to the right of armed forces personnel to play rugby league. Mr. Wood refused to participate and indicated clearly that the union, along with its colleagues in the MOD, would continue to oppose the introduction of the playing of rugby league in the armed forces.

Last year, the Government gave the Royal Navy alone some £35,000 in development funds for the full-time employment of rugby union coaches in the MOD. Resources have also been provided for the RAF and the Army. We are not opposed to that; we are saying that people who join the armed forces should be allowed to engage in the sport of their choice and should be given the time and opportunity to do so rather than being discriminated against.

We are concerned not only about the discrimination, but about the web of the deceit involved in sham amateurism. At the meeting, Mr. Wood and his colleague Bob Rogers were questioned in detail about the role of their organisation in relation to payments, or substitute payments, for playing rugby union. Mr. Wood made it absolutely clear that there was no evidence whatever of any payments, direct or indirect, for rugby union played in England under the direction of the Rugby Football Union.

We now know that that was a direct untruth. Not only did Mr. Wood mislead Committee members; when questioned, he deliberately did not inform us that Mr. Rogers—who was also present—had chaired the

investigation into the payments made to rugby union players. At the time when he told us that there was no proof whatever, the report was already on his desk awaiting his consideration. That report—commissioned by Mr. Wood and prepared by Mr. Rogers—is dealt with in great detail in *The Times* today.

Mr. Deputy Speaker: Order. I am listening attentively to the hon. Gentleman; he has not once mentioned the national lottery, to which the amendment is supposed to relate. I do not think that it is in order to deal in depth with the pros and cons of evidence given to a parliamentary Committee. The hon. Member for Wakefield (Mr. Hinchliffe), who moved the amendment, related his speech firmly to the lottery; even that was stretching it, but I was prepared to be lenient in his case. I do not think that a repetition is necessary.

Mr. McCartney: I made it clear at the outset, Mr. Deputy Speaker, that I was speaking in support of amendment No. 1. The wording is quite clear——

Mr. Deputy Speaker: Order. The wording of the amendment is, indeed, quite clear. The hon. Gentleman began by saying that he was speaking to it; that was the last that we have heard of it so far.

Mr. McCartney: I am not challenging your ruling, Mr. Deputy Speaker, but I feel that, in saying that this was an anti-discrimination amendment, I made it clear that I was trying to explain the reasons why an all-party group tabled the amendment and to give evidence. There is no point in tabling an amendment without being prepared to give detailed reasons for doing so. Some Conservative Members may, for whatever reason, find it uncomfortable to hear the evidence. But the evidence must be heard in support of the amendment.

The evidence that I have is not a repeat of that put forward by my hon. Friend the Member for Wakefield (Mr. Hinchliffe) or the hon. Member for Keighley (Mr. Waller). It is the evidence of the Rugby Football Union. The evidence should be placed on the record in the debate because the RFU was given an opportunity by an all-party group in the House to put its views on the matter. In the confines of the House, it made it clear and set out in crystal clear terms that there was no evidence of sham amateurism. It said that there was no need, therefore, for an amendment such as amendment No. 1. It is for that reason that I wish to quote the evidence in the report that Mr. Wood has received, produced by his colleague Mr. Rogers, whom we interviewed on 21 April.

The evidence is contained in an article today in *The Times*, which is not known as a newspaper that supports the game of rugby league. The report was entitled "Inducements to move, incentives to stay and other illegal payments." It produced a "brief but not exhaustive" list of the evidence that it uncovered. The newspaper article said that payments to amateur players in England had arisen through the following:

"excessive expenses, cars, . . . fictitious employment, cash-playing bonuses, clothing, fictitious expenses, housing-mortgage support, writing rugby articles, appearance money, overseas trips, luxury items, free or subsidised accommodation, car passenger expenses, fictitious appearances, sponsorship holidays, and family support."

If that list does not suggest a professional sport, I do not know what is. The list shows hypocrisy. I know of few rugby league players even at the highest level of the game who are provided with such inducements to play their sport.

It is also interesting to note that when members of the Committee raised the issue with the Chancellor of the Exchequer he said that he could not investigate it or put it to the Inland Revenue because rugby union was an amateur sport and, therefore, payments did not exist. Perhaps the report of the debate should be passed on to the Treasury so that it can investigate what is known to go on but is not reported for tax purposes by the Rugby Football Union.

On bank holiday Monday, at Wigan central park, a race will take place between Martin Offiah, a former rugby union player and now a Great Britain international winger who plays for Wigan and hopefully will be man of the match at Wembley on Saturday, Andrew Harriman, the man of the tournament at the seven-a-side world championships at Murrayfield two or three weeks ago, and Rory Underwood, the current English international wing forward.

They will race to find out who is the fastest rugby player in Britain. Under the rules described by Mr. Wood, the players will not be playing rugby and, therefore, will not be banned. They will be in a rugby league ground running against a rugby league player, but because they will not be playing rugby league, it will be OK. They will turn a blind eye to it. Yet Mr. Steve Pilgrim, who played a trial match as an amateur on a rugby league ground has been banned for life from playing the sport in which he wishes to participate. It is a human rights issue and one which for far too long has been swept under the carpet in the House.

Through the Bill we want to put on notice the Rugby Football Union, the Welsh Rugby Union, the Irish Rugby Football Union and the Scottish Rugby Union that unless they end discrimination no resources will be used from either the lottery or public funds to benefit those who, through discrimination, prevent others from playing the game of their choice.

Mr. Davidson: I wish to speak briefly to this amendment. [Hon. Members: "Hear, hear!"] I thank hon. Members for their enthusiastic response.

I do not represent a constituency in which rugby league is played, but I was brought up in an area in which many rugby union players went on to play rugby league. It always struck me as extremely unfair that those players, when they reached the end of their league playing days, were not allowed to return to rugby union to put something back in the game as coaches or in any other capacity.

It is absurd to talk about the national lottery as a means of raising money for sport, when a certain sport refuses to allow former players to put something back, voluntarily, into their sport. Such behaviour should be subject to public policy. We should also question whether public money should be given to organisations that discriminate so blatantly against one group of citizens simply because they chose to play one sport rather than another.

I know that the Bill gives Ministers a number of reserve powers. They should tell us their intentions regarding those powers. My hon. Friend the Member for Glasgow, Cathcart (Mr. Marten) has expressed his reservations about some sports clubs that discriminate on the grounds of race and other lines. Members have alleged that clubs discriminate on the grounds of sex. That matter, too,

should be a matter of public policy. The Minister should make it clear that he wishes to have a level playing field so that all can benefit from the public moneys distributed through the lottery.

Hon. Members have done the country a service by bringing certain issues about rugby league into the open. I hope that the Minister will give a clear statement to the effect that discrimination will not be tolerated. I hope that we can look forward to swift action and pressure being exerted on the English Rugby Union in particular, as well as the other rugby unions and other sports that practise similar discrimination.

Mr. Pendry: I commend what my hon. Friends have done and I am pleased that, after some battle, their amendment was eventually selected for debate.

The late hour may be inconvenient to some, but that is tough, My hon. Friends have raised an important issue and it falls within the context of the Bill, because the Sports Council should not be allowed to distribute lottery money to a body that actively discriminates. The Minister for Sport cannot stand aside after hearing about that discrimination. He should agree with his hon. Friend the Member for Birmingham, Hall Green (Mr. Hargreaves), who thought that a full debate on the issue should be held in Government time. The Minister should nurture that debate.

The Minister is the custodian of sport and he should call for an inquiry into the matter. The House is indebted to my hon. Friend the Member for Wakefield (Mr. Hinchliffe) and my other hon. Friends for raising the issue. I hope that the Minister's response will be constructive, and I am as anxious as my hon. Friends to hear what he has to say.

Mr. Key: It will come as no surprise to hon. Members to learn that I see myself as the custodian of the Bill. I shall be unable to recommend to the House that the amendment should be accepted for reasons I shall cite. I am grateful to the hon. Member for Wakefield (Mr. Hinchliffe), however, for drawing attention to such an extremely important issue.

We discussed the matter briefly in Committee, and I am aware of its importance to our clubs and those beyond our shores. My hon. Friend the Member for Keighley (Mr. Waller) and the hon. Members for Glasgow, Cathcart (Mr. Marrow), for Wakefield (Mr. McCartney) and for Glasgow, Govan (Mr. Davidson) have also contributed to a debate in prime Government time - some might find that hard to believe, given the lateness of the hour - during the important Report stage of an extremely important Bill. The issue has been put firmly on the agenda, and I recognise its importance. I undertake to the hon. Member for Wakefield that I shall see whether I can do anything appropriate about it, although it would not be appropriate to accept the amendment.

I believe that this is best left to the determination of the distributing bodies subject, as regards this amendment, to directions laid down in the Bill by my right hon. and learned Friend the Secretary of State. It would be quite inappropriate to make it an inflexible exclusion on the face of the Bill.

The policy pursued by a governing body in respect of excluding participation by professional players in its competitions is a matter for it to determine and not a matter on which the Government should seek to dictate through access to lottery funds. Applications for lottery funds should surely be judged on their individual merits.

The sports councils are well aware of the policies of the governing bodies of sport in the United Kingdom. To rule out whole classes of body in advance on the ground that some hon. Members were unhappy with one of the policies of the governing body, whatever the merits either way, would prevent an individual club from ever being able to apply for lottery funds for worthwhile projects and projects which would accord the general sport provision in their communities, for example, for children at local schools. Surely those potential beneficiaries should not be punished because of their local rugby committee which belongs to the Union and not to the League.

12.15 am

The Government must in being the anti-bought principle intact. It is tempting to be drawn into exploring suggestions that I can intervene in the governing bodies of sport to make them change their rules and bans, but I do not find that attractive. It is against the spirit of successive Governments of all political colours over many years. What matters is that there is a proper public debate of the issue, and the governing bodies of the sport perhaps need to have their heads knocked together.

Mr. Churchill: I thank the Minister for his response, and I thank my colleagues, particularly my hon. Friend the Member for Glasgow, Cathcart (Mr. Marrow), for their contributions. I did not expect the debate to come from this side of the Chamber and was interested to find that it did. Nevertheless, I understand the points that he made, although I disagree with him. I also thank my hon. Friend the Member for Glasgow, Govan (Mr. Davidson) for raising the matter in Committee. We take the points that he has made about the situation, especially in Scotland.

I appreciate the Minister's response. I believe that he has taken close note of the comments made by those who have spoken tonight and that, privately, he shares many of the misgivings of hon. Members about the present situation.

I made it quite clear when I moved amendment No. 1 that there was no direct attempt to block funding to the Rugby Football Union, but the discrimination that has gone on now for nearly 100 years is unacceptable. I made it clear that there are hon. Members on both sides who are not prepared to tolerate this practice any longer.

I will in a moment beg leave to withdraw the amendment, having secured this important debate, but I make it clear that this matter may well be raised in another place by those who feel equally strongly about it. There are also moves in the European Parliament, where there is a well-organised and successful rugby league group, to raise it at a European level. But I fear that what will happen to bring this matter to a head will be action taken by particular players through the courts, and that will be to say a matter of great regret. I hope that we can reach a satisfactory sense resolution of the issue after this conflict of nearly 100 years.

Having made those points, and having expressed my gratitude to those who have stayed to take part in the debate, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 24

CONTROL OF DISTRIBUTING BODIES BY THE SECRETARY OF STATE

Amendments made: No. 43, in page 10, line 34, leave out 'specified in section 21'.

No. 44, in page 10, line 35, leave out '23' and insert '23(1)'.

No. 45 in page 10, line 35, at end insert—

'( ) The Trustees of the National Heritage Memorial Fund shall comply with any direction given to them by the Secretary of State as to the matters to be taken into account in determining the purposes for which and the conditions subject to which the Trustees apply any money under section 23(4).'.

No. 46, in page 10, line 36, leave out 'specified in section 21'.

No. 47, in page 10, line 45, at end insert—

'( ) The Secretary of State shall consult a body before giving any directions to it under this section.'.—*[Mr. Brooke.]*

Clause 25

POWER TO AMEND SECTION 20

Amendment made: No. 48, in page 11, leave out lines 16 to 18 and insert

'held in the Distribution Fund for distribution by a particular body to be held in the Distribution Fund for distribution by another body specified in section 21.'.—*[Mr. Brooke.]*

Clause 26

POWER TO AMEND SECTION 21

Amendments made: No. 49, in page 11, line 45, leave out from 'held' to end of line 46 and insert

'in the Distribution Fund for distribution by a particular body to be held in the Distribution Fund for distribution by another body (being a body that on the coming into force of the order is specified in the subsection amended by the order);'.

No. 50, in page 12, line 2, after 'held' insert 'in the Distribution Fund'.

No. 51, in page 12, line 3, after 'held' insert 'in the Distribution Fund'.—*[Mr. Brooke.]*

Clause 28

PAYMENTS FROM DISTRIBUTION FUND IN RESPECT OF EXPENSES

Amendment made: No. 52, in page 12, line 24, leave out 'has been allocated' and insert 'is held'.—*[Mr. Brooke.]*

Clause 29

INVESTMENT OF DISTRIBUTION FUND

Amendment made: No. 53, in page 12, line 37, leave out from 'money' to end and insert

'in the Distribution Fund as is neither held under section 20(2) nor'.—*[Mr. Brooke.]*

Clause 29

INVESTMENT OF DISTRIBUTION FUND

Amendments made: No. 54, in page 12, line 38, leave out 'or 28'.

No. 55, in page 12, line 41, leave out from 'Treasury' to end of line 43.

No. 56, in page 12, line 44, leave out from beginning to 'be' in line 46 and insert—

'(2) The proceeds of any investment made under subsection (1) or this subsection may be re-invested by the National Debt Commissioners in accordance with such directions as may be given by the Treasury.

(2A) The proceeds of any investment made under subsection (1) or (2) shall, if they are not re-invested under subsection (2),'.

No. 57, in page 13, leave out lines 1 to 3.

No. 58, in page 13, line 4, leave out 'investment was made' and insert

'proceeds are attributable to the investment of sums paid under subsection (1)'.

No. 59, in page 13, line 5, after 'held' insert 'in the Distribution Fund'.

No. 60, in page 13, line 8, leave out 'investment was made' and insert

'proceeds are attributable to the investment of sums paid under subsection (1)'.

No. 61, in page 13, line 10, after 'held' insert 'in the Distribution Fund'.

No. 62, in page 13, line 12, at end insert—

'( ) In this section "proceeds", in relation to an investment, means any interest or dividends received in respect of the investment and any sums received on the realisation of the investment.

( ) For the purposes of subsection (2A), the extent to which any proceeds are attributable to the investment of sums paid under subsection (1) out of money held for distribution by a particular body or held in the name of the Secretary of State shall be determined by, or in accordance with principles determined by, the Secretary of State.'.

No. 63, in page 13, leave out lines 13 to 15.—*[Mr. Key.]*

Clause 30

ACCOUNTS

Amendments made: No. 64, in page 13, line 16, leave out 'Accounts shall be prepared' and insert

'The Secretary of State shall prepare accounts'.

No. 65, in page 13, line 18 at end insert—

'(1A) The National Debt Commissioners shall prepare accounts in respect of any investments under section 29 in such form, and in such manner and at such times, as the Treasury may direct.'.

No. 66, in page 13, line 19, at beginning insert

'Each account prepared under subsection (1) or (1A) shall be sent to'.

No. 67, in page 13, line 19, after 'General' insert 'who'.

No. 68, in page 13, line 20, leave out 'each such account' and insert 'it'.—*[Mr. Key.]*

Clause 34

ANNUAL REPORT

Amendment made: No. 69, in page 13, leave out lines 36 to 43.—*[Mr. Key.]*

Clause 40

INTERPRETATION OF PART II

Amendments made: No. 70, in page 15, line 34, leave out from 'to' to 'means' in line 35 and insert 'a body'.

No. 71, in page 15, line 37, leave out from beginning to 'is' in line 38 and insert 'body'.—*[Mr. Key.]*

Clause 42

Registration of Societies

Mr. Alton: I beg to move amendment No. 17, in page 16, line 25, leave out '£50,000' and insert '£100,000'.

Mr. Deputy Speaker: With this it will be convenient to discuss amendment No. 97, in page 16, line 25, leave out '£50,000' and insert '£250,000'

Mr. Alton: I will not detain the House long, as we are all keen to make rapid progress.

In Committee the Minister said that he would consider the position of the society and local lotteries dealt with in part III of the Bill. I refer the House to line 25 of clause 42, where the figure of £50,000 appears. Many members of the Committee expressed their anxiety that the figure was too low, and should be increased. I therefore tabled an amendment suggesting £100,000.

Amendment No. 97, tabled by the right hon. Member for Salford, East (Mr. Orme), suggests the even higher figure of £250,000. I understand that the Government are willing to consider that figure, as they undertook to give the matter further thought in Committee.

I am happy to be associated with the terms of the right hon. Gentleman's amendment and will therefore not press my own.

Mr. Peter Lloyd: In response to a debate instigated by the right hon. Member for Salford, East (Mr. Orme) I said in Committee that I would reflect on this. The House will be pleased to know that I have done that, and that I am happy to accept amendment No. 97—extending my regrets in the direction of Mossley Hill. I hope that the hon. Member will not be too disappointed.

Mr. Orme: It is not often that I get £250,000 from the Government. Some of us, including the lotteries council, met the Minister and discussed the matter with him. We made a strong case for raising the figure to £250,000, and the Government have seen the wisdom of that.

Mr. Alton: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 97, in page 16, line 25, leave out '£50,000' and insert '£250,000'.—*[Mr. Orme.]*

Clause 43

Registration of lottery schemes

Mr. Pendry: I beg to move amendment No. 96, in page 17 [Clause 43], leave out lines 1 to 5, and insert—

'43.-(1) Section 5(3) of the 1976 Act (conditions that must be satisfied for a society's lottery not to be unlawful) shall be amended as follows.

(2) In paragraph *(b)* (registration of a society with the Gaming Board), after "society" shall be inserted "or a connected company to that society".

(3) In paragraph *(c)* (promotion in accordance with approved scheme), after "society" shall be inserted "or a connected company to that society".

(4) Paragraph *(d)* (lottery scheme to be registered with the Gaming Board if the total value of tickets or chances to be sold in the lottery is more than £10,000) and the word "and" immediately preceding it shall be omitted.'.

It is clearly established in charity and tax law that lottery promotion is a trading activity. Consequently, charities undertake lotteries through connected companies controlled by them. Existing small lottery legislation, however, does not allow the Gaming Board to register the connected companies of charities to run lotteries. It allows only for the registration of the charities themselves. Charity, tax and small lottery law are thus incompatible, and the Bill gives the Government an opportunity to remedy that. We understand that Gaming Board practice until recently has been—sensibly—to register the connected companies of charities to run lotteries. In the past few weeks, however, some charity trading companies have had their registration requests refused.

We do not believe that it is deliberate Government policy to impose further tax liability on charities, but we should like clarification that the Government intend to amend the law. If charities are unable to run lotteries through their connected companies, and must pay tax on their small lottery proceeds, it will greatly reduce the value of small charitable lotteries and provide a further disincentive to charities to run lotteries, thus reducing their income.

As we have made clear, we are concerned about the impact that the national lottery could have on charitable income. Therefore, we welcome measures in part III which are aimed at securing charity income for small lotteries, although we think that the Government could go further. The amendment is compatible with the intention of part III. It is vital that the law be tidied up so that charities are not threatened with additional tax liability. We hope that the Government will accept the spirit of the amendement and will assure us that they will consider the matter and remedy the situation.

Mr. Alan Howarth: At this time of night, I shall say only on the substance of the amendment that the hon. Gentleman's arguments and their purpose are absolutely right. If my hon. Friend the Minister has not already discovered that there are insuperable technical difficulties, I hope that he will do his best to persuade my right hon. Friend the Chancellor to support the proposals. The arguments that we have considered in relation to the amendment reinforce my view on Second Reading that it would be sensible for the Gaming Board to regulate all lotteries.

Mr. Peter Lloyd: If I understand correctly, the purpose of the amendment is to enable a wholly owned trading company of a charity to promote lotteries on behalf of that charity. That is already possible, and I shall explain. Contrary to what the hon. Member for Stalybridge and Hyde (Mr. Pendry) has been told by some of his contacts, the Gaming Board has not turned down requests for registration. It suspended consideration of applications for two or three weeks while the law was clarified. Under the Lotteries and Amusements Act 1976, it is possible for wholly owned subsidiaries to be registered as charities and to conduct lotteries. There is no problem.

Mr. Pendry: I am happy to have that assurance. I am sure that what the Minister has said is absolutely correct. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 44

LOTTERY MANAGERS

Mr. Peter Lloyd: I beg to move amendment No. 161, in page 17, line 16 leave out 'he' and insert 'that person'.

Mr. Deputy Speaker: With this, it will be convenient to consider Government amendments Nos. 162, 163, 164 and 165.

Mr. Lloyd: Amendment Nos. 161, 162 and 165 fulfil an undertaking that I gave in Committee to exempt a wholly owned subsidiary trading company of a society that manages a lottery on behalf of that society from a new certification regime for lottery managers.

Clause 44 is designed to bring under Gaming Board supervision what are known as external lottery managers. Those managers undertake the running of a lottery on behalf of a society in return for a management fee, which is often an agreed proportion of the lottery proceeds. It is important to provide for some control over the operations of external managers to ensure that the lotteries that they manage are properly and honestly conducted and to safeguard the interests of the societies or local authorities that employ them.

The same considerations do not apply to a wholly owned subsidiary of a society. Such subsidiaries cannot be described as external lottery managers in the sense that they act independently of the society, and we therefore think it is right to exempt them from the requirement to obtain a Gaming Board certificate.

Amendments Nos. 163 and 164 are technical. Proposed new section 9A(2) to the 1976 Act is drafted on the basis that a society must always be an unincorporated body. In fact, a society may be either an incorporated or unincorporated body, and the amendments alter section 9A(2) to reflect that position.

Mr. Orme: Does the amendment deal with donated expenses?

Mr. Lloyd: No, it does not deal with donated expenses. That is relevant to a later group of amendments.

Amendment agreed to.

Amendments made: No. 162, in page 17, line 21, at end insert—

'(ba) in the case of a society's lottery, a company that is wholly owned by the society,'.

No. 163, in page 17, line 27, leave out 'a society or other' and insert 'an'.

No. 164, in page 17, line 28, leave out 'society or other'.

No. 165, in page 17, line 29, at end insert—

'( ) For the purposes of subsection (1)(ba) above—

(a) "company" means a company formed and registered under the Companies Act 1985 or a company to which the provisions of that Act apply as they apply to a company so formed and registered, and

(b) a company is wholly owned by a society if the society is entitled (whether directly or through one or more nominees) to exercise, or control the exercise of, the whole of the voting power at any general meeting of the company.'.—*[Mr. Peter Lloyd.]*

Clause 45

FREQUENCY OF LOTTERIES

Amendment made: No. 166, in page 17, leave out lines 36 to 39.—*[Mr. Peter Lloyd.]*

Clause 46

RULES FOR LOTTERIES

Mr. Pendry: I beg to move amendment No. 196, in page 18, line 10, leave out '10 per cent.' and insert '20 per cent.'.

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 12, in page 18, leave out lines 12 and 13 and insert—

'(6) The total value of the tickets or chances sold in any one such lottery shall not exceed one quarter of the total value of tickets or chances which may be sold in all such lotteries held in any one year and promoted on behalf of the same society or by the same local authority.'.

No. 4, in page 18, line 13, leave out '£500,000' and insert '£1 million.'.

12.30 am

Mr. Pendry: The purpose of the amendment is to allow societies to offer larger, more attractive top prizes. That should assist small lotteries to survive the competition from the national lottery. Research suggests that the lottery could have dramatic effect on charitable income from small lotteries, as has already been pointed out. Charities in Ireland experienced a 60 per cent. drop in their small lottery income since the creation of the state lottery in 1987 and, according to that oft-quoted Guardian-GAH group report, the drop in small lottery income in the United Kingdom as a result of the national lottery could be as great as 50 per cent.

As we know, the Government introduced amendments to the Bill in Committee which increased the limit of the size of the single lottery from £250,000 to £500,000 and changed the maximum prize limit from £25,000 to 10 per cent. of potential ticket sales, whichever is the greater. While those changes were welcome, as was said in Committee, many charities are still doubtful about whether they will be sufficient to maintain charitable incomes for small lotteries.

The Opposition believe that the Government should do more to ensure that charitable lotteries are strong enough to survive the competition from big prize national lotteries. I am sure that every hon. Member has heard it argued that the size of the top prize in the national lottery will be the crucial factor determining sales. Surely the same argument holds for the smaller lotteries run by charities, sports clubs and community groups. We believe that the maximum top prize in a society lottery should be increased from £25,000 or 10 per cent. to £25,000 or 20 per cent. of the potential ticket sales. As the Bill is drafted, that would mean a top prize of £50,000 in a society lottery.

We also support the amendment proposing that the size of a single lottery should be increase to £1·25 million. The amendment would enable charities and other societies to reach the £5 million turnover proposed in the Bill by running four rather than 10 lotteries. If the amendment were accepted, it would mean that charities would incur lower administrative costs in reaching the total turnover limit. More small lottery proceeds would be available for charity and community use.

In debate on both the issue of single lottery size and the maximum prize level, the Minister said that the Government were not prepared to allow small lotteries that would compete with, and poach sales from, the national lottery. However, a charity lottery with a turnover of £1·25 million and 20 per cent. maximum size could hardly be thought to compete with a national lottery with jackpots that could reach, with the roll-over of three games, something like £44 million at one estimate.

The purpose of the amendment is to make charitable and other society lotteries more attractive and more likely to survive and prosper, given competition from a heavily promoted multi-million pound prize lottery. We hope that the Government will be prepared to consider again both the limit and the size of the single lottery, and the maximum prize in any society lottery.

Mr. Alan Howarth: In deference to the lateness of the hour, I shall be as brief as I can. The House will be relieved to know that this is the last time that I shall seek to catch your eye, Mr. Deputy Speaker.

I want to speak to amendment No. 12, which stands in my name and those of my hon. Friends. I have considerable sympathy with the amendment moved by the hon. Member for Stalybridge and Hyde (Mr. Pendry). My amendment is an alternative means of achieving essentially the same objective.

I appreciate that the Government have already amended clause 46, and the movement that they have allowed is welcome. The annual limit of £5 million is fair and sensible and I welcome the spirit of the amendment that the Government have already made. However, there seems to be a basic inconsistency in Government thinking on the issue. The Bill allows a society to run lotteries with proceeds of up to £5 million per annum, but limits the size of each lottery to make it impossible, in practical terms, to reach the new limit, because each society would have to run at least 10 lotteries a year.

My hon. Friend the Minister said on a previous occasion that some societies do run instant lotteries 10 times a year. That is possible in the case of draw-type lotteries, which are suitable for football and supporters' clubs that meet regularly—but it is not realistic for national charities whose members and supporters are widely dispersed throughout the country. In practical terms, it is impossible for them to run more than four or five modern, instant lotteries a year on a national scale.

A period of 12 to 15 weeks is needed for each game to be produced, distributed, sold and recovered. Tickets and posters must be designed and distributed to thousands of retail outlets, a publicity campaign organised, tickets sold, and money gathered in. The draw must then be held, and perhaps an event organised in that connection.

Ten weeks is the very least in which that cycle of activity can be completed. I prefer my amendment to amendment No. 4 because it would still require societies to run instant draws every 10 weeks and that is too frequent. More time should be allowed. I note that the Government do not intend to restrict the national lottery's own instant lotteries in the same way.

My hon. Friend the Minister also suggested that societies and charities could run concurrent lotteries, but that is not an attractive solution. It would require a double set of printing, posters, administration, accounting and advertising. That would be expensive and confusing for charities and for the Gaming Board. Also, I am advised that it would contravene the current regulations governing lotteries and would require the amendment of section 10 of the Lotteries and Amusements Act 1976. It seems illogical to allow two lotteries of £500,000 and not one of £1 million.

Charities depend on the efforts of their voluntary workers and everyone wants them to keep their administrative costs down. It is not realistic on either count to ask charities to organise 10 lotteries a year or to run two or three concurrently.

Amendment No. 12 would raise the limit on the turnover for any individual lottery to £1·25 million, with a corresponding top prize limit of £125,000. My hon. Friend the Minister warned of the danger of creating mini national lotteries, but it should be borne in mind that a charity lottery would be able to offer a prize of that size only four or five times a year, at most. A prize of £125,000 would not compete in any real way with the national lottery's weekly prize of millions, as the hon. Member for Stalybridge and Hyde suggested.

Many charities want to continue to raise their own funds rather than rely on the national lottery. It seems unfair to restrict their initiative, particularly if the Government give them a total annual limit of £5 million which it is impossible to realise in practice. Charities should be allowed to run their lotteries on a cost-effective basis and to offer attractive prizes.

My hon. Friend the Minister may argue that the arrangements can be altered by statutory instrument, but it is important not to start off on the wrong footing. I fear that charity lotteries would wither on the basis that my hon. Friend proposes. A prize of £500,000 only would be perceived by the public as just too unattractive compared with national lottery prizes. Irremediable damage would be done before the regulations were altered and charity lotteries would be virtually destroyed—as in Ireland, where, as was mentioned earlier, small charity lottery income has collapsed 60 per cent. If that were replicated in Britain, charity income from small lotteries would fall from the present level of £240 million to less than £100 million, which would be most serious. I ask my hon. Friend to address that point.

Lady Olga Maitland: I support amendment No. 12, which was spoken to by my hon. Friend the Member for Stratford-on-Avon (Mr. Howarth). It reflects my concern about how small charities and voluntary organisations that run their own lotteries can survive the anticipated enormous success of the national lottery. Scratch card lottery tickets are sold by 200 charities and bring in an estimated income of about £40 million a year. They are unlikely to be able to raise similar sums of money if the Bill as it stands becomes law.

Therefore, I ask my hon. Friend to give serious consideration to the amendment, particularly bearing in mind that the Government will be able to be generous after the undoubted success of the national lottery. I ask the Government to support what I call the little fella, the smaller charities, and allow them to raise the full sum to which they are entitled. The means for doing so has not been provided for in the Bill.

Mr. Alton: I wish to associate amendment No. 4—in my name and that of my hon. Friend the Member for Caithness and Sutherland (Mr. Maclennan)—with amendment No. 12, spoken to by the hon. Member for

[Mr. Alton]

Stratford-on-Avon (Mr. Howarth), and amendment No. 196, which was moved by the hon. Member for Stalybridge and Hyde (Mr. Pendry). If any one of the amendments were accepted, the Bill would be improved and would go some way towards meeting the concerns which the hon. Member for Sutton and Cheam (Lady O. Maitland) raised this evening, but which she more appropriately raised in Committee, where she explored the issues raised in these amendments rather than scratch cards, with which we dealt earlier this evening.

The amount of money that can be given in lottery prizes by charities, voluntary organisations, football clubs and others is an important matter. My hon. Friend the Member for Rochdale (Ms Lynne), who has been here for most of today's debate, has made representations to me about the football clubs in her constituency. Recently, I met Liverpool football club representatives, and I know that many other voluntary organisations and charities are anxious about the amount of prize money that they will be able to give. Their concern is that, if they are competing with a lottery that is handing out huge sums of money, they will look like very poor relations.

The arguments have been well put. Whichever of the amendments the Minister could find it in his heart to accept would improve the Bill. Even if he is unable to accept any of them tonight, I hope that he will continue to bend his mind to the issue and accept an amendment in the other place.

Mr. Peter Lloyd: As is clear from all the speeches, these amendments seek to increase still further the limit on the proceeds and prizes from a single lottery. We amended the Bill in Committee to increase the limit on proceeds from £250,000 to £500,000 and the limit on prizes from £25,000 to the greater of £25,000 or 10 per cent. of the proceeds.

Amendment No. 4, spoken to by the hon. Member for Liverpool, Mossley Hill (Mr. Alton), seeks to double the proceeds limit to £1 million. Amendment No. 12, spoken to by my hon. Friend the Member for Stratford-on-Avon (Mr. Howarth), is even more ambitious, for it would provide, in effect, a limit of £1·25 million. Amendment No. 196, moved by the hon. Member for Stalybridge and Hyde (Mr. Pendry), would double the prize limit, so that the promoter of a £1·25 million lottery could offer a top prize of £250,000.

It is a matter of judgment as to where the line between small and medium-sized lotteries, as provided for in the 1976 Act and the national lottery, is drawn. The Government's view, however, is that lotteries of the scale envisaged by the amendments overstep sensible bounds. We have drawn the line at £500,000 for proceeds and £50,000 for prizes. I accept that it is possible for others to take a different view, but what I do not accept is that the levels that we have provided for put small lotteries at risk. Although I know that some of the lotteries that describe themselves as small would like higher limits, most are pleased about the changes that we have incorporated in the Bill.

It is beyond doubt that the Government's new limits represent a substantial increase on those currently in operation—£180,000 for proceeds and £12,000 for prizes. They will greatly enhance the appeal of such lotteries.

I return now to what the hon. Member for Mossley Hill said, having experienced such debates many times before. It would be sensible at the very least for societies to become accustomed to the new limits before we contemplate further increases. As my hon. Friend the Member for Stratford-on-Avon said, we can keep all the limits under review and we shall do so. If further changes appear desirable in the future, they may be made by statutory instrument. We would not need primary legislation.

I advise the House to accept the substantial increases and to leave matters there for the present.

12.45 am

Mr. Pendry: I expected that reply from the Minister, and I am sure that other hon. Members also expected it. As long as the Minister is in charge, I am happy that he will consider the issue sympathetically. I know that he will not be in his post for too long because we shall be on that side of the House. However, as long as he is in charge, I am sure that he will keep the matter in mind. With those serious remarks, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Peter Lloyd: I beg to move amendment No. 167, in page 18, line 28, at end insert—

'(5A) In subsection (11) (not more than half of a lottery's proceeds may be appropriated for the provision of prizes) for "one half" there shall be substituted "50 per cent.".'.

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 168, 169, 172 and 191.

Mr. Lloyd: Government amendment No. 169 is the cornerstone of this group of amendments. It would enable the Secretary of State to vary the percentages specified in section 11 of the 1976 Act. The other four amendments make consequential drafting charges.

We have received many representations from football clubs, rugby clubs and others—probably even from rugby league clubs—about lottery expenses. At present, the 1976 Act provides that no more than 25 per cent. of the proceeds of a lottery may be appropriated on account of expenses. This will be of particular interest to the right hon. Member for Salford, East (Mr. Orme). It has been argued that that limit is unreasonably low. Although many promoters of society lotteries are able to operate comfortably within the 25 per cent. limit, we accept that many others—especially those promoting smaller lotteries—find it difficult to do so. In response to representations, we amended the Bill in Committee to raise the expense limit to 30 per cent.

The Lotteries Council, of which the right hon. Member for Salford, East is president, suggested that even that higher figure is insufficient, and the council has argued for a 35 per cent. limit. I am not convinced that a limit above 30 per cent. is necessary or desirable as it would whittle away the amount of a lottery's proceeds which went to good causes. I now repeat what I have said when speaking to a number of other amendments because we are moving into uncharted territory. We believe that it would be sensible to be in a position to alter the 30 per cent. limit without recourse to primary legislation if there was a strong case for a further increase in future.

The amendment would also make it possible to vary by order the percentage limit on the size of the top prize in a lottery and on the amount of the proceeds of a lottery which may be used for the provision of prizes. I stress that

we have no plans at present to vary any of the percentages, but the amendment would ensure that we could act reasonably quickly if circumstances changed or if experience suggested that we had not judged one of the limits correctly.

The changes do not mean that we have got it wrong. Experience may suggest that the limits should be altered, and I think that all hon. Members want us to get it right as soon as possible, so it is sensible to have powers available so that we can move by regulation instead of having to find time for primary legislation, which it is often difficult to do.

Mr. Orme: The issue of donated expenses still remains a problem for small organisations. Many such organisations share offices with their lottery companies, and often have overlapping duties, making it difficult for them to determine exactly what constitutes a beneficiary donating expense. That point has been made to me and to many hon. Members by small organisations that fear that the provision could be their Achilles heel.

The Minister has already said that he is prepared to consider the matter again. Will he have one more look at it before the measure goes to the Lords, where it may be discussed further? I have other representations to put to him, and all I ask is that he keeps an open mind for the moment.

Mr. Peter Lloyd: It may be helpful if I say a couple of sentences in response. I do not expect to change the rules because I think that they are adequate and will not be onerous. Expenses incurred solely or primarily to enable the lottery to function, such as the costs of printing tickets and of advertising, must, of course, be counted as the expenses of the lottery, but the definition will not include the use of office space belonging to the club or society if it has not been acquired especially to house the lottery team. That is the kind of principle on which the Gaming Board will work.

I understand, however, that there is considerable worry about the exact side of the balance sheet on which certain expenses will appear, so I have asked the Gaming Board to give societies guidance so that they will know what position they will be in before they make the decisions that might bring them one side, rather than the other, of the 30 per cent. limit.

Amendment agreed to.

Clause 48

Powers of the Secretary of State to vary monetary limits and to prescribe or vary fees

Amendments made: No. 168, in page 19, line 24, leave out 'monetary limit' and insert 'sum specified'.

No. 169, in page 19, leave out line 25 and insert—

'(3) For subsection (1)(b) there shall be substituted—

"(b) vary any sum or percentage specified in section 11 above;".'.—*[Mr. Kirkhope.]*

Mr. Peter Lloyd: I beg to move amendment No. 170, in page 19, line 26, after 'for"' insert 'under'.

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): With this it will be convenient to discuss Government amendment No. 171.

Mr. Lloyd: The amendments ensure that smaller lotteries, probably those that operate a series of single lotteries with a turnover of less than £10,000, that are registered with the Gaming Board may pay an annual fee rather than a fee per lottery, as happens now. That will help to keep down the size of the total fees that they pay. I hope that, in conjunction with my acceptance of amendment No. 97, the amendments will meet with the approval of those who have the interests of small lotteries at heart, because it will improve the position of the organisations that run them.

Amendment agreed to.

Amendments made: No. 171, in page 19, line 27, after 'substituted"' insert ', or provide that no fees are payable, under'.

No. 172, in page 19, line 31, leave out 'monetary limit' and insert 'sum specified'.—*[Mr. Kirkhope.]*

Clause 50

Removal of prohibition on the use of premises for the delivery of football pools coupons and stakes

Mr. Pendry: I beg to move amendment No. 16, in page 20, line 32, leave out from first 'competition' to end of line 36 and insert

', in relation to a registered pool promoter, means a competition which is of the same kind as or is broadly similar to a competition held by him before the passing of this Act.'.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 173 and 174.

Mr. Pendry: It would be churlish of me not to recognise that the Government have come a long way in accommodating the concerns about the sale of pools coupons in shops. Although we fully support the spirit of clause 50 as amended in Committee, we have several concerns about its definition of a qualifying competition, especially the definition in new subsection (4D) (a) of section 1 of the Betting, Gaming and Lotteries Act 1963: "a competition for prizes for making forecasts as to association football games played on a Saturday".

We realise that the Government's new amendments Nos. 173 and 174 make that definition a little broader, so that instead of being limited to football matches played on a Saturday, it will include games played on Sundays and bank holidays. That is a good step forward, but in our view it does not go far enough. Amendments Nos. 173 and 174 do not solve the problem of pools competitions based on events other than football matches, such as major horse races and cricket matches, which now commonly appear on coupons.

It is important that the pools companies are permitted to run their businesses as efficiently as possible, with the minimum of bureaucratic restraints and obstacles. I am sure that the Government would tell us that that is in line with Government policy. It is absurd, therefore, that the companies will be allowed to sell in shops only coupons that use only football matches, whereas on coupons that are sold door-to-door, they will be allowed to use a number of different sports. The ludicrous position would be created whereby the pools companies were forced to issue two types of coupon. The first would be for sale in shops and would relate only to football matches and the second would cover the rest of their business.

My hon. Friends and I can see no reason why the Government would wish to introduce such a petty and

[Mr. Pendry]

needless restriction. It is already established practice to run pools competitions on sporting events other than football. The Minister surely cannot argue that the use of other sports on coupons from shops would be socially damaging or would lead to unnecessary stimulation in gambling. Perhaps he could enlighten us about the reasoning behind this curious measure.

The amendment is a simple method by which to maintain the status quo and to avoid all the problems implied by the needlessly restrictive new subsection (4D). It uses wording similar to that contained in the British Telecommunications Act 1981 when it was necessary to ensure the legality of the collection service in the context of the Post Office letters monopoly. I hope that the Minister has taken that point on board and that he will give me a constructive reply.

Mr. Peter Lloyd: The hon. Member for Stalybridge and Hyde (Mr. Pendry) raised several points. The speediest way in which I can deal with them is, before responding to the amendment, to say something about Government amendments Nos. 173 and 174 which deal with several of the points he raised. The Government amendments make modest changes to the definition of a qualifying competition in clause 50. Clause 50, which was added to the Bill in the Committee, allows pools coupons and stakes to be collected in retail outlets. The clause is carefully drafted to confine the concession to the present weekly, long-odds football pools competition. The definition of a "qualifying competition" seeks to encapsulate the key features of such competitions.

The reason for restricting the concession is simple. It is to preserve the existing framework whereby only socially harmless forms of low-stake, long-odds gambling, such as the football pools and lotteries, are available in ordinary retail outlets while harder forms of gambling continue to be confined to dedicated, licensed premises, such as betting offices, where they can be better supervised.

In Committee, the hon. Member for Birmingham, Erdington (Mr. Corbett) pointed out that the definition of a qualifying competition would cause pools companies one or two difficulties. The definition refers to a

"competition for prizes for making forecasts as to association football games played on a Saturday".

It was put to us that the pools companies were finding it increasingly difficult to obtain 58 first-class fixtures played on a Saturday and were having to resort to using minor league matches. We are told that including such matches on the pools coupon has a depressing effect on turnover. A further difficulty with the definition is that it would prevent coupons from being collected in shops during the Christmas week when the matches contained on the coupons were, in years where Christmas fell on a Saturday, played on a bank holiday Monday or Tuesday.

A final problem arises in relation to the reference to games played. It is not uncommon for matches to be postponed, perhaps because of bad weather—a point made by the hon. Member for Stalybridge and Hyde—and for the results to be determined by the pools panel. I accept those points and would accommodate the first two by including football games played on a Sunday or bank holiday and the third by referring to games to be played.

In Committee, the hon. Member for Erdington raised a more fundamental objection to the definition of a qualifying competition. With the amendment, the hon. Member for Stalybridge and Hyde returns to the fray on the issue. Occasionally the pools companies run competitions on other sports. The Littlewoods coupons for 3 April included a pools competition on the Grand National. I do not know whether there was a box for the false starts. I understand that Littlewoods, Vernons and Zetters also run occasional pools on other horse races, and on cricket and snooker matches.

The entry form for those other pools competitions is printed on the reverse side of the weekly football pools coupon. Under the provisions of clause 50, such coupons could not be collected in retail outlets. The hon. Member for Stalybridge and Hyde argues that that would be unreasonable. Although superficially I can see why he says that, I do not agree with him. The retail outlet concession is deliberately confined to football pools because of their special character. To allow pool betting on other sports to take place in newsagents and other shops could potentially turn them into unlicensed unregulated betting offices. A whole range of other pool competitions could be brought in by a whole range of other promoters. Some hon. Members may be very relaxed about that, but I believe that many others remain to be persuaded that the system of dedicated licensed premises for betting has had its day.

1 am

Our debate in Committee has affected the proposal made by the hon. Member for Stalybridge and Hyde, who has sought to narrow the effect of the measure. I see exactly what he seeks to do, and if I could find a way of achieving his objective, I would be tempted to do so. I fear, however, that in attempting to solve one problem, he has created another in its place—as I think one always must if one seeks to draft a narrow amendment in this area.

Although the amendment would allow Littlewoods, Vernons and Zetters to market their existing cricket, snooker and horse-racing competitions, which form a small part of their activities, it would also create a closed market. Anyone setting up as a pool promoter following the enactment of the Bill would not benefit from clause 50 and so could not engage shops to collect his pools coupons.

I have no doubt that the existing pools companies would welcome such statutory protection from competition, and the Opposition may feel comfortable putting their names to such an amendment, but it is too anti-competition and too weighted against any newcomer for the Government to be able to commend it to the House. I hope that the House will not adopt the

Mr. George Howarth: The Minister appears to accept the point that my hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry) sought to make on behalf of the pools companies about this narrow aspect of business, in respect of which forms are often included on the reverse side of existing coupons.

The Minister may be right to say that the amendment has a wider compass than my hon. Friend intended. But the hon. Gentleman said that if he thought that he could achieve the original intention of the amendment, he would be willing to do so. Would he be willing, before the Bill goes to the other place, to look again to see whether he can draft a provision that would achieve what my hon. Friend suggested, rather than having the wider implications which he says the amendment has?

Mr. Lloyd: I have examined the matter carefully since the Committee stage. I do not think that it is possible to amend the Bill in this way without opening up the possibility of large-scale pool betting on all sorts of activities from all sorts of promoters in unlicensed outlets. I shall certainly think again, and if the hon. Member for Knowsley, North (Mr. Howarth) can come up with a foolproof form of words, I shall be interested to see it and shall think seriously about suggesting to my colleagues that it should be introduced in the other place.

Mr. Pendry: Let me reiterate what my hon. Friend the Member for Knowsley, North has said. We have heard a lot about the fact that there will be a year to think things through. I shall not go as far as my hon. Friend in suggesting that something could be done before the Bill goes to the other place, but perhaps during that year a few heads could be knocked together so that words that would be acceptable to the Government can be formulated. With those words of wisdom, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 173, in page 20, line 34, after 'games' insert 'to be'.

No. 174, in Page 20, line 34, after 'Saturday' insert

', a Sunday or a day that is a bank holiday in England and Wales or in Scotland under the Banking and Financial Dealings Act 1971'.—*[Mr. Key.]*

Schedule 1

Legality etc. of lotteries forming part of the National Lottery

Amendment made: No. 72, in page 23, leave out lines 22 to 26.—*[Mr. Key.]*

Schedule 4

Amendment of the National Heritage Act 1980

Amendments made: No. 73, in page 27, line 19, at end insert—

'"(2ZA) Notwithstanding that an object such as is mentioned in subsection (1)(b) above or a collection or group of objects such as is mentioned in subsection (1)(c) above is not itself of importance to the national heritage, the Trustees may make a grant or loan under subsection (1) above for the purpose of assisting in its acquisition if—

(a) they are satisfied that after its acquisition it will form part of a collection or group of objects such as is mentioned in subsection (1)(c) above, and

(b) after obtaining such expert advice as appears to them to be appropriate, they are of opinion that that collection or group is of importance to the national heritage.'.

No. 106, in page 27, line 43, at end insert—

'(g) to preserve or maintain any building or land in respect of which a grant has been or is to be made under any of paragraphs (a) to (f) above.'.

No. 107, in page 28, line 2, leave out from beginning to 'unless' in line 3.

No. 108, in page 28, line 6, after 'subsection,' insert

'or a grant under paragraph (g) of that subsection where a grant under paragraph (a), (b) or (c) has been or is to be made,'.

No. 109, in page 28, line 10, after 'subsection,' insert

'or a grant under paragraph (g) of that subsection where a grant under paragraph (d), (e) or (f) has been or is to be made,'.

No. 110, in page 28, line 14, leave out 'under subsection (2A) (a), (b) or (c)' and insert

'such as is mentioned in subsection (2B) (a)'.

No. 111, in page 28, line 15, leave out 'under subsection (2A) (d), (e) or (f)' and insert

'such as is mentioned in subsection (2B) (b)'.

No. 112, in page 28, line 18, leave out 'under subsection (2A), (a), (b) or (c)' and insert

'such as is mentioned in subsection (2B) (a)'.

No. 113, in page 28, line 19, leave out 'under subsection (2A) (d), (e) or (f)' and insert

'such as is mentioned in subsection (2B) (b)'.

No. 74, in page 28, line 31, at end insert—

'. In section 4(2) (application of section 3(2) and (3) in relation to other expenditure out of National Heritage Memorial Fund) after "(2)" there shall be inserted ", (2ZA)".—*[Mr. Key.]*

Schedule 5

The National Lottery Charities Board

Mr. Peter Lloyd: I beg to move amendement No. 114, in page 29, line 22, after 'chairman' insert

'and the chairman of any committee of theirs'.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 115 to 117.

Mr. Lloyd: In Committee I undertook to consider whether it should be possible for the chairmem of the board's committees to be paid. Having considered the matter, we believe that that should be a possibility, and the amendments make that so.

Amendment agreed to.

Amendments made: No. 115, in page 29, line 27, after first 'Board' insert

'or chairman of a committee of the Charities Board'.

No. 116, in page 29, line 34, after first 'Board' insert 'or of a committee of the Charities Board.'

No. 117, in page 31, line 14, at end insert

'and any chairman of a committee of that Board.'.—*[Mr. Peter Lloyd.]*

Schedule 6

The Millennium Commission

Mr. Alton: I beg to move amendment No. 6, in page 31, line 28, at end insert

'and—

(c) one shall be nominated after consultation with the leaders of the minority parties other than Her Majesty's Opposition.'.

Mr. Deputy Speaker: With this it will be convenient to discuss amendment No. 7, in page 31, line 37, after 'Opposition', insert

'or of any other minority party.'.

Mr. Alton: These two amendments were moved in Committee. The Minister will recall that we were unable to have a Division on the issue of the representation of minority parties in the House on the Millennium Commission.

Despite discussions that have been held in the intermim with Ministers and the Secretary of State, I understand that it has been impossible to make any progress on the question of representation and I give notice that, if we are unable to extract anything from the Minister when he replies as to whether the issue will receive further consideration, I intend to press the amendment to a Division as we were unable to have a Division in Committee.

[Mr. Alton]

I am grateful to the official Opposition and to the hon. Member for Stalybridge and Hyde (Mr. Pendry) who, in contrast, has been extremely helpful on the matter and who was good enough to say earlier that the official Opposition support the principle that the minority parties in the House should be represented on the Millennium Commission.

About 20 per cent. of the funds raised by the national lottery will be dispensed by the Millennium Commission. If there is to be political representation—whether there should be political representation at all is open to question and is a matter that the House may wish to consider—and given that the Government have decided to write on to the face of the Bill the fact that two Ministers and one representative of the official Opposition will be appointed to serve on the commission, it seems extraordinary that no representatives of the 43 Members of the House who serve in seven minority parties should be members of that commission.

There are plenty of examples of the minority parties taking collective decisions—for example, through the Committee of Selection. I recall that when I was my party's Chief Whip, on many occasions, I made joint nominations on behalf of the minority parties to serve on Committees in the House. The principle should be no different in respect of the amendment.

There are nine places available on the commission. I cannot understand why the Government decided to take two places and to give one to the official Opposition and none to the minority parties.

The geographical composition is also worth considering for a moment. It will not have escaped the attention of hon. Members that among the signatories to the amendment are spokesmen for the Democratic Unionist party and the Official Unionist party in Northern Ireland and the Social Democratic and Labour party of Northern Ireland.

Neither the official Opposition nor the Government are represented in Northern Ireland, and it would be scandalous if no one from Ulster were represented on the Millennium Commission. I hope that, at the very least, the Minister will promise Northern Ireland Members that one of the nine places will be allotted to someone from Northern Ireland.

The amendment is supported not only by representatives of the three Northern Ireland parties that I have mentioned, but by members of the Scottish National and Welsh National parties. I think that the breadth of opinion represented should in itself commend the amendment to the House. If there is to be a separate fund with its separate bureaucracy—the hon. Member for Stalybridge and Hyde talked about that earlier—and if it is to have political representatives, surely minority parties should be represented. It is an elementary question of fairness.

The Minister rightly took great pains to point out that there was an extraordinary atmosphere of good will in Committee, although many of us held diametrically opposed views on the issue of the lottery iself—often because of constituency, moral or ethical considerations. At the conclusion of the Committee stage, the Minister himself said that all parties had played a constructive and positive role.

The Committee stage was marked by a very non-adversarial quality: there was great co-operation and partnership between hon. Members on both sides of the Committee as they considered the best way in which to make the lottery work. Although many had deep reservations about whether it should be established at all, we did not allow ideological questions to prevent us from proceeding. Surely, hon. Members should adopt the same spirit when considering who should serve on the Millennium Commission.

Another issue should worry hon. Members. Inevitably, people will be concerned about the nature of the money that is being dispensed by the commission. I believe that those who will monitor the operation of the commission would feel far happier if they knew that it contained a breadth of opinion representing all parties in the House and every part of the United Kingdom. That would leave the commission open to far fewer suggestions that it is the result of a carve-up, or is being manipulated or cynically abused.

The Government should consider the amendments carefully, in the interests of fairness. If they do not feel able to accept them tonight, they should at least give us an assurance that they will consider them in another place, thereby avoiding the need for an otherwise necessary Division.

Mr. Key: When we established the Millennium Commission, we recognised that we were establishing a far-reaching and visionary body that would be of interest to the whole nation. We therefore thought that the Leader of Her Majesty's Opposition ought to be able to nominate one member of the Commission; we did not think that the right of nomination should be spread further. In Committee, we amended our proposals to reduce the number of our nominations to three; we considered that sensible. There is no doubt that politicians will be a minority on the commission.

I find it extraordinary that the hon. Member for Liverpool, Mossley Hill (Mr. Alton) should suggest that we have engaged in discussions or negotiations between the end of the Committee stage and tonight's debate. I have engaged in no discussions whatever. The hon. Gentleman's comments are, perhaps, predictable, but I cannot accept them. I shall oppose the amendments.

Mr. Alton *rose*——

Mr. Deputy Speaker: I call Rev. Ian Paisley.

Rev. Ian Paisley (Antrim, North): The hon. Member for Liverpool, Mossley Hill (Mr. Alton) put his points very fairly. Let me point out to the Government that small parties are represented in the House. Do the Government feel that they should have the largest slice of the cake? Are they saying to the official Opposition, "You can have one representative; all the other, smaller parties should be forgotten"? I do not think that that bears out what the Government have continually told us about the objectives of the Bill.

The attention of the House has been drawn to the fact that the three small parties from Northern Ireland will not be represented. They do not always see eye to eye. We are always told that we should see eye to eye, but immediately we do, people want nothing to do with us.

The Secretary of State for National Heritage has read deeply in theology. He will know that the millennium is a

wonderful thing. It is 1,000 years of peace and prosperity and the reign of Christ. He will also know that before it there comes a great tribulation. It seems that he would like to throw the smaller parties into the great tribulation rather than bring them into the millennium.

If the Government cannot accede to what has been requested in the amendment, can they give an assurance that Northern Ireland will not go without representation?

1.15 am

Mr. Dennis Skinner (Bolsover): The Social Democratic and Labour party will get the seat.

Rev. Ian Paisley: That is all right. It can get the seat. I am not interested in who gets the seat, but there should be some representation from Northern Ireland. This should not be a party political matter, it should be a matter for the House. The Government would not say to the Opposition that the representative cannot come from one wing of the Opposition, whether it be left, right or centre. That should not come into the matter. That is the way in which I look at this matter.

Everyone knows my views on the national lottery. I have made them clear in the House. But the Minister should give the Northern Ireland people at least some sort of recognition and representation.

Mr. Pendry: We sympathise with the arguments that have been made. I thought that it was discourteous of the Minister not to answer the point that was about to be made to him by the hon. Member for Mossley Hill on whether representations had been made since the Committee. It would have been helpful to the House if the Minister had given the hon. Gentleman the opportunity to make his case.

I wish to make two points. First, if this is a national lottery, it should be seen to be truly so. Representatives from the House should be on the commission and should be from as wide a spread of parties as possible. Secondly, many people would like to see Parliament get closer to the national lottery to provide accountability. Therefore, there is a lot to commend the amendment and we support it.

Question put, That the amendment be made:—

The Committee divided: Ayes 27, Noes 128.

Division No. 252] **[1.17 am**

AYES

Alton, David
Barnes, Harry
Bruce, Malcolm *(Gordon)*
Campbell, Menzies *(Fife NE)*
Clwyd, Mrs Ann
Cryer, Bob
Cunliffe, Lawrence
Dalyell, Tam
Davidson, Ian
Davis, Terry *(B'ham, H'dge H'l)*
Dixon, Don
Griffiths, Win *(Bridgend)*
Hall, Mike
Hinchliffe, David
Loyden, Eddie
Maclennan, Robert
McMaster, Gordon
Mahon, Alice
Miller, Andrew
O'Hara, Edward
Paisley, Rev Ian
Pendry, Tom
Powell, Ray *(Ogmore)*
Salmond, Alex
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Wallace, James

Tellers for the Ayes:
Mr. Archy Kirkwood and
Ms Liz Lynne.

NOES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Bates, Michael
Beresford, Sir Paul
Blackburn, Dr John G.
Boswell, Tim
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Butler, Peter
Butterfill, John
Carrington, Matthew
Carttiss, Michael
Chapman, Sydney
Clappison, James
Clifton-Brown, Geoffrey
Colvin, Michael
Congdon, David
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cran, James
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Douglas-Hamilton, Lord James
Duncan, Alan
Duncan-Smith, Iain
Durant, Sir Anthony
Elletson, Harold
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Faber, David
Fabricant, Michael
Forman, Nigel
Fox, Dr Liam *(Woodspring)*
Freeman, Roger
Gallie, Phil
Gill, Christopher
Gillan, Cheryl
Gorst, John
Greenway, John *(Ryedale)*
Hague, William
Hargreaves, Andrew
Harris, David
Hawkins, Nick
Hawksley, Warren
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Howarth, Alan *(Strat'rd-on-A)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Jack, Michael
Jenkin, Bernard
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Key, Robert
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lawrence, Sir Ivan
Legg, Barry
Lennox-Boyd, Mark
Lidington, David
Lloyd, Peter *(Fareham)*
Lord, Michael
Luff, Peter
McLoughlin, Patrick
Maitland, Lady Olga
Malone, Gerald
Mawhinney, Dr Brian
Merchant, Piers
Milligan, Stephen
Mitchell, Andrew *(Gedling)*
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Patnick, Irvine
Pickles, Eric
Porter, David *(Waveney)*
Renton, Rt Hon Tim
Richards, Rod
Rifkind, Rt Hon. Malcolm
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Shaw, David *(Dover)*
Shepherd, Colin *(Hereford)*
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Trend, Michael
Viggers, Peter
Walden, George
Waller, Gary
Wardle, Charles *(Bexhill)*
Whittingdale, John
Widdecombe, Ann
Willetts, David
Wilshire, David
Wood, Timothy

Tellers for the Noes:
Mr. Andrew Mackay and
Mr. Robert G. Hughes.

Question accordingly negatived.

Amendment made: No. 75, in page 33, line 37, at end insert—

'. In Schedule 1 to the Public Records Act 1958 (definition of public records), the following entry shall be inserted at the appropriate place in Part II of the Table at the end of paragraph 3—

"Millennium Commission."'.—*[Mr. Brooke.]*

Schedule 7

REGISTRATION OF SOCIETIES

Amendments made: No. 175, in page 34, line 23, after 'person' insert—

'who is or will be a person'.

No. 176, in page 34, line 36, leave out 'is'.

No. 177, in page 34, line 37, leave out 'if he' and insert 'is a person who'.

No. 76, in page 35, line 22, leave out 'and' and insert 'including'.

No. 77, in page 35, line 23, leave out 'documentary form' and insert 'writing'.

No. 178, in page 36, line 19, leave out 'or'.

No. 179, in page 36, line 21, at end insert '; or

(g) that an act or omission of a person who is or will be a person connected with a lottery promoted or proposed to be promoted on behalf of the society was a cause—

(i) of the registration of another society being refused or revoked on the ground specified in paragraph (b) or (f) above or under sub-paragraph (3) below;

(ii) of the registration of a scheme being refused or revoked on a ground specified in paragraph 3(1)(e) or 4(2)(c) of Schedule 2 below; or

(iii) of a relevant lottery, in the promotion of which the person was involved, not being properly conducted.

( ) In considering whether sub-paragraph (2)(g) above applies, the Board shall disregard any act or omission that occurred more than five years previously.

( ) For the purposes of sub-paragraph (2)(g) above—

(a) a person connected with a lottery is a person who is or has been—

(i) involved in the promotion of the lottery; or

(ii) employed for reward in connection with the promotion of any other lottery on behalf of the same society; and

(b) "relevant lottery", in relation to a society and a person, means a lottery promoted—

(i) on behalf of another society that at the time of the person's involvement with the promotion of the lottery was registered with the Board; or

(ii) under a scheme that at the time of the person's involvement with the promotion of the lottery was registered with the Board.'.

No. 78, in page 37, line 37, leave out 'and' and insert 'including'.

No. 79, in page 37, line 38, leave out 'documentary form' and insert 'writing'.

No. 80, in page 38, line 2, leave out 'and' and insert 'including'.

No. 81, in page 38, line 3, leave out 'documentary form' and insert 'writing'.

No. 180, in page 38, line 14, after '£100,000' insert 'and any of those lotteries is a lottery to which section 5(3B), (3C) or (3D) above applies'.—*[Mr. Brooke.]*

Schedule 8

Registration of schemes: amendment of Schedule 2 to the 1976 Act

Amendments made: No. 181, in page 39, line 30, after 'substituted "' insert 'a person'.

No. 182, in page 39, line 39, at end insert '; or

(f) except where the Secretary of State otherwise directs, it appears to the Board that an act or omission of a person who will be a person connected with a lottery under the scheme was a cause—

(i) of the registration of another scheme being refused or revoked on a ground specified in paragraph (e) above or paragraph 4(2)(c) below;

(ii) of the registration of a society being refused or revoked on the ground specified in paragraph 3(2)(b) or (f) of Schedule 1A above or under paragraph 3(3) of that Schedule; or

(iii) of a relevant lottery, in the promotion of which that person was involved, not being properly conducted.'.

No. 183, in page 39, line 40, at end insert—

'"( ) In considering whether sub-paragraph (1)(f) above applies, the Board shall disregard any act or omission that occurred more than five years previously.'.

No. 184, in page 40, line 7, leave out first 'is'.

No. 185, in page 40, line 7, leave out 'if he is' and insert 'is a person who is or has been'.

No. 186, in page 40, line 10, at end insert '; and

( ) "relevant lottery", in relation to a scheme and a person, means a lottery promoted—

(i) under another scheme that at the time of the person's involvement with the promotion of the lottery was registered with the Board; or

(ii) on behalf of a society that at the time of the person's involvement with the promotion of the lottery was registered with the Board.'.

No. 187, in page 40, line 18, leave out 'or has been' and insert 'a person'.

No. 188, in page 40, line 19, leave out '; or'.

No. 189, in page 40, line 22, at end insert '; or

(d) if it appears to them that an act or omission of a person who is or will be a person connected with a lottery under the scheme was a cause—

(i) of the registration of another scheme being refused or revoked on a ground specified in paragraph 3(1)(e) or paragraph (c) above;

(ii) of the registration of a society being refused or revoked on the ground specified in paragraph 3(2)(b) or (f) of Schedule 1A above or under paragraph 3(3) of that Schedule; or

(iii) of a relevant lottery, in the promotion of which that person was involved, not being properly conducted.

(3) In considering whether sub-paragraph (2)(d) above applies, the Board shall disregard any act or omission that occurred more than five years previously.'.

No. 82, in page 41, line 15, leave out 'and' and insert 'including'.

No. 83, in page 41, line 16, leave out 'documentary form' and insert 'writing'.

No. 84, in page 41, line 30, leave out 'and' and insert 'including'.

No. 85, in page 41, line 31, leave out 'documentary form' and insert 'writing'.—*[Mr. Brooke.]*

Schedule 9

Schedule to be inserted in the 1976 Act after Schedule 2

Amendments made: No. 86, in page 45, line 3, leave out 'and' and insert 'including'.

No. 87, in page 45, line 4, leave out 'documentary form' and insert 'writing'.

No. 88, in page 45, line 18, leave out 'and' and insert 'including'.

No. 89, in page 45, line 19, leave out 'documentary form' and insert 'writing'.

No. 190, in page 46, leave out lines 39 to 42.

No. 191, in page 47, line 2, leave out from '18(1)' to 'at' in line 4.—*[Mr. Brooke.]*

Title

Amendment made: No. 192, Title, line 6, after 'to', insert 'private lotteries and'.—*[Mr. Brooke.]*

Order for Third Reading read.—[Queen's consent, on behalf of the Crown, signified.]

1.28 am

The Secretary of State for National Heritage (Mr. Peter Brooke): I beg to move, That the Bill be now read the Third time.

It is a late hour, but there are courtesies to be observed, however briefly. The Bill has been the subject of much interest, both inside and outside the House. It has been subject to a thorough scrutiny by the Standing Committee and by the House tonight, and it has emerged from the Committee and from this evening's debate a better Bill. I therefore pay tribute to all those who served in the Committee for their work on the Bill which, as has often been remarked, is almost unique in its combination of measures—establishing the lottery, making arrangements for the distribution of the net proceeds and taking the opportunity to help small lotteries.

It has fired the imagination and commanded the support of hon. Members on both sides of the House. I congratulate all those involved and I think that we have a piece of legislation worthy of its task, one which I am sure will be looked at enviously by other lottery operators all over the world, and will produce a United Kingdom national lottery which is the best in the world.

In particular, I think that the whole House should be grateful for the sterling efforts of the chairman of the Standing Committee, my hon. Friend the Member for Staffordshire, South (Mr. Cormack), and to the hon. Members for Crewe and Nantwich (Mrs. Dunwoody) and for Chislehurst (Mr. Sims) who were called upon to step into the breach when the chairman was sadly taken ill early in the Committee's proceedings.

They formed an admirable triumvirate, supported by the hon. Member for Stockton, North (Mr. Coote), who was ready to assist but never called. We owe them our thanks. The same appreciation goes to those who in the chair in the House have presided over the Report stage with such benign authority that controversy melted away.

We also owe thanks to the Opposition spokesmen, the hon. Members for Stalybridge and Hyde (Mr. Pendry) and for Birmingham, Erdington (Mr. Corbett), for their wise contributions in Committee, via probing amendments and through the fruits of their wide experience in the arts, sport and the heritage. They were joined tonight by the hon. Member for Cynon Valley (Mrs. Clwyd) and throughout by the hon. Member for Liverpool, Mossley Hill (Mr. Alton). They and all other members of the Committee were assisted by the excellent Clerk.

I also pay tribute to the skilful and tireless efforts of my hon. Friends the Minister of State and the Under-Secretary of State, whose diligence, constructiveness and good humour were greatly appreciated by the Committee. I also pay tribute to the massive work, done by our officials and advisers, which went on behind the scenes to sustain my hon. Friends.

1.30 am

I thank hon. Members who have helped to refine the Bill and speed it on its way. At the risk of being quoted when the lottery becomes operative, I echo the dodo in "Alice": all have won and all shall have prizes. Through all its stages the Bill has been open to sensible amendment and hon. Members who participated have felt that the Bill has been further improved. It is not a lottery of excess; it is a lottery of access.

Finally, we owe a debt of gratitude to Parliamentary Counsel for the superb elegance of the drafting of the Bill, which presented many difficult and unusual challenges that the Bill solves with creativity and aplomb. The Bill is a model of modern legislation, to be admired for the skill, grace and economy of its structure.

I could say a great deal about the substance of the Bill which would reinforce this categorical eulogy. I propose to resist that temptation and hope that my abstinence will cause others to join me in the good wishes that I have expressed for the Bill as it is poised to leave us now for another place. I commend in particular the work of the Whip in assisting our progress.

1.31 am

Mr. Pendry: I will not thank all those whom the Secretary of State thanked by name, but I echo much of what he said.

On Second Reading I said that it was consistent to be committed to the idea of a national lottery but to retain some deeply held objections to parts of it. We thought that the Bill was flawed in many fundamental respects and we urged the Committee to vote for our amendments and to reject the Bill as it stood.

We said that, unless the Bill emerged on Report in better shape, we reserved our position. Since the Committee stage, there has been some hard bargaining. Following persuasive arguments advanced by my hon. Friends and some free spirits on the Conservative Benches, Ministers did listen to the genuine concerns expressed. To their eternal credit, they promised to reflect on the many points that we had to put to them. That promise was kept.

Since then, there have been a number of meetings with Ministers and some important changes, to the benefit of the charitable sector, the pools industry, and the small lottery operators affiliated to the lotteries council. The House would, I am sure, want me to praise my right hon. Friend the Member for Salford, East (Mr. Orme), the president of the council, who has done so much to highlight the problems of the small lotteries and to bring about acceptable changes.

I had intended to make a number of points in the Government's favour, but I judge that Ministers do not want me to at this stage. I will therefore spare their blushes and content myself with pointing out that the Government have made some important concessions. The Bill is still not as perfect as we would like it to be. As it travels to another place I am sure that it will be further improved.

The pools companies, for instance, would like more freedom to advertise on television and radio. In Committee the Minister said that he would consider that, but nothing has been translated into legislative form. We hope that the Secretary of State will fight his corner with the Treasury, because the 12 per cent. tax yield to the Treasury is far too high. I hope that at the end of the first year of operation that percentage will go down and not up.

I trust that the Bill will be improved in the other place because we wish to see a better lottery. The Opposition have always said that decisions on the Bill should be taken by a free vote. People who have fundamental objections to a lottery of any kind should be allowed to express them in the Lobby. However, if there is a Division, we on this Bench, who fought hard to improve the Bill, will vote for Third Reading. We recognise the strength of feeling of those who feel that they still cannot support the Bill and,

[Mr. Pendry]

as they know, they are free to vote against it. I wish the Bill well as it goes to the other place. I hope that it leaves there an even better Bill than it is now.

1.35 am

Mr. Kilfoyle: I was taken by the words of my hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry), who said that we have a free vote. I like to think that Opposition Members are a little more democratic than Conservative Members.

I listened carefully to most of the debate, although not all of it, and four points convinced me that I should still vote against Third Reading. I have argued consistently against the Bill within my party, in Committee and on Second Reading. My opposition goes back about 16 months to the time of the Bill presented by the hon. Member for Burton (Sir I. Lawrence). What I have heard today does not demand me one vote from my view. Conservative Members will be pleased to know that I shall be brief.

The right hon. Member for Mid-Sussex (Mr. Rumbold) intervened during the speech of the hon. Member for Caithness and Sutherland (Mr. Mackenzie) and there was an exchange about "this great heritage" of Georgian and Victorian England and about the achievements brought about by lotteries and charities at that time. I remind the right hon. Member for Mid-Sussex that after the Napoleonic wars there was a long and involved debate which in 1823 led to the abolition of the lotteries that existed at that time. He will know that the last lottery was held in 1826 because it was felt that lotteries were not to the interests of the people of this land. The Bill breaks a 300-year-old tradition of not seeking to expand and encourage gambling in this country.

My second point is of special interest to the people of Merseyside because of the Bill's effect on the pools, but it also affects the many groups that lobbied Opposition and Government Members during the progress of the Bill. It is the vexed question of additionality. The Minister of State, Home Office, the hon. Member for Fareham (Mr. Lloyd), was honest in his reply to the hon. Member for Caithness and Sutherland when he said that he could give no guarantee about what any future Secretary of State or Government would do.

Experience in countries that have introduced lotteries shows that the principle of additionality goes out the window. As I said in Committee, whatever party the appropriate Secretary of State or Chancellor of the Exchequer belongs to, as sure as night follows day the principle of additionality will disappear and the lottery proceeds will be used as substitute finances, to the detriment of many of the good causes that are supposed to benefit from the Bill.

The Under-Secretary of State for National Heritage was also honest enough during the debate on, I think, new clause 4 about the siting of the national lottery headquarters to say that a guarantee could not be given on jobs. I accept that to the extent to which the Minister intended it. Jobs are of paramount importance to people who represent constituencies such as mine and those of other Merseyside Members of Parliament. We have hammered the point throughout the debate, and the Minister knows that we are sincere. In my part of the world, 4,630 jobs are at risk. I shall not go over the arguments again, but he knows how committed we are to protecting those jobs, and the livelihoods of the people concerned.

It would be naive in the extreme to believe that the tax take will remain at 12 per cent. What has happened in other countries shows that it is an unrealistic tax regime. I noted carefully what the Chancellor of the Exchequer said, although this may not be the appropriate Bill on which to have a debate on the matter. However, it is germane to what the Bill is about. The Chancellor emphasised that the take would be 12 per cent. in the first year. If it came to the crunch and he has to decide between putting VAT on children's clothes and shoes, or raising the tax take out of the national lottery, there would be no contest. The tax regime on the lottery would go up, and that would have a detrimental effect on the charities and other good causes that expect to make money out of this ill-thought-out, ill-conceived proposal.

For those genuine reasons, which are shared by a number of Opposition Members, and notwithstanding the fine efforts of those on the Front Bench to amend the Bill —they have improved it in many ways—we, in conscience, have to vote against Third Reading.

1.41 am

Mr. Mackenzie: I must freely admit that no amendments to the Bill would have satisfied me that I carried a Third Reading. Although I acknowledge the work done in Committee, notably by my hon. Friend the Member for Liverpool, Wavertree (Mr. Alton), and by the Opposition spokesmen and many others to improve the Bill, and slightly to ameliorate the directly adverse effect that it will have on charitable organisations, it remains unacceptable.

This is the first time in modern times that the state has deliberately taken it upon itself to promote gambling. I regard gambling as a social evil, and one that will no doubt lead to an increase in crime, particularly among the young. It is not being a spoilsport to deplore that tendency. The Bill is a regressive measure that will hit hardest the least well-off. In a country where the gap between rich and poor is growing wider, the Government are doing more, deliberately, as the Bill so accentuates it, I find it morally repugnant, and I have no hesitation in saying so. I cannot, in the course of the Third Reading debate, confine myself to economics, although no doubt they are dire.

I deeply regret that Parliament has descended to the depths of the Bill. Many have clutched at it, knowing that the Treasury was to tighten the screw on expenditure on arts and the sports, a process that has already begun, also, under a Secretary of State for whom I had high hopes— [*Laughter.*] I believe that the Secretary of State has the interests of both sports and the arts very much at heart, but he did not devise the Bill. It was thrashed up by others.

The right hon. Member for Mid-Sussex (Mr. Rumbold) was the first of several Arts Ministers who clutched at the rather vain hope that, for this declining nation, over which the Conservative Government have presided for 12 years, and this economy, which has failed to sustain the arts and sports in any other way, gambling would be the way out. The concept was promoted by a private Member's Bill, and in moving his own amendments tonight, the hon. and learned Member for Burton (Sir I. Lawrence), to a very belated intervention, found occasion to draw attention to

some of the dangers—[Laughter.] We must hear some of the blame when the consequences of the Bill are felt by charities.

The principle was supported by the right hon. Member for Wells Valley as some kind of bread and circuses to be thrown before the electorate at the general election.

Mr. Cryer: He was the author of the poll tax as well.

Mr. Mackenzie: And now he has said, without irony, "Those who embraced his policies may feel that they will follow a similar route."

This has been a regrettable episode. Many people who have clutched at the hope of salvation for the arts will live to rue the day, as they see the Treasury using the lottery as an excuse for cutting expenditure raised by taxation on the arts and sport. I shall have no hesitation in voting against the Bill.

1.47 am

Mr. George Howarth: As the Bill was extensively debated on Second Reading, in Committee, and on Report—enough, I shall not detain the House long. I have two main points—one is a form of concession, and the other is an objection to the Bill receiving a Third Reading.

As a result of amendments made in Committee and others altogether, if not passed, tonight, the Bill is a better one than it was, and to that extent I congratulate those of my hon. Friends involved on the success of their arguments, and the Government on having the generosity of spirit to accept them.

However, a number of serious questions have not been answered, and for that reason I find it impossible to vote in favour of a Third Reading.

The hon. Member for Carlisle and Sutherland (Mr. Mackenzie) made a serious point—which was greeted with some hilarity by Conservative Members for some reason that escapes me—about genuine moral objections to state-sponsored gambling. Whatever gloss the Government put on the lottery, there are many well-considered arguments against state-sponsored gambling and a form of taxation—for it is that—that is regressive.

I and many of my hon. Friends are old-fashioned enough to think that the whole point of taxation is to redistribute wealth from one section of the community to another. The Bill will take from certain artistic and school events that are less well-off and give to the better-off. In due course, that inevitable consequence will be proved by the way in which the lottery, and the events that it sponsors, work out.

As the Government are unlikely to accept the arguments, I will make other points concerning my constituency on Merseyside. At the beginning, I and many of my hon. Friends took the view that any development that would mean more job losses for a region already ravaged by recession and unemployment was unacceptable. It was announced—this figure has not been disproved by any empirical evidence produced by Ministers or Conservative Members—that job losses across the country were likely to number 1,400 to 4,400 with 4,400 of them on Merseyside. Some of the amendments to the Bill—the wording, in some cases, of the phasing Bill—mean that job losses are likely to amount now to only 1,200 to 1,800. Yet those job losses are unacceptable to me and my hon. Friends.

For those new reasons—the moral objections, which still have not been answered, and the job losses that will inevitably result from the passing of the Bill as to the extent feeds—I have no hesitation whatsoever in recommending my hon. Friends and any Conservative Members who feel so inclined to vote against Third Reading.

1.52 am

Mr. Allen: Before we proceed to a Division, I intend to put on record my objections to Third Reading. At every other stage I have voted against the Bill, for the reasons that the hon. Member for Knowsley, North (Mr. Howarth) and my hon. Friend the Member for Carlisle and Sutherland (Mr. Mackenzie) have already given. Any hon. Member who expresses grave reservations will have no choice but to consider these reasons before deciding how to vote on Third Reading. There are serious job implications. The hon. and learned Member for Barrow (Mr. I. Lawrence) leaves that when he introduced his private Member's Bill, many of us put forward similar arguments. They still remain.

I am particularly grateful to the Home Office Minister, the hon. Member for Fareham (Mr. Lloyd), who has been present throughout most of the proceedings on the Bill, for trying to meet many of the reasons I—sometimes I am also grateful to the hon. Member for Ipswich (Mr. Ancram) and others from the Department of National Heritage, who recognise that there are implications for youth workers. Those like me, there remains concern within the industry that even the Bill becomes an Act of Parliament, Centres in London, Yorkshire in Liverpool and part of the Commonwealth operations will have to make people redundant. That will mean grave hardship in areas where there is already high unemployment.

For the past 15 years I have represented many people—first as a councillor and then as a Member of Parliament for the past 10 years—who are employed by Littlewoods in Edge Lane, an area only area of Liverpool. I am familiar with many of the families who rely upon the wages that they receive from that work for their livelihood. [Interruption.]

Although it is true that some of those jobs will undoubtedly disappear—the point which I think the hon. and learned Member for Barrow is making from a different position—because of the technology that is being introduced, I think he will be the first to agree that the number of jobs that will be involved in the operation of the approved lottery, whenever its headquarters is situated, will be very, compared with the high level of labour-intensive work that is available through the football pools or pubs.

Mr. Ivan Lawrence indicated dissent.

Mr. Allen: We should not gamble with people's jobs and livelihoods, particularly in a time of very high unemployment.

Mr. Robert N. Fleming (Liverpool, Wavertree): I am pleased to hear what the hon. Gentleman says and I support him entirely. Does he also agree that the majority of the workers who will be affected are women and that in many cases those women are the sole earner in the family, on account of the high level of male unemployment on Merseyside? Those families depend upon the women going out to work; many of them are lone parents.

Mr. Alton: Indeed. I specifically made that point earlier today in the debate on where the national lottery headquarters should be situated. If any area can prove —as I believe Merseyside will be able to prove—that it has lost jobs as a direct consequence of the introduction of the national lottery, we should ensure that its national headquarters is situated in that area, so that some of the women to whom the hon. Member for Liverpool, West Derby (Mr. Wareing) referred will have the possibility of finding employment there.

My second objection is the moral argument about regressive taxation. Is it right that people, who inevitably come from the poorest sections of society, should be encouraged to gamble through the state lottery and thereby subsidise to the greatest extent many of our great national institutions? There is nothing wrong with the Royal Opera House and Covent Garden, but why should people who are the least likely to use those facilities and who come from the poorest sections of society be the ones who most disproportionately will have to pay for those facilities?

Can it be right for the House actively to encourage more state-inspired gambling? More per head is spent on gambling in this country—about £4·50—than in any other country in Europe. Do we want to encourage more gambling and more of a chance society, in which people are encouraged to think that the only way out of poverty and the only way to succeed is by wagering a stake? Surely there are better ways of helping to succeed.

I conclude by recalling the words of William Wilberforce to his friend Henry Thornton in the aftermath of the abolition of slavery. He turned to Henry Thornton and asked, "What shall we abolish next?" The reply was, "The national lottery, I think." In those days, the period to which the hon. Member for Liverpool, Walton (Mr. Kilfoyle) referred, the national lottery was so full of corruption, abuses and the fear of syndicates, which has also been expressed today, that there was a national crusade to abolish it. I hope that there will not have to be a national crusade to undo what we are doing today.

1.55 am

Mr. Renton: I understand the concerns that the hon. Member for Liverpool, Mossley Hill (Mr. Alton) has expressed so well. I shall be brief because it is late, but I must say that I think that he and the hon. Member for Caithness and Sutherland (Mr. Maclennan) are wrong. The national lottery will be a great step forward and will do much for good causes in this country.

During my time as Minister for the Arts, I used all my influence to get the notion approved. I was delighted that it was in our election manifesto, and I congratulate my hon. Friend the Minister of State, Home Office, the hon. Member for Fareham (Mr. Lloyd), and the Under-Secretary of State at the Department of National Heritage on the way that they have argued for the concept today.

There were two good reasons why I was convinced about the idea. The first was that, when talking to other Ministers for the Arts—they are usually called Ministers of Culture in other parts of Europe—I was always struck by their telling me that they had been able to use the proceeds of their national lotteries so successfully. I remember Maire Geoghegan-Quinn in Dublin telling me of the refurbishment and restoration of the Irish national gallery, which was the result of the national lottery. I asked Mrs. Psarouda-Benaki, the Greek Minister of Culture, how she was doing for money. That was the usual question between Ministers for the Arts or for Culture. She said that she was saved by the national lottery.

Secondly, although my predecessor, Sir Richard Luce, and I were successful in getting increased grants from the Treasury for the current expenses of arts organisations, it was clear that there was not sufficient money available to build great buildings or for restoration and refurbishment. It was obvious to me that the large sums needed would come only from a national lottery. I believe that the national lottery will be a great success and that the concerns expressed are not valid.

I hope that when Oflot comes into being, and when the organisation that is to run the lottery has been chosen, they will concentrate on using small shops such as tobacconists' shops and sub-post offices as retail outlets. If anyone visits Wexford in Ireland, they will find three small shops in the high street, all displaying the lotto sign. That brings new customers into corner shops, and we all want to encourage the small shop rather than the supermarket. The lottery could be helpful in that respect.

I was disappointed by the gloomy view that the hon. Member for Stalybridge and Hyde (Mr. Pendry) took of the millennium fund. It is a most exciting and imaginative project, which will contribute to the construction of great buildings by which the next generation will remember us.

After the great exhibition, spare money was used to buy the land in south Kensington on which now stand the Victoria and Albert museum, the natural history museum and the science museum.

Over the next six or seven years we can do something comparable, and I believe that it will be for that that the next generation will remember us. We should all be proud to be associated with the project, and I believe that my right hon. Friend the Secretary of State will carry it forward with great vigour and determination.

2 am

Mr. Frank Field (Birkenhead): Although I respect the hon. Members who have taken a principled stand about the idea of the state organising gambling, I have to say that I do not care a stuff for that argument. I believe that in the country as a whole most people will fail to draw any significant distinction between gambling run privately and gambling run by the state. People may be able to make the case that they oppose all gambling, but it is a subsidiary matter whether the state or private organisations run it. Therefore, I have no wish to make more of that issue.

First, I thank the Secretary of State and his junior Minister for the changes that they have made to the Bill. I understand that the pools lobby is now much more satisfied with it. If the pools lobby consisted of Vernons alone I should be content with its response, for I have respected for some time Vernons' stance on the whole issue. However, Littlewoods' attitude over the long term has left everything to be desired in terms of how the company should have responded so as to shape the debate that culminates tonight.

I shall spend two minutes on the subject of jobs. We have had two good monthly returns for the unemployment figures, but two good months do not make an economic boom. Even if they did, we know from the past four or so booms that at the high point of each boom there are more

people unemployed than there were at the equivalent stage of the previous cycle. Therefore, the issue of jobs is of immense importance.

Like many Merseyside Members, I represent a constituency in which one in four people are unemployed. Generally there are two reactions to unemployment in my constituency. One is for people to drive themselves demented as they search for that elusive job, and for their loved ones to watch them become demented and to go mad with them, believing that round the next corner, on the next card that they read in the jobcentre or in the next newspaper advert that they read, there will be the sign of a job, and they will be successful.

The other response, which I find even more alarming, and which is becoming more common, is that the only way in which people can survive with that level of unemployment is to wipe the idea of paid work out of their lives. That is the only way to organise and to keep sane. That is an extremely worrying long-term trend for the House to have to debate.

It is therefore immensely serious that at a time of near record post-war unemployment we are debating a Bill that will deny some of my constituents work. Some of those people will be bringing the only wage packet into their households and without those jobs they will join either the group of demented constituents who search vainly for work, or that growing group that can survive only by pretending that working is not an important part of our activities as responsible adults.

I therefore make a plea to the House. While we have that level of unemployment and while that curse is laid on so many of our constituents, although in other circumstances a national lottery would be welcome, and there can be no real worry about the fact that the state rather than private individuals is organising it, the effect on unemployment is a sticking point, so I hope that the House will refuse the Bill a Third Reading.

2.3 am

Rev. Ian Paisley (Antrim, North): The House will be aware that I have a strong moral conviction concerning the subject matter of the Bill; I have expressed it in the House before. I have been in pastoral work for 46 years, and the description by the hon. Member for Birkenhead (Mr. Field) of the frustration of the unemployed is very real to me. It is far more real to me that the unemployed, in that state of frustration, turn to gambling and think that by the cast of the dice they will remedy their position. It is deplorable that the Government and Parliament now take it on themselves to lead the nation in the gambling menace. It is a menace to society. It is sad that the only way in which the Government can preserve our heritage is by inviting people to gamble. That is not the way to preserve the heritage.

I sympathise with hon. Members whose constituencies have a high percentage of unemployment, as we have in Northern Ireland. The jobs lost will not be found easily, as all hon. Members know. That is bound to cause concern to anyone who has a heart and who feels for the unemployed. Nothing devastates a family more than unemployment, and nothing devastates the moral life of people more than unemployment. Despite all the hilarity in parts of our debate, we are not going down a road that will help the nation. That is my personal conviction, so I must say that.

2.5 am

Mr. Cryer: There are a number of objections to the Bill. Although there have been some improvements, they will not provide the safeguards needed by the small lotteries. Ironically, the legislation that allowed small lotteries was introduced by Graham Page, the former Member for Crosby. I do not suppose that he envisaged that the idea would be taken up and converted into a national scheme by a future Conservative Government.

The Bill is intrusive and it will affect many reasonably well-established lotteries which are used for a variety of purposes. I received representations from Bradford Northern rugby league football club, which plays at Odsal stadium in my constituency. Its concerns are not satisfied. The national lottery will have an adverse affect.

The lottery will not be terribly efficient. Barely 25 per cent. of the revenue will got to the so-called "good causes". Some 50 per cent. will go on prizes, 12 per cent. will go on tax because the Government will use the revenue from the lottery for their own purposes, and 13 per cent. or more will go on administration. That leaves barely 25 per cent. —minority—of the total revenue to go to the good causes. The lottery is not a very effective way in which to raise money.

Some 20 per cent. will go on the dotty scheme on the millennium which will not have any clear benefit to the nation except that in the year 2000 there will be some junketing which is not clearly defined. A quango will set up the scheme and spend the money on it. There are better uses for the money. The reservation that I and many of my hon. Friends have is that the revenue will not supplement Government expenditure, but will supplant it. It will be used as a source of revenue to pay for things that could and should come from general taxation. That is the real fear.

There is also good and genuine tradition—Methodist, puritanical or whatever—among Labour Members. We have gambling because footbal pools are a form of gambling. That far and no further should we go. We should not expand it into a national lottery running alongside the football pools which would expand a society that is concerned with consumerism, with status and with a way out through the easy pickings of prizes in a national lottery. They are not easy pickings. Everybody contributes to the prizes. The vast majority will be losers. A tiny proportion will be winners, and the rest will be left with dashed hopes, illusions and the cynicism of a decrepit and corrupt society. Goods and services are out of reach for the vast majority because they have low incomes or no jobs in a society that has an economy that cannot provide for them.

Mr. Dennis Skinner (Bolsover): Close the stock exchange.

Mr. Cryer: My hon. Friend talks about the stock exchange. That represents another form of gambling to which I am opposed. I do not see why we should expand gambling to consume the whole nation, with the posh gamblers in the City of London and the ordinary gamblers consumed in the pursuit of false hope. It is not by gambling but by organising together to secure a political victory and to elect a Government with the right priorities that we shall change and improve society. For those reasons, I shall vote against Third Reading.

2.10 am

Mr. Davidson: I oppose the Bill for many of the reasons that have already been given. I disagree with the assertion that it makes no difference whatever if gambling is organised by the state or by private individuals. If the state is seen not only to be condoning gambling by allowing it but actually to be promoting it, a different message is conveyed about the type of society that we want to see.

Ultimately, the money from the national lottery will be used not in addition to but instead of money spent by local authorities or the state. That money will be raised from those who can afford it least to be spent on those who can afford it most. I can imagine unemployed people living in damp houses in my constituency paying money in desperation towards a national lottery in an attempt to escape from their predicament, only to see their money spent on pleasures that are predominantly enjoyed by those who are much better off than they are.

The Bill is a redistributive measure: it will redistribute wealth away from those who have least and in the direction of those who have most. That is why I do not believe that it is morally just or morally sustainable, and I do not propose to vote for it.

I recognise that a great deal of work has been done by those on both Front Benches to make this a less bad Bill than it was, and I pay tribute to them for that work, but I still believe that charitable giving will suffer as a result of the lottery.

The Government have assured us that that will not happen. What do they propose to do if, several months or a year down the road, it is clearly shown that charities are suffering as a result of the introduction of the national lottery, and that local voluntary effort is being diminished as a result of money being bled away from that sector and into the lottery, which will be offering larger prizes? Will they be prepared to accept that something needs to be done to redress the balance?

What will the Government do if it becomes clear that the national lottery cash is being used as substitute for money from elsewhere rather than being additional to it? No doubt the assurances that we have heard have been given in good faith, but it would be much more reassuring to us to have a clear commitment from the Government that they would be prepared to redress any imbalance that developed.

I am worried that the lottery will result in the exploitation of misery by those who wish to reduce taxation and are looking for ways of funding what should be public works. The arts and sports lobbies are clutching at the national lottery in desperation because they see no other source of public revenue. In my view, that is the explanation for their enthusiasm.

On the question of jobs, I echo the anxieties and fears expressed by many of my hon. Friends. As I said earlier, in many families in my constituency, the woman working for Littlewoods pools is the sole breadwinner and she will have no alternative opportunity for employment if she loses her job. That has not been adequately dealt with in the proposals before us. For all those reasons—moral as well as economic—I find myself with no alternative but to oppose the Bill.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 130, Noes 39.

Division No. 253] **[2.15 am**

AYES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Bates, Michael
Beresford, Sir Paul
Blackburn, Dr John G.
Boswell, Tim
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Butler, Peter
Butterfill, John
Carrington, Matthew
Clappison, James
Clifton-Brown, Geoffrey
Clwyd, Mrs Ann
Colvin, Michael
Congdon, David
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cran, James
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Durant, Sir Anthony
Ellis.son, Harold
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Faber, David
Fabricant, Michael
Forman, Nigel
Fox, Dr Liam *(Woodspring)*
Freeman, Roger
Gallie, Phil
Gill, Christopher
Gillan, Cheryl
Gorst, John
Greenway, John *(Ryedale)*
Hague, William
Hargreaves, Andrew
Harris, David
Hawkins, Nick
Hawksley, Warren
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Howarth, Alan *(Strat'rd-on-A)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Jack, Michael
Jenkin, Bernard
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Key, Robert
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lawrence, Sir Ivan
Legg, Barry
Lennox-Boyd, Mark
Lidington, David
Lloyd, Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacKay, Andrew
McLoughlin, Patrick
Maitland, Lady Olga
Malone, Gerald
Mawhinney, Dr Brian
Merchant, Piers
Milligan, Stephen
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Patnick, Irvine
Pendry, Tom
Pickles, Eric
Renton, Rt Hon Tim
Richards, Rod
Robathan, Andrew
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Shaw, David *(Dover)*
Shepherd, Colin *(Hereford)*
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Trend, Michael
Viggers, Peter
Walden, George
Waller, Gary
Wardle, Charles *(Bexhill)*
Whittingdale, John
Widdecombe, Ann
Willetts, David
Wilshire, David
Wood, Timothy

Tellers for the Ayes:
Mr. Andrew Mitchell and
Mr. Sydney Chapman.

NOES

Adams, Mrs Irene
Alton, David
Barnes, Harry
Benton, Joe
Bruce, Malcolm *(Gordon)*
Campbell, Menzies *(Fife NE)*
Coffey, Ann
Cunliffe, Lawrence
Dalyell, Tam
Davidson, Ian
Davis, Terry *(B'ham, H'dge H'l)*
Dixon, Don
Etherington, Bill
Field, Frank *(Birkenhead)*
Foster, Rt Hon Derek
Griffiths, Win *(Bridgend)*
Hall, Mike
Hinchliffe, David

Howarth, George (Knowsley N)
Hughes, Kevin (Doncaster N)
Kennedy, Jane (Lpool Brdgn)
Killoyle, Peter
Kirkwood, Archy
Loyden, Eddie
Lynne, Ms Liz
McCartney, Ian
Maclennan, Robert
McMaster, Gordon
Mahon, Alice
Michie, Bill (Sheffield Heeley)
Miller, Andrew
O'Hara, Edward
Orme, Rt Hon Stanley
Paisley, Rev Ian
Powell, Ray (Ogmore)
Salmond, Alex
Smith, Andrew (Oxford E)
Wallace, James
Wareing, Robert N

Tellers for the Noes:
Mr. Bob Cryer and
Mr. Dennis Skinner.

Question accordingly agreed to.
Bill read the Third time, and passed.

Youth Training (Norwich)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Arbuthnot.]*

2.24 am

Mr. Patrick Thompson (Norwich, North): The timing and date of an Adjournment debate is certainly a lottery, but even at this early hour of 25 minutes past two in the morning, I am grateful for the opportunity to raise the subject of youth training in Norwich, to refer to the difficulties that must be faced, and to make positive suggestions about how to tackle them.

I am grateful to my hon. Friend the Under-Secretary of State for Employment for being present on the Front Bench at this late hour. I look forward to his response to the debate tonight. I also welcome my hon. Friends the Members for Great Yarmouth (Mr. Carttiss) and for Cirencester and Tewkesbury (Mr. Clifton-Brown). I am grateful to them for their support. In my last Adjournment debate I forgot to welcome the Whip. I am pleased that my hon. Friend the Member for Wanstead and Woodford (Mr. Arbuthnot) is here to listen to the debate.

It is clear that there are problems in youth training. There certainly have been problems in Norwich, although considerable strides have been made in recent years. I wish to place on record my thanks to Sarah Prettejohn of the university of East Anglia for the research that she has done, on which I was able to draw in preparation for the debate. I am also grateful to many trainees, firms and other organisations in Norwich who have provided a wealth of information which has been helpful for the debate.

I believe that too little is known locally and nationally about the positive work of the Department of Employment, the training and enterprise councils and the careers service in tackling youth employment and meeting young people's training needs. Too little value is still placed on technical and vocational training. Employers and young people often have limited understanding of the importance and relevance of national vocational qualifications. You will have noted, Mr. Deputy Speaker, that I spelt that out in full. I have become fed up during my 10 years as a Member of Parliament of everything being referred to in acronyms such as NVQ. It is right that we should spell out what we mean: national vocational qualification. It is important that we press for a better understanding of such qualifications.

Some of our young people are difficult to motivate, partly because of the failure of many of our schools to produce completely literate and numerate youngsters and partly because the training that they are offered is not of high quality. Employers cannot expect to attract and retain high-quality staff unless they contribute more. Higher quality training costs money. Our record in training is still not comparable to that of many other advanced countries. I hope that my hon. Friend the Minister will address those issues in his reply.

A major publicity drive to raise public awareness of our training programmes and vocational qualifications should be mounted as a matter of urgency or at least as soon as practicably possible. I hope that my hon. Friend will respond to that point. Such a publicity drive would help to change attitudes and make sure that opportunities were not missed.

[Mr. Patrick Thompson]

I should like to be assured by my hon. Friend the Minister that closer links will be forged with the careers service and schools and that earlier and better advice will be given to children well before they reach school-leaving age. The time for education-business compacts has arrived. As a member of the Education Select Committee before the last general election, I visited Germany. It was clear that there was a stronger link than in Britain between industry and the schools. We have a long way to go.

If, as is likely, some schools in Norwich opt for grant-maintained status, links between education and business can be further encouraged. The Confederation of British Industry has recently suggested that the best way of reducing the false distinction between academic and vocational qualifications would be to integrate them within one overall system. I am not sure that that is the right approach. It is important that national vocational qualifications and vocational training generally should have better recognition.

It is not clear whether everyone should gain national vocational qualifications, as some of the training and enterprise councils appear to believe. It is important that quality in training should not be sacrificed in the search for universal qualifications. I am sure that my hon. Friend the Minister would agree that we must secure the higher quality training, with greater employer commitment, which will enable us to compete effectively with our foreign rivals in the decades ahead.

Almost 10 years ago, in my maiden speech in the House, I praised the Government's youth training initiatives. I have kept my interest in the youth training scheme and in matters concerned with education and training ever since. I have visited many training providers in Norwich. Even this week, I had discussions with the Norfolk and Waveney training and enterprise council. At one time I was also involved with Norwich engineering project, which was founded to increase young people's interest in engineering and related skills in my constituency.

The research that Sarah Prettejohn and I have conducted in the past weeks in Norwich has shown up clearly some of the problems under which the present system operates. In recent months, the Norfolk and Waveney training and enterprise council has been subject to some criticism and a lack of co-ordination with the careers service has been evident.

Although training generally has held up during the recession, the nature and structure of the local economy, which has few large national companies based in the city, has imposed constraints on the opportunities available. The recent decision by Norwich Union to stop taking on school leavers had an immediate impact throughout the area. Matching potential trainees to suitable places became more difficult if youngsters were expected to travel long distances across, or out of, the city.

Employers have, quite naturally, been uncertain about their ability to offer places to young people under the youth training programme because of its two-year life span. If a company is making its adult employees redundant and cannot judge what its markets will be like in three months' time, its reluctance to take on 16 or 17-year-olds is understandable. It has been all too easy to cut training budgets and to fail to offer financial incentives and wider differentials to acquire training qualifications. All that has been left has been seen by youngsters as training in quantity rather than in quality for the future.

It has been said, too, that there has been a problem with the attitude of a small number of youngsters seeking training. One Norwich company told us that its trainees left a lot to be desired. It said that those young people did not understand the need to be at work on time and lacked the motivation to get the most out of their training. The company regarded that as the fault of the schools, which had tolerated those attitudes and downgraded vocational skills. I am sorry to say that there is more than a degree of truth in those charges.

It is not entirely clear how many young people have been training locally, which is due to a difference in the criteria used by the careers service and the Norfolk and Waveney training and enterprise council. The careers service has considered that its figures might be an underestimate while the training and enterprise council thought that they were probably an overestimate and included those who had gone back to school or college. In the training and enterprise council's view, those who did go back for an extra year found it more difficult to get training places once they left school.

An extremely important development has been the creation by the Norfolk and Waveney training and enterprise council of foundation training specifically designed to help youngsters who had experienced problems in finding a training place. By offering preparatory counselling on suitable careers, by involving youngsters directly in training to improve motivation, social and interview skills and by helping them to appreciate the importance of team work, that programme is offering those youngsters the chance to achieve their objectives rather than to fall and to fail at the first hurdle. Training providers will be able to recruit motivated people who want to gain national vocational qualifications and pursue a career with realistic prospects.

We have found that the results of the training and enterprise council's efforts are already beginning to show through. Eight month's ago, there were 1,408 youngsters eligible for youth training, of whom 353 had waited for a start date for more than eight weeks. This month, there were 692 eligible youngsters, with only 11 who had waited more than eight weeks; some of them had either just moved into the area or were long-term sick. I suspect that the recent visit of my right hon. Friend the Secretary of State for Employment to the training and enterprise council has had a salutary effect to improve the situation. I welcome the recent improvement, and I am sure that my hon. Friend the Minister will be able to confirm the figures that I have quoted.

Every young person seeking youth training at the beginning of January has now been offered a place, and everyone accepting the offer has actually started on his or her course or placement with an employer. Overall, some 4,200 young men and women are undertaking training under the Norfolk and Waveney training and enterprise council's auspices. I also understand that the careers service and the training and enterprise council are now working more closely together to tackle the employment and training needs of young people, and will go on doing so.

So progress is being made in Norwich. It must be consolidated, locally and nationally. As the economy recovers, employers, particularly in the manufacturing and

engineering sectors, will need encouragement to take on trainees and to meet the additional costs of training in their skills. This point has been discussed constructively between representatives of the Engineering Employers Federation and the training and enterprise council. More apprentices will be sponsored this year in spite of a reduced employers' contribution. Better links with teachers are being built. Similarly, a major publicity drive is under way to attract young people into engineering, as the engineering stand at the recent Job Scene East careers exhibition at the Norwich sports village showed.

I am sure that my hon. Friend will agree that the recovery in the economy will be abortive if we suffer a skills shortage. I can recall some years ago being called to meetings by employers in Norwich because they were desperately worried about a skills shortage. We have heard less of that recently as the economy has gone through a more difficult period, but I suspect that it will not be long before we start hearing about a skills shortage again. That is why I am emphasising the point now.

I am particularly grateful to have had this opportunity to raise the subject of youth training in Norwich. It is a matter of great importance to young people in Norwich and throughout the country, including young people in the constituencies of my hon. Friends who have supported me tonight, the hon. Members for Great Yarmouth and for Cirencester and Tewkesbury. We must get the right sort of training for our young people who are leaving education and entering the world of work for the first time. It is in their interests and in ours that they acquire skills that will be useful for the rest of their lives.

I believe that these objectives are accepted inside and outside the House, even if there are differing views on how to achieve them. I believe, therefore, that a campaign to stimulate interest in training and enthusiasm for vacational qualifications will have widespread support, and I hope that my right hon. Friend the Secretary of State for Employment, my hon. Friend the Parliamentary Under-Secretary and their colleagues will be able to take a lead in this. I hope that my hon. Friend will be able to respond positively to the points that I have discovered in my research on youth training in Norwich and to the suggestions that I have made in opening this debate.

2.37 am

The Parliamentary Under-Secretary of State for Employment (Mr. Patrick McLoughlin): I am grateful to my hon. Friend the Member for Norwich, North (Mr. Thompson) for raising this important topic tonight. I know how strongly he feels about the need to ensure that every young person has the opportunity to enter a quality youth training place. I share his concern. I particularly pay tribute to the way in which he has championed and fought for the rights of young people in his constituency. Let me, therefore, first of all make it clear just how important youth training is to the Government.

Our record on providing training for young people shows what progress we have made in the past 10 years. There were only 7,000 young people in Great Britain on training programmes under the last Labour Government in 1979. The numbers now entering youth training and training credits exceed 200,000 each year. This is an outstanding performance at a time when our economy has been under considerable pressure.

Before this Government came to power there was no such thing as today's youth training. Very few people then understood how important it was to provide well-structured routes for all young people, helping them with the transition between schooldays and working life. Thanks to this Government, the picture is now vastly different.

My hon. Friend has stressed both the need to raise the profile and status of vocational qualifications and employers' commitment to training. My right hon. Friend the Secretary of State has made clear her intention to have a promotional drive to underline the importance of employers meeting the Investors in People standard and the importance of national vocational qualifications for business and individuals alike. My hon. Friend's point about the need to promote NVQs more vigorously is not lost on the Secretary of State.

The Department has been holding detailed consultations with TECs, industrial training organisations, the National Council for Vocational Qualifications and others on how best to deliver such a campaign. My right hon. Friend will be making an announcement shortly.

We have made available £844 million this year to fund youth training. This is despite the continued reduction in the number of young people joining the labour market immediately after school leaving age—partly because more stay on and partly due to the falling number nationally in the age group. I repeat, as I have so often in the past, that the Government remain fully committed to the youth training guarantee and that no training and enterprise council will be prevented by lack of resources from meeting it.

Through the training and enterprise councils, we have given leadership in delivering training programmes to key players in the local business community. This approach has tapped in to the commitment and ideas that people on the spot have to offer and means that local programmes are tailored to the needs of the local community and overseen by business-led bodies: the TEC boards. To allow TEC boards to exercise their business acumen, we make it their responsibility to contract with local providers to secure the training which the Gvoernment fund.

On the Government side, the contracts are managed by the Employment Department's regional offices. It is the responsibility of the regional office to liaise with the TEC, to monitor performance and try to resolve any emerging local difficulties. This, of course, includes any difficulty the TEC may have in meeting the YT guarantee in a particular area.

TECs work with the careers service locally to ensure that the contracted provision fits the needs of all school leavers wanting to go into youth training, and that no young person misses out on the opportunities available.

My hon. Friend highlighted the importance of links between the careers service and schools. I am pleased to say that the Employment Department has undertaken a number of initiatives in this area, such as careers libraries to enhance the quality of careers information available in schools; the teacher placement scheme; and education-business partnerships. These are designed to bring schools, TECs and careers services closer together, improve the links between schools and the world of work, and put young people's career choices on a much firmer basis.

In addition, as my hon. Friend will be aware, the Trade Union Reform and Employment Rights Bill, currently in another place, proposes major changes for the careers

[Mr. Patrick McLoughlin]

service. It will be the duty of the Secretaries of State for Employment, for Wales and for Scotland to ensure that careers advice is provided to the statutory client group who are at or have recently left schools and colleges. This is a fundamental change which reflects the importance that the Government attach to good careers guidance.

I would now like to turn to my hon. Friend's constituency. Youth training in Norwich is delivered under contract with Norfolk and Waveney TEC, which also serves the Secretary of State's constituency. It contracts with 12 providers making youth training places available to young people in Norwich. These include organisations such as Norfolk county council, the training workshop and Broadland district council.

I would like to put on record some of the major achievements of Norfolk and Waveney TEC in helping young people. Since its creation in November 1990, many young people have benefited from the youth training courses that it has run. We must not forget that at a time when, nationally, number, in this age group are in marked decline, East Anglia is unusual in that the reduction there is much smaller than in other regions. The numbers of entrants into the TEC's youth training courses in 1991-92 was 3,776; in 1992-93 it was 3,636. These figures put into better context some of the numbers that critics have bandied about—of young people without suitable offers of a youth training place.

Much concern has been expressed about the YT guarantee. As I have explained, we regard this as of crucial importance, and all TECs, working with careers services, are in no doubt about the priority that the Government attach to it. That said, if there are continuing difficulties in Norwich, they need to be addressed by the processes that I have outlined.

We have said throughout that no TEC would be prevented by lack of resources from implementing the guarantee. We have agreed a budget with Norfolk and Waveney TEC, earmarked for youth training, of more than £10 million for 1993-94. These negotiations have only just been completed, and while we have been negotiating with the TEC, it has been negotiating with its many providers. Inevitably, while negotiations are in train and different positions are being argued, there will be temptations to overdramatise how harshly a new pricing framework will bear on one or other of the parties to the negotiations.

I accept that Norfolk has faced far greater difficulties this year than previously in dealing with the demand for youth training. There has been local media comment on the number of young people still seeking places and a gathering recognition that something more is needed to be done. My right hon. Friend the Secretary of State was able to discuss the issues with Mr. John Lineker, the TEC chairman, and his chief executive, Mr. John Wooddissee, on 25 January.

Following this, the TEC, in discussion with senior officials from my Department, was able to formulate an action plan which committed the TEC to ensuring that all eligible young people were offered a place and started training by early March. As a direct result, the number of young people awaiting the offer of a suitable YT place for more than eight weeks has plummeted. In the TEC's area, in November, 375 young people, on the careers service count, had been waiting for over eight weeks. I am happy to say that the comparative figure for the April count is only 31. Within the Norwich careers service area, the equivalent figures show a fall from 82 to just four.

I emphasise the success of youth training. Some 3·5 million young people have been trained since its predecessor, the youth training scheme, was introduced in 1983. There are currently some 250,000 in training, including youth credits, in Great Britain: 76 per cent. of those who complete their planned training go into jobs or further training or education; and 53 per cent. of those who complete their planned training gain a qualification. All young people under 18 who are not in full-time education or employment are guaranteed the offer of a suitable training place.

That is the picture for the whole of Great Britain. Youth training is just as important for Norwich as it is for the country as a whole. Youth training is a success story built on the success of YTS, but it is more flexible and with a stronger focus on qualifications. The normal minimum attainment level built into training plans is NVQ level 2. Youth training is now the accepted route into work in many occupational areas, a part of the infrastructure of working life.

Not least, youth training, alongside the national curriculum and other new education innovations introduced by the Government, is one of the key routes by which we will raise standards and meet the national education and training targets.

I am grateful to my hon. Friend for raising the particular issues that concern him about Norfolk and Waveney TEC's approach to securing the right provision in Norwich. I have explained how our contractual relationship works and the onus that my Department places on TECs to ensure delivery.

We shall continue to monitor the situation very closely to ensure that the TEC continues to address the need to provide for Norwich's young people quality training opportunities and that it discharges its responsibilities for meeting the YT guarantee. In like fashion, the Department will continue to press upon the careers service the need to work co-operatively with the TEC to diagnose the needs of the city's young people in good time to allow the right provision to be brought on stream, and after that to ensure that each young person leaving school in Norwich is helped to find the right opportunity.

I am grateful to my hon. Friend for raising this important issue, which has given me the opportunity to place on record the great importance that the Government attach to the youth training guarantee. The debate has also enabled me to underline our message to training and enterprise councils throughout the country and not just in Norfolk and Waveney. It is vital for the youth training guarantee to be met.

Question put and agreed to.

Adjourned accordingly at twelve minutes to Three o'clock.

House of Commons

Thursday 29 April 1993

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

BRITISH WATERWAYS BILL *[Lords] (By Order)*

CROSSRAIL BILL *(By Order)*

EAST COAST MAIN LINE (SAFETY) BILL *(By Order)*

GREATER MANCHESTER (LIGHT RAPID TRANSIT SYSTEM) BILL *[Lords] (By Order)*

WOODGRANGE PARK CEMETERY BILL *[Lords] (By Order)*

Orders for Second Reading read.
To be read a Second time on Thursday 6 May.

BRITISH RAILWAYS (No. 4) BILL *(By Order)*

Order read for resuming adjourned debate on Question [8 February], That the Bill be now read a Second time.
Debate to be resumed on Thursday 6 May.

CROYDON TRAMLINK BILL *[Lords] (By Order)*

LONDON LOCAL AUTHORITIES BILL *[Lords]*

Orders for Second Reading read.
To be read a Second time on Thursday 6 May.

Oral Answers to Questions

AGRICULTURE, FISHERIES AND FOOD

Slaughterhouses

1. **Mr. Soley:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received on the application of rules relating to slaughterhouses.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Nicholas Soames): My right hon. Friend and I have considered carefully the representations that we have received on the regulations. We have taken particular care to implement the EC requirements in a way that achieves the necessary improvements in hygiene standards without imposing unnecessary burdens on the industry.

Mr. Soley: The Minister will know from that answer that a number of European countries give subsidies to the veterinary services. When will we either give an equal subsidy or ensure that there is a level playing field so that we do not operate at a disadvantage?

Mr. Soames: The hon. Gentleman should understand that we are working hard to achieve a level playing field. We have always adopted this method of charging in the United Kingdom. What is a perfectly true and fair point is that the charges were too high. We have taken considerable steps and made a great effort to get those charges down, and we are happy that they are moving in the right direction.

Mr. Rathbone: What success has my hon. Friend had in making more of an equal qualification requirement among those veterinary surgeons who are duty bound to do their business in abattoirs but who are better trained and therefore much more expensive than their European counterparts?

Mr. Soames: My hon. Friend, unusually, is incorrect in his supposition. Continental European vets are trained to exactly the same standard as British vets. The difference in the system is that in continental Europe ante-mortem inspection and the use of vets for meat hygiene work has always been the norm while in the United Kingdom it is a relatively new involvement and is therefore taking some time to settle down. It should be emphasised to the House that all vets across Europe must achieve the same qualifications, and it takes exactly the same length of time to qualify.

Mr. Jim Marshall: Does the Minister recall that I wrote to him recently on behalf of W and J Parker Ltd., a slaughterhouse company in Leicester, which faced a potential investment of £9 million to £10 million to comply with the new European Community regulations? As a consequence of that investment, the company closed its slaughterhouse in Leicester with the loss of 300 jobs. It subsequently bought a minority holding in a company in Buckinghamshire, but the jobs in Leicester were still lost. Does he accept that it would be grossly unfair to that company and to the 300 people who lost their jobs in

Leicester—including my son—if the regulations were weakened for smaller slaughterhouses throughout the United Kingdom?

Mr. Soames: The hon. Gentleman makes a good point and I am distressed and sorry about the news of the job losses in Leicester. He is correct that we have tried, through the regulations, to achieve a high standard of uniform meat hygiene throughout the country. While we wish to be as sympathetic as we can, we feel that the great importance of the regulations is that they will take us from a dual standard to a single standard, and we shall not resile from that.

Common Agricultural Policy (Fraud)

2. **Mr. Whittingdale:** To ask the Minister of Agriculture, Fisheries and Food what measures are being taken to tackle fraud in the common agricultural policy.

The Minister of Agriculture, Fisheries and Food (Mr. John Selwyn Gummer): Under the United Kingdom presidency, the integrated administration and control system was agreed and will be applied in all member states. It is specifically designed to provide effective control of payments flowing from CAP reforms. We make that clear in the accompanying literature both here and elsewhere.

Mr. Whittingdale: While I fully support my right hon. Friend's commitment to eradicate CAP fraud and I welcome the contribution that the new integrated administration and control system will make to that, can my right hon. Friend assure me that his Ministry will adopt an understanding and flexible attitude to farmers who are not fraudsters but may have made genuine innocent mistakes in completing their forms?

Mr. Gummer: My hon. Friend makes a valid point. On some matters there are Communitywide rules on how we apply the forms. An example is the date on which the forms have to be returned. If the form is a couple of days late, there is a particular penalty. The rules are purposely Europewide to make sure that everyone obeys the rules. However, wherever there is flexibility, we shall use it. I appeal to farmers to tell us in advance if they find that they have made some mistake. Then we shall know that they are not trying to defraud.

Rev. Martin Smyth: What lessons have been learnt by the various EC countries with land frontiers which could be useful in dealing with the fraud that has taken place across our land frontiers with the Republic of Ireland?

Mr. Gummer: We have learnt several lessons. One of the most important is that we should not start fraud off by paying money to which people are not entitled. Therefore, both the IACS forms and the arrangements for passports and ear-tagging for animals that receive a premium are a basic necessity if we are to save taxpayers' money and ensure that the money goes to the right people.

Mrs. Browning: Has my right hon. Friend had a chance to examine the comparable forms which farmers in other EC member countries have to fill in? Will he guarantee to take a watching brief to ensure that the forms are applied universally throughout the Community?

Mr. Gummer: I have certainly looked at the forms used by our partners. In almost every case, they have been less clear and less well laid out than ours. Only the Danes have a shorter form, but that is because they have had much of the material on computer for some time. Our accompanying literature is also much clearer. That is because we bothered to spend time to make sure that farmers made the fewest possible mistakes. I will ensure that the forms are properly filled in other countries.

Dr. Strang: Does the Minister accept that fraud involving the common agricultural policy now costs billions of pounds a year? Does he acknowledge that although the IACS forms, if applied effectively throughout the EC, will help to tackle fraud in respect of payments to farmers, they will not deal with the large part of the fraud relating to export refunds? Is it true that some member Governments are concealing information on such fraudulent transactions? Is it not time that the British Government took a decisive stand on the issue and made it clear that they will not agree to any changes in the CAP until fraud is effectively tackled?

Mr. Gummer: The British Government's decisive stand has led to a much more fraud-proof operation than we had before. I am grateful for such support as I have received from the Labour party on the issue—at least we all agree that we do not want fraud. The hon. Gentleman somewhat overstates the amount of fraud, but we agree that there is too much—any amount of fraud is too much and we must stop it. We must now proceed to ensure that the reduced amount of export support which comes from the GATT round will give us the opportunity to carry the much more stringent measures into every aspect of the CAP.

British Wine

3. **Mr. Amess:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to promote sales of British-produced wine to the EC.

Mr. Soames: The Government promote exports of English and Welsh wine vigorously. The export services of Food from Britain are also readily available to growers.

Mr. Amess: Has my hon. Friend had an opportunity to consider the merits of the Basildon grape, which is grown by many of my constituents? Will he care to reflect that as Basildon leads the economic recovery of our nation, so perhaps Basildon is well placed to lead the drive of British producers of wine further into EC markets?

Mr. Soames: My hon. Friend is perfectly right. Essex wines, like Essex women, are the adornment of the crown of British life—*[Interruption.]*—as is my hon. Friend. Just as Basildon is the economic capital and leader of Britain, I have always been told that it drinks for Britain. We will do our very best to promote the Essex grape. I can assure my hon. Friend that my right hon. Friend the Minister served Essex wine to the Council of Ministers at an informal meeting and it was much appreciated. We will do all that we can to promote British wine.

Lobsters

5. **Mr. Barry Field:** To ask the Minister of Agriculture, Fisheries and Food what progress he has made with amending the minimum landing size of lobster in the EC.

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. David Curry): The Undersized Lobsters

Order 1993 was laid before Parliament today and comes into force on 20 May 1993. It establishes carapace length as the only measurement to determine minimum landing size of lobsters and sets minimum landing size at 85 mm carapace length.

Mr. Field: Does my hon. Friend agree that it is to the lasting credit of British fishermen that they were so concerned about conservation that they drew this matter to my hon. Friend's attention? Is it not enough to make a blue-blooded Englishman's blood boil and turn red with anger that this particular regulation slipped by officials unnoticed? Or is it yet again the French fishermen's rule that if it is old enough to live in the sea it is ready to be eaten?

Mr. Curry: It did not slip anybody's notice in the way that my hon. Friend suggests. When the rules were changed, nobody picked this up—and that includes all the fishermen's organisations.

Mr. Field: That is what I said.

Mr. Curry: As soon as we discovered that there was a problem, we sought to have it remedied on a Community basis and we made it clear that if that was not possible we would do it unilaterally. The industry accepted that, and we worked closely together. We have now laid the order. It is an example of how we can work together on technical conservation matters, which is very important.

Mr. Morley: I note that the Minister conceded that it was the fishermen themselves who pressed for tighter regulations on the minimum landing size of lobsters. Does the Minister agree that fishermen are responsible in relation to conservation measures, and does he recognise the frustration that fishermen feel at the Sea Fish (Conservation) Act 1992? Would he agree to sit round the table with the fishermen to discuss genuine, constructive and workable conservation measures as an alternative to the crude and simplistic days-at-sea measures?

Mr. Curry: As usual, the hon. Gentleman is behind the times. A meeting took place last Monday between my officials, my scientists and fishermen's representatives from all parts of the United Kingdom in an attempt to work out what would be practical in technical conservation terms. It will be difficult—probably impossible—to find measures of technical conservation that would be acceptable to the industry and would do all of the job that can be done by the other methods. Therefore, we have a mix of remedies to the problems of technical conservation and over-exploitation and we are pursuing that course.

We will not withdraw the proposals in the Sea Fish (Conservation) Act 1992, but we have every intention of pursuing with the industry in good faith and at a technical level—the matter is now being considered by a technical working group—measures to try to identify enforceable, workable and efficient technical conservation measures.

Mr. Ian Bruce: Does my hon. Friend agree that the fishermen, particularly in Dorset and the Isle of Wight, were very co-operative on conservation measures for lobsters? They want to ensure that decent sized lobsters are taken out, and the original conservation measures taken had improved the quality of the catch. What is my hon. Friend doing to ensure that the rest of the European Community will keep to the same standard as our inshore fishermen?

Mr. Curry: This is a case in which we sought to have a defect remedied on a Communitywide basis. We did not succeed in doing that, but we will return to the attack in that regard. The choice was between trying to put it right in our waters, at the demand of our fishermen, or doing nothing. In those circumstances, the sensible cause is to take the remedy that is at hand. We have done that and it is a good example of co-operation. Technical conservation measures are not always acceptable to all fishermen in the United Kingdom. Very often, one group of fishermen in one port is at odds with another group of fishermen in another port. That is part of the problem that we have to face.

Food and Drink (Import Substitution)

7. **Mr. Clifton-Brown:** To ask the Minister of Agriculture, Fisheries and Food what steps he has taken to encourage import substitution in the combined food and drink sector.

Mr. Curry: We are working to encourage the British food and drink industry to win markets through its efficiency and through the quality and safety of its products.

Mr. Clifton-Brown: My right hon. Friend will be aware that this country has a trade deficit of about £5·5 billion in the food and drink sector, whereas Holland has a trade surplus of about £10 billion, including sales to this country of £1·6 billion. Does he agree that the key to reversing that trend lies in better marketing of agricultural produce? Will he examine the effectiveness of Food From Britain and any other measures to find out whether the promotion of British agricultural products can be improved so that we can sell more in the home market and prevent imports from being sold in this country?

Mr. Curry: I agree with my hon. Friend. Food From Britain is being reviewed and we expect a report shortly. Marketing is the key and I hope that the improvements in farm incomes and commodity prices will not make farmers think that marketing has become less important. I am sure that my hon. Friend knows that a fortnight ago in Tewkesbury the Minister of Agriculture, Fisheries and Food and Sainsbury's ran a seminar on marketing for farmers and 60 of them turned up, which demonstrates how seriously we take the matter.

Food Subsidies

8. **Mr. Oppenheim:** To ask the Minister of Agriculture, Fisheries and Food whether he will list all of the subsidies and import barriers affecting food products.

Mr. Gummer: The European Community agricultural policy, in common with similar policies in the United States and elsewhere, supports agriculture; in that sense, therefore, most of the food that we buy has had the benefit of that support.

Mr. Oppenheim: As a member of a Government who believe in open markets and freedom of choice, is my right hon. Friend not a little ashamed to preside over a regime with so many impediments to choice in trade that he cannot read them all out during Question Time? Is not one of the most pernicious aspects of that illiberal regime its effect on eastern Europe, particularly the strict import

quotas and restrictions on imports of soft fruit from Poland, Bulgaria and Hungary? How can we expect the eastern European countries, to which we have for so long preached the benefits of free markets, to reform themselves successfully when we cold shoulder the very products that they can successfully sell to us?

Mr. Gummer: I am proud that the farmers of the Amber Valley and elsewhere are able to get a return on their hard work which keeps our land looked after and home-produced food supplied. I do not believe that it is possible to run a system which does not give support to those farmers. As for strawberries, I am pleased that farmers who are producing raspberries and other soft fruit, especially in Scotland, have fair competition within a sensible regime, rather than finding themselves unable to produce at all.

Mr. Campbell-Savours: Does the Minister accept that the cost of bringing milk across the channel acts as a non-tariff barrier for imports of raw milk into the United Kingdom? If so, does he accept that to talk about a free market in milk, after the wind-up of the milk marketing scheme, is something of a nonsense?

Mr. Gummer: We have the natural advantage that those who wish to export products such as milk and potatoes to us have to pay the cost of transport. We also have the natural disadvantage that if we wish to export to others we have to pay the cost of transport. I find it difficult to equate that with a non-tariff barrier: it is a geographical fact of life and even the Opposition have to accept such facts of life.

Mr. Bill Walker: Is my right hon. Friend aware that the raspberry growers of Tayside believe that he and his team have introduced measures which have given them the opportunity to compete in the marketplace in a way that did not exist before? In addition, they have been able to improve substantially the way they market their products, which has had a remarkable effect on the economy of north Tayside.

Mr. Gummer: I thank my hon. Friend for that question. There is a balance to be achieved. I want there to be as much opportunity as possible for eastern European countries to sell in this country and in the rest of the European Community, but that must be consonant with the retention and expansion of a healthy British agriculture, if it is to be able to look after the land and to produce the food that we need. As my hon. Friend says, one cannot do that without some protection for our raspberry growers.

Set-aside

10. **Mr. Colvin:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his final recommendations to the European Commission for non-rotational set-aside.

Mr. Gummer: We are pressing the Commission to come forward with its proposals for non-rotational set-aside as soon as possible. It reported at our last meeting that it would do so.

Mr. Colvin: The House may share my hope that the Commission's proposals, when we see them, will be based on my right hon. Friend's recommendations for non-rotational set-aside. At present, 15 per cent. of our countryside, which at this time of year should be looking a picture, is a mess. The farmers are frustrated, the public are getting angry, and a much better method must be found to take this 15 per cent. of land out of arable production.

Mr. Gummer: I am not quite sure that that sweeping generalisation is true. The Royal Society for the Protection of Birds is rather enthusiastic about rotational set-aside. After all, a high proportion of land has historically always been set aside rotationally as part of the fallowing process. I think that a mixture of non-rotational and rotational set-aside, chosen by the farmer, must be the best answer. I should like that to be attended by environmental requirements so that the public good is respected. That is what we hope the Commission will propose.

Mr. Skinner: Does the Minister agree that we have reached a sorry state of affairs when, after 20 years in the Common Market, every family in Britain is paying £19 a week to prop up the common agricultural policy while farmers in Britain are being told to watch the grass grow and collect up to £80 an acre for doing so? When millions of people in the third world need food, the best answer must be to produce food in Britain so that the empty bellies in the Sudan and other parts of Africa can be filled.

Mr. Gummer: This is the first time the hon. Gentleman has produced the farmers' argument and I would like what he says to be true, but he should have discussions with Oxfam, Christian Aid and other bodies which know a little more about this than he does. They will tell him that that is not the way to help the agriculture or the feeding of the third world. Indeed, one of the reasons why we want to reduce over-production in the European Community is that it undermines agriculture in the third world. It is scandalous that oilseed rape oil produced in the EC is sold in developing countries more cheaply than the oil that they produce at home. I hope that we shall be able to stop that.

Common Agricultural Policy (Reform)

11. **Mr. John Marshall:** To ask the Minister of Agriculture, Fisheries and Food when he plans to meet the new French Minister of Agriculture to discuss reforming the common agricultural policy.

Mr. Gummer: I met the new French Minister of Agriculture two weeks ago in London. The visit was his first to any European Community Minister.

Mr. Marshall: Did my right hon. Friend emphasise to the new French Minister that it would be an international tragedy if, due to a combination of narrow nationalism, short-term party advantage and chauvinism, he sought to derail the GATT talks by reneging on the reform of the common agricultural policy?

Mr. Gummer: I needed to use no such language, as the new French Agriculture Minister was very much aware of the need for a GATT agreement, not only for the interests of Great Britain and France but for the Community, the world and especially developing countries. He has his own problems and his own policies—he has fought an election, and a number of promises have been made, but I hope very much that we will come to an accommodation which protects this nation.

Mr. Llwyd: On the subject of reform of the CAP, local authorities in Wales are anxious to help farmers who do not have plans to accompany the integrated administration control system forms, but they have been told by representatives of Ordnance Survey that they would not be allowed to copy them, as that would be a breach of copyright. That fact has created a worse problem. We know that there is a time limit—15 May—and time is running out. I urge the Minister to have a word with Ordnance Survey to ask it to look at the matter sensibly.

Mr. Gummer: I have met the head of Ordnance Survey, who has made arrangements throughout England and Wales that have increased the number of outlets from 39 to 300. Unfortunately, very few farmers have tried to get their maps since October, when they were first warned that they had to do so. The Agricultural Development and Advisory Service is playing a particular part in Wales and I believe that the maps are available as widely as they need be. The one thing that we have made clear is that if farmers are genuinely unable to obtain the maps by 15 May, they can send them on afterwards and will not suffer penalties as a result.

Mr. Gill: When my right hon. Friend discusses reform of the CAP will he take a hard look at the system of beef intervention, because on 31 March Britain had more beef in intervention than we have had for a comparable period in each of the four previous years? A total of 164,000 tonnes of British beef were then in intervention. My right hon. Friend has often said that it is a great shame that British catering butchers cannot provide all the steaks that are required in this country. He will know that British beef in intervention stores is not available to them and in some cases, even if it were, it would not be in a suitable form. The issue is serious and I hope that when my right hon. Friend considers the reforms he will do something about the intervention beef, as action is long overdue.

Mr. Gummer: I have discussed intervention beef with the French Minister on two occasions. Intervention is an unsuitable way of regularly supporting the beef market, and should be an emergency provision, not the sort of regular activity that it now is. Catering butchers do not have that problem. Their problem in this country is that beef is not produced in the volume or in the way that provides them with the sort of portions that they want. I hope that the industry will address the issue, as there are many opportunities for it in the catering business.

Dr. Strang: As the common agricultural policy is responsible for food prices being higher than they need be, as it costs the average EC family of four £300 a year in higher taxes, and as the EC Commission has admitted that agricultural spending is set to rise sharply in the next two or three years, did the Minister tell his French counterpart that the CAP was like a juggernaut out of control and needed to be the subject of root and branch reform?

Mr. Gummer: We have carried out root and branch reform, but the effect of that is that we now pay money directly to farmers, instead of hiding it in the cost to the consumers, which will fall significantly. As a result, we can ensure that the money goes where it is needed. The cost to the CAP is the cost of Europe having a well looked-after landscape and of ensuring that we produce our own food —a price worth paying.

Set-aside Land

12. **Mr. Simon Coombs:** To ask the Minister of Agriculture, Fisheries and Food how many acres of farm land have now been set aside; and if he will make a statement on the uses to which this land has been put.

Mr. Gummer: Information on the area set aside under the arable area payments scheme will be available when the area aid applications have been processed.

Mr. Coombs: Will my right hon. Friend measure the desirability of keeping a fair proportion of set-aside land in good agricultural condition against a time when circumstances might be different from now? How satisfied is he that other EC member countries are carrying through the regulations on set-aside as well as he is?

Mr. Gummer: We are keeping a close watch on that last issue and, as far as we are able, we can see that other member countries are clearly carrying out those rules, as we are. My hon. Friend is right to talk of the need to keep land in good agricultural heart—the seven fat years are always followed by seven lean years. Any Minister who was not prepared to protect the public from a shortage of home-produced food should not be Minister of Agriculture.

Mr. Bennett: Does not the Minister agree that both the farmer and the farm worker constitute an important part of any rural community? Does he agree that the set-aside scheme compensates the farmer, but not the farm worker? Does he agree that the country stewardship scheme provides income for the farmer and the farm worker? Would it not be better if he persuaded his European counterparts to follow that scheme, which ensures that the countryside is kept in an attractive state, for people in both the countryside and the towns to enjoy? Would not that be a better policy than the set-aside scheme?

Mr. Gummer: There is a place for both—the countryside stewardship scheme has a number of advantages, but it does not reduce production. We must ensure that set aside also includes environmental aspects that look after the countryside properly. If it has to be cut, that may require the attention of farm workers, which is of great benefit. The reduction in the number of farm workers has continued in a similar way, year by year, for almost the whole of the century, so I doubt whether set aside has a close association with it.

Bacon

13. **Mr. John Townend:** To ask the Minister of Agriculture, Fisheries and Food what percentage of the United Kingdom bacon market is taken by imports.

Mr. Curry: Fifty-eight per cent.

Mr. Townend: Is my hon. Friend aware that there are more pigs in my constituency than people? *[Interruption.]* Is he further aware that in east Yorkshire we produce the finest bacon pigs in the world, that the quality of British bacon over the past 10 years has improved enormously and is now equal to any bacon in the world and that our prices are competitive? Is it therefore not a tragedy that we import such a large proportion of the bacon that is

consumed? Would my hon. Friend support my campaign to buy British bacon, eat British bacon and help to reduce the very serious deficit in food?

Mr. Curry: Pigs are reputedly very intelligent animals and that is clearly indicated by their choice of residence. I agree with my hon. Friend and I merely add the eggs and butter as well.

Set-aside Land

14. **Mr. Bates:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on progress being made in the assessment of agricultural land for the purposes of set aside.

Mr. Gummer: I hesitate to use a crystal ball when we will soon have the exact figures as a result of the filling in of the integrated administration and control system forms.

Mr. Bates: I am grateful to my right hon. Friend for that answer. However, does he agree that farming is one of this country's most productive industries and, as such, requires reductions in bureaucracy and red tape to maintain its competitive edge, just like any other business? Is my right hon. Friend therefore aware of the concern in my constituency about the IACS forms, in particular in respect of set aside and other acreage payments, which require 79 pages of explanation and which required one of my constituents to answer 3,000 questions? Is not that an unnecessary and heavy burden on our farming industry?

Mr. Gummer: I do not think so. After all, farmers in this country will receive £1,000 million as a result of it. The danger of recoil from the taxpayer if farmers were not required to give the right facts to obtain that money, would be enormous. My hon. Friend referred to competition. The farmers in every other country in the Europen Community have to fill in the same forms. However, we were sensible enough to give farmers a booklet which enables them to fill in the form very simply. In the many meetings that my colleagues and I have had, farmers have told us that the booklet is extremely good and explains well how to fill in the forms. They felt much happier after reading the booklet than they did when they first saw the form.

Mr. Flynn: What will the Minister do to increase the amount of set-aside land that is used for coppicing and for growing biofuel? Does he agree that much set-aside land might look a mess to those whose interest in land relates only to profiting from the land? However, to most sensitive souls, set-aside land presents a magnificent sight with its unfettered growth of wild flowers. Is it not an example of where beauty is to be found in the wallet of the beholder?

Mr. Gummer: I think that the hon. Gentleman is a bit thick on that point. Most people find set-aside land difficult to take because they are used to neat farm land. We have far too neat a view of the countryside. I agree with the hon. Gentleman's end, but not his explanation. Set aside should be a matter of choice for the farmer between rotational and non-rotational. It should have environmental requirements. Farmers are being paid to look after the land properly and that is right.

Mr. Budgen: Why does my right hon. Friend keep talking about future changes in set aside and other arrangements in the CAP? Last Thursday, in a wide-ranging and very conciliatory speech the Prime Minister spoke of the triumphs of the EC and included in that the reform that has already taken place—apparently to his satisfaction—in the CAP.

Mr. Gummer: Because the reform in the CAP is not yet extended to a wide range of products over which it should extend. It is not yet satisfactory, particularly in relation to the beef regime. Life will change and different reforms will be necessary year after year. I am sure that my hon. Friend would not say the same thing to a Chancellor of the Exchequer who had introduced—as the current Chancellor of the Exchequer has—a very successful Budget. My hon. Friend would not therefore say that there is no need for another Budget next year.

Integrated Administration and Control System

15. **Mr. Tyler:** To ask the Minister of Agriculture, Fisheries and Food what submissions the Minister has received about the integrated administration and control system form.

Mr. Gummer: We have received a number of representations about the integrated administration and control system documentation and I have heard a great number in the many meetings that I have conducted personally and many have been made at meetings with other Ministers around the country.

Mr. Tyler: Following that answer and previous answers, what steps is the Ministry prepared to take to introduce an independent arbitration and appeal system to ensure that any farmer who makes a genuine mistake—who is not being fraudulent in any way—is not penalised? Previous answers show that the Minister appears to be the only person in the country, apart from his candidate in Newbury, who thinks that the integrated administration and control system will make life easier for farmers.

Mr. Gummer: The hon. Gentleman employs his usual party political speech, and we all know what it is worth. The hon. Gentleman is a member of a party which is absolutely uncritical of the European Community and which is federalist to the core. For him to dare to speak in such terms shows him up for what he is. He is much more interested in party politics than in farmers. Farmers know that and that is why increasing numbers of them have thrown aside the pretensions of the Liberal party to care about the countryside.

Mr. Anthony Coombs: While I appreciate that the IACS form is the foundation for future set-aside payments, does my right hon. Friend agree that many farmers, especially in my constituency, have found it difficult and unnecessarily bureaucratic, especially as it sometimes involves ordnance surveys of farms? Such a survey is costing a farmer in my constituency £1,700. Will my right hon. Friend ensure that the Ministry's response to the filling out of the forms is reasonable and that penalties are not unnecessarily imposed on farmers who make mistakes when completing the form?

Mr. Gummer: My hon. Friend says that a farmer in his constituency had to spend £1,700 on maps. I hope that my hon. Friend will find out how much that farmer will get annually as a result of filling in the form. It will run into many thousands of pounds. The forms are not

unnecessarily bureaucratic. They will not need to be repeated next year because we shall do a computer print-out on which people can insert new details. We will ensure that the flexibility that is available is used to its utmost. However, we have to meet the perfectly reasonable argument, which the Opposition spokesman again raised, that as far as possible the system must cut fraud.

Mr. Olner: Surely the Minister is aware of the grave concern of many farmers, especially in my constituency, about the complexity of these forms. How many people have asked the Minister to extend the 15 May deadline, which is proving almost impossible for many farmers in my constituency to meet? They are concerned that they are not working on the same playing field as their European counterparts.

Mr. Gummer: They cannot have that concern because almost every country in Europe has to meet the 15 May deadline and will do so. The exception is France which has set a 30 April deadline. There is absolute parity between the countries of Europe. Secondly, in the last two meetings that I conducted, one in Okehampton and the other in Wincanton, no farmer asked me for an extension of the deadline. They all recognised that it was necessary to make sure that Italian, Spanish, Greek and French farmers filled in the form, and that only by doing that did they get the money. The form is necessary not only to stop fraud, but to ensure a level playing field throughout Europe. I shall use as much flexibility as possible, consistent with stopping fraud, because I want every farmer to get every penny to which he is entitled.

Mr. Jonathan Evans: While I congratulate my right hon. Friend on his flexibility on the mapping arrangements, may I draw to his attention the fact that in Wales 70 per cent. of the forms that have so far been checked, and even those that have been completed with maps, have errors? Therefore, many farmers are interested in discovering the degree of flexibility that will be shown in considering claims. I echo the pleas of my hon. Friends by urging the Minister to deal with the applications as flexibly as possible.

Mr. Gummer: My hon. Friend need have no worry about that. I am absolutely committed to using the maximum flexibility that is available consistent with stopping fraud. The Welsh example underlines the fact that in most areas of England and Wales the area officers have done their best to make sure that as much help as possible is given for filling in the forms. The area officers are trying to be helpful to farmers by making sure that they miss nothing.

Common Agricultural Policy

18. **Mr. Cryer:** To ask the Minister of Agriculture, Fisheries and Food what will be the estimated annual cost of the common agricultural policy for the United Kingdom in the current financial year.

Mr. Gummer: About £2·32 billion estimated market support expenditure in the United Kingdom for this financial year.

Mr. Cryer: Does that figure not demonstrate what a calamity the common agricultural policy was and is? In spite of successive Ministers saying that there has been root and branch reform of the policy, the fact remains that it costs families in this country at least £18 a week, that it is an obscene policy because it damages other developing nations and that even when starvation occurs, the massively increasing food mountains are never touched because the Common Market buys food from world markets and does not transfer the food surplus to the starving areas of the world. Is it not time for the British Government to recognise that the CAP is a failure and that the only way for us to avoid the CAP is to get out of the Common Market?

Mr. Gummer: The cost per family has gone down £1 since the hon. Member for Bolsover (Mr. Skinner) put forward his view. If hon. Members ask a few more questions, we will get the figure down to nil, and that will be very convenient. There is a real cost involved in looking after the land and ensuring future food supplies in Europe. That cost is bound to be considerable. It is too high and that is why we have taken major measures to change the common agricultural policy, and that will cut prices in some areas by 30 per cent. The result will be that total resource costs will be considerably reduced. The hon. Gentleman hates the European Community. It is odd that his party still has him as a member.

PRIME MINISTER

Engagements

Q1. **Mr. Couchman:** To ask the Prime Minister if he will list his official engagements for Thursday 29 April.

The Prime Minister (Mr. John Major): This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Couchman: I thank my right hon. Friend for that answer. Will he contact President Clinton today, as he contemplates new measures against the Bosnian Serbs, and convey to him the grave reservations of many people in Europe about the possibility of air strikes against any targets, strategic or otherwise, in Bosnia? Will he remind the President of the paramount need to secure the safety of United Nations troops presently serving in Bosnia, including British soldiers, in giving vital humanitarian aid?

The Prime Minister: I agree with my hon. Friend that it is vital to minimise the risk to the United Nations troops and, of course, to the humanitarian aid civilians who are also there and who, for so long and so bravely, have carried out the humanitarian operation. We will take whatever steps are necessary to achieve that.

Our other objectives in Bosnia are to do all we can to deter further Serbian attacks and to maximise pressure on all parties to accept the cease fire and a negotiated settlement. But at the moment we are not excluding any viable option which might help to achieve those objectives. We are consulting our allies, especially the United States and our United Nations allies in France and elsewhere, and have expressed our views very clearly to them.

Mr. John Smith: As the horrendous situation in Bosnia worsens even further and as no clear policy has yet emerged from the international community which would effectively deter continued Serb advance, is it not the case

that the acknowledged risks of limited air strikes are increasingly outweighed by the very real dangers of continued inaction? Is there not a serious danger that if another policy is not adopted, moves will be made to lift the arms embargo, which would merely intensify the conflict?

The Prime Minister: I share the observations that the right hon. and learned Gentleman made about the lifting of the arms embargo. That does present special difficulties. As I have said before, and reiterate now, we cannot rule out further measures for maximising pressure on the Serbs. We are consulting closely our allies and partners. We must, of course, weigh carefully the implications of air strikes for the removal of the arms embargo or, indeed, any other proposals that may arise in our consultations or in the debate in the House this afternoon.

We must bear particularly in mind the need to sustain the United Nations humanitarian effort. It is all too easy to overlook the fact that, but for that effort over the winter, many hundreds of thousands possibly would have died. The fact that it has continued has been of immense benefit.

Mr. John Smith: As the days and weeks go by, and the Serbs continue to flout the authority of the United Nations, is it not increasingly clear that if the Serbs are to be stopped, they must be given an ultimatum that is backed by a credible threat to their lines of communication and supply in Bosnia?

The Prime Minister: I have told the right hon. and learned Gentleman, and I will reiterate it, that we have not ruled out options. We are discussing options and it is best to consult on them, consider them, examine the probability of success and the possibility of difficulties and then reach a final conclusion.

Q2. **Mr. Duncan:** To ask the Prime Minister if he will list his official engagements for Thursday 29 April.

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Duncan: While I recognise our success in bringing down the level of inflation and thereby laying the foundations for economic recovery, does the Prime Minister agree that a rapid rise in house prices is not necessarily good news? Should not we aim for a sustainable recovery, based on exports and investments and, at all costs, avoid a return to the cycle of boom and bust?

The Prime Minister: I share that objective with my hon. Friend. We have said from the outset that we want a recovery that is steady and sustainable, and that is what we have repeatedly taken action to achieve over the past two years. We have said that recovery would follow the reduction of inflation. We got inflation down from 11 per cent. to 2 per cent., and it seems that recovery is now following. As a result of that, we were able to cut interest rates, but that had to follow the reduction in inflation and not precede it. We have worked extremely hard, and it has been extremely difficult for everyone during that period, to get the fundamentals right. We now have them right and I have no intention of throwing away that advantage.

Mr. Ashdown: Will the Prime Minister pause for a moment in his campaign of self-congratulation—*[Interruption.]*—and recollect—*[Interruption.]* Will the Prime Minister pause for a minute in his campaign of self-congratulation and recollect that the price of his policies for Britain has been 3 million unemployed, borrowing at £1 billion a week, a devalued pound and a burden of debt that will not be paid off until the end of the century? Does he really think that that is cause for self-congratulation?

The Prime Minister: I am not sure whether the right hon. Gentleman carried the House with him in the introductory part of his question. I acknowledge the difficulties that there have been for many people, not just hon. Members but throughout the country, as we have dealt with the effects of the recession. As the right hon. Gentleman will observe, that recession is not unique to this country. We are emerging from it when many others are still going into it. As we come out of the recession, perhaps I might quote the words of the chairman of Grand Met, Sir Allen Shepherd, who said:

> "Today, in British Industry we have almost everything that we've been asking for: low inflation, competitive exchange rates, higher productivity and good industrial relations. On top of that, the skills 'revolution' is well under way and will add value to everything we do."

I am sure that the right hon. Gentleman will welcome that and go out and encourage people across the country to take advantage of that position.

Sir Edward Heath: Does my right hon. Friend recognise that until he and the Government give an absolutely clear and categorical assurance that no British forces, of any kind, will become involved in the former Yugoslavia and Bosnia, except for humanitarian reasons, any other suggestion will be suspect and will make it extremely difficult to persuade people to support the effort that we make? It will be suspect because it will be thought that we shall be dragged, stage by stage, into a European war or that we shall be pushed there by Washington. Both would be intolerable.

The Prime Minister: As my right hon. Friend knows, we were among the first specifically to put troops into Bosnia to deal with humanitarian matters. We need to consider precisely how we can play a part both in seeking to end the terrible conflict that exists within Bosnia and in ensuring —for this is a clear-cut British strategic interest—that the conflict does not spread beyond Bosnia and lead to a realisation of the greater fear on which my right hon. Friend touched: a wider Balkan war. Those are issues of great complexity, which we need to discuss with our colleagues and friends in the United Nations and NATO.

I take to heart my right hon. Friend's remarks, as I know will every right hon. and hon. Member. This is an emerging and changing situation. We shall keep at the forefront of our minds the concern to keep British troops off the ground in Bosnia, but also the need for us to play a part, with our partners, diplomatically, in humanitarian aid, and in using political pressure to bring this dreadful conflict to a conclusion.

Mr. Hoon: Is the Prime Minister at all embarrassed by the fact that last year some £7 million, or two thirds of the cost of his general election campaign, was received by the Conservative party from foreign sources?

The Prime Minister: I have to say that that is just a touch rich coming from a member of a party whose entire shadow Cabinet is sponsored by trade unions. As Mr. Tom Sawyer of NUPE said,

"It's as crude as that . . . no say, no pay."

Q3. **Mr. Bates:** To ask the Prime Minister if he will list his official engagements for Thursday 29 April.

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Bates: Does my right hon. Friend agree that the gross domestic product figures produced on Monday clearly show that the recession is over and recovery well under way? Does he further agree that those same figures point to growth in the United Kingdom economy commencing in the middle of last year? Does that not further point to his leadership winning the essential battle against inflation and the equally essential battle against the Opposition?

The Prime Minister: My hon. Friend is entirely right that getting inflation down was the key. We were elected in the spring and the figures that we now have for growth in the second half of last year show that recovery began in the summer.

Q4. **Ms Coffey:** To ask the Prime Minister if he will list his official engagements for Thursday 29 April.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Ms Coffey: Is the Prime Minister aware that Ferranti International, a company in my constituency, is awaiting the outcome of a bid for a high technology contract from the Saudi Arabian Government to which I understand he gave personal support in his talks with the Saudi Government earlier this year? Can he tell me what action he is taking to ensure that the contract is awarded to a major British industry to prevent the job losses that will surely follow if we do not get the contract?

The Prime Minister: Defence Ministers are following the programme closely and doing all they can to progress it. The awarding of the contract in due course is a matter for the Saudi Government, but we are doing what we can to assist.

Q5. **Mrs. Ann Winterton:** To ask the Prime Minister if he will list his official engagements for Thursday 29 April.

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mrs. Winterton: Does my right hon. Friend the Prime Minister agree that the British taxpayer should not be expected to pay towards the administration costs of the social charter throughout the EC, when the United Kingdom, quite rightly and properly, has opted out of all its provisions?

The Prime Minister: My hon. Friend is well aware of and shares the Government's view on the social chapter. The administrative costs of dealing with the social chapter are de minimis and in no sense a burden on the economy.

Arms Exports (Iraq)

Q6. **Mr. Dalyell:** To ask the Prime Minister if he will make it his policy to instruct Government Departments to make full disclosure of all documents requested in connection with legal proceedings relating to unlawful export of arms to Iraq; and if he will make it his policy not to issue public immunity interest certificates in connection with any such proceedings.

The Prime Minister: Government Departments will continue to disclose documents in any legal proceedings in the manner prescribed by law.

Mr. Dalyell: If that is the answer, why is it that the Crown did not exercise its discretion, when Ministers knew perfectly well of his service to MI5 and MI6, in favour of Paul Grecian in the Ordtech trial?

The Prime Minister: The hon. Gentleman knows as well as anyone in the House that it is quite inappropriate for me to comment when such cases are in the courts. He knows that it is inappropriate and I will not do so.

Engagements

Q8. **Mr. Pike:** To ask the Prime Minister if he will list his official engagements for Thursday 29 April.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Pike: Will the Prime Minister rethink the Government's approach to low pay and the abolition of the wages councils? Will he consider the information prepared by Lancashire county council which not only highlights the scandal of low pay but shows that in areas with no wages councils there is a much higher incidence of low pay, clearly identifying the dangers of their abolition?

The Prime Minister: I am hardly likely to take any advice from Lancashire county council, given its record in recent years. The sheer scale of the increase in Lancashire's council tax—I think from memory that it is an extra £84—as a result of the council's maladministration is remarkable. Therefore, it is most unlikely that I shall take its advice upon that matter.

On the general subject of wages councils, we have made it clear on a number of occasions in the past that their principal drawback is that they cost jobs to people who would otherwise be employed, and that is something which we care about, even if the hon. Gentleman does not.

Mr. Dalyell: On a point of order, Madam Speaker. On the sub judice rule, are the privileges of the House of Commons to be undertaken by arbitrary——

Madam Speaker: Order. I cannot take such a point of order now. I shall do so later, as always, at the end of questions.

Cervical Smear Tests

3.30 pm

Dr. Norman A. Godman (Greenock and Port Glasgow) *(by private notice):* To ask the Secretary of State for Scotland if he will make a statement on the disclosure yesterday of serious errors in the cervical smear testing of more than 2,000 women at the Inverclyde Royal hospital in Greenock.

The Secretary of State for Scotland (Mr. Ian Lang): The Argyll and Clyde health board—*[Interruption.]*

Madam Speaker: Order. It is time that the House came to order so that we can hear this important exchange.

Mr. Lang: The Argyll and Clyde health board announced yesterday that there had been some inaccurate reporting of results of smear tests by the laboratory staff at Inverclyde Royal hospital, Greenock, carried out between 1987 and February 1992. This problem was confirmed last week following the analysis of 1,000 slides, and the health board has moved quickly to take appropriate action.

Some 20,000 slides are being reviewed and it is expected that 90 per cent. of these will be confirmed as normal, requiring no further action. The board considers that up to 2,000 women may require a repeat smear test and that a high proportion of these will also be found to be normal. Arrangements have been made for counselling through the provision of helplines and to follow up quickly any women whose re-test shows an abnormal result. General practitioners have been fully briefed. It is anticipated that the whole process will be completed in eight to nine weeks, but that the large majority of the women involved should receive reassurance well before that.

My noble Friend, Lord Fraser of Carmyllie, has already indicated that priority will be given to this problem and the other Scottish health boards will assist as necessary to ensure a speedy conclusion of the review and follow-up action. He has also announced that he has commissioned a full inquiry into the circumstances of the problem at Inverclyde in order to put beyond doubt that the situation was unique and will be non-recurring. Dr. Euphemia McGoogan of Edinburgh University will head the inquiry team, and my noble Friend hopes to be able to announce the names of the other members shortly, together with the full terms of reference. The findings of the inquiry will be made public.

I regard this as a serious incident that deserves the closest and most careful attention. That it will have. I would, however, also like to reassure the House that all national health service laboratories in Scotland are now working to the highest professional standards and subject to external audit. Women in Scotland should be reassured that the results of tests are as accurate and reliable as they can be, throughout Scotland as elsewhere in the United Kingdom.

Dr. Godman: I thank the Secretary of State for his statement on this critical and sensitive issue. He will surely agree that our main concern must be for the retesting of the women, and that re-testing should be carried out as accurately and as speedily as possible, with accuracy being the key word. Should he not be considering the use of laboratory resources from elsewhere in Scotland and south of the border in order to reduce this over-long period of eight to nine weeks? For my constituents, caught up in this distressing affair, I can tell the Secretary of State that eight to nine weeks is much too long to wait for peace of mind.

With regard to the inquiry to be chaired by the excellent Dr. McGoogan, may I implore the right hon. Gentleman to invite a woman of commensurate stature from outwith the medical profession to join Dr. McGoogan so that we can dispel once and for all the idea that this is a case of a doctor examining other doctors?

While the monitoring of these so-called quality control programmes is adequate, it surely now requires statutory regulation. Will the right hon. Gentleman set up a supervisory body that can examine in as accurate a way as possible the monitoring procedures adopted by these clinics throughout Scotland's health boards?

The Secretary of State will surely agree with me that we must tell women of all ages, from teenagers to grandmothers, not to allow this dreadful incident to put them off obtaining cervical smear tests, because of the importance of such tests in preventing the dreadful scourge of cervical cancer.

Mr. Lang: I absolutely agree with the hon. Gentleman in emphasising the importance both of speed and of accuracy in the handling of the re-tests, such re-tests as may be necessary.

As regards the time scale for completing the exercise, I indicated eight to nine weeks as the outside limit within which we expect all aspects of the matter to be concluded, but I confidently predict that the very large majority of cases will be dealt with quickly and well within that time scale.

We are considering the membership of the inquiry team along with Dr. McGoogan. I take note of the point that the hon. Gentleman has made about involving somebody from outside the medical profession.

The hon. Gentleman raised the question of a supervisory body to monitor auditing procedures in the future. This is certainly a topic that I expect the inquiry to want to examine.

Finally, the hon. Gentleman spoke of the importance of women not being put off having the tests, and I absolutely endorse what he said. These tests are important and of great value to the women concerned. They are now carried out on a three-year cycle, whereas before it was a five-year cycle, and I have considerable confidence in their efficiency and accuracy.

Mr. Phil Gallie (Ayr): I agree with my right hon. Friend that this is a most regrettable situation. I sympathise with the hon. Member for Greenock and Port Glasgow (Dr. Godman), but I must point out that the problem extends into Ayrshire, albeit not to such a degree. Does my right hon. Friend agree that application for trust status for hospitals demands very stringent quality processes to be built into business plans? Does that help in this situation for the future?

Mr. Lang: My hon. Friend is right to the extent that a number of cases, particularly in north Ayrshire, will also be involved in this rescreening exercise since some of the smears taken in that part of Scotland were processed at the Inverclyde laboratory. On the latter part of his question, I agree with him on the importance of the highest possible quality both of performance and of auditing of measures of this kind.

Mrs. Ray Michie (Argyll and Bute): The Secretary of State will be aware of my concern and that of my constituents in Cowal and Bute whose tests were also sent to the Inverclyde Royal hospital. I too welcome the swift action by the Argyll and Clyde health board in making this very serious matter public and in setting up the valuable helpline. I endorse what the hon. Member for Greenock and Port Glasgow (Dr. Godman) said about the membership of the inquiry team. I hope that a suitable lay person will be included in the team.

Has any thought been given to tracing women who have left the area, including the Scottish wives of Americans who have returned to the United States following the closure of the Holy Loch base?

Finally, will the Secretary of State consult his right hon. Friend the Secretary of State for Health about the possibility of introducing the Quest cancer test? I believe that it is 95 per cent. accurate, and much less subjective than the method currently used. Only £480,000 is required to conclude the final trial.

Mr. Lang: I note what the hon. Lady has said about the membership of the inquiry team, and I shall bear her suggestion in mind.

Every effort will be made to track down all the women involved in the tests over the period in question, including, where possible, those who have gone abroad. The community health index will be helpful, and all Scotland's health boards have offered whatever help may be needed to improve both the speed and the accuracy of the exercise.

The hon. Lady also asked about new procedures for cervical smear tests. I am confident that the processes being used throughout the health service in Scotland—and elsewhere in the United Kingdom—are the most appropriate at present, but research continues, in this country and abroad, to find ways of improving them. If any improved method is established, we shall of course want to consider it.

Mr. Bill Walker (Tayside, North): My right hon. Friend will be aware of the concern that was felt throughout Scotland when the problem was announced. Surely the important task now is to reassure everyone that the Government are acting to remedy this difficult and serious situation. We all realise that human errors will always occur when humans are involved; the important thing is to deal quickly and effectively with such errors when they are revealed.

Mr. Lang: My hon. Friend is absolutely right. Since February 1992, the auditing process that has already been in use elsewhere throughout Scotland has been used in the hospital concerned. I am confident—as is the chairman of the health board—that the problems will not recur.

Mr. Tony Worthington (Clydebank and Milngavie): The problem clearly occurred because of procedural errors. Will the Secretary of State give an assurance that the same procedural errors could not have occurred in other health boards between 1987 and 1993?

Mr. Lang: As far as I am aware, there is no question of their having occurred in other health boards. All the general managers met yesterday to discuss matters; this matter was also discussed, and I am confident that they will all re-examine the processes that are used. I believe, however, that the situation that existed in the Argyll and Clyde board until February 1992 does not exist anywhere else.

Mrs. Margaret Ewing (Moray): Does the Secretary of State accept that all hon. Members wish to ensure that women are guaranteed a service that will secure the correct results of tests that they undergo—for instance, cervical smears or mammography? That is very important.

Any woman whose test produces a slightly worrying result will experience weeks of agony in her attempt to come to terms with the situation. The Secretary of State has said that he estimates that women in the Inverclyde area will have to wait no longer than eight or nine weeks at the outside for the final result. Will he give us his estimate of the shortest time that they will have to wait, to reassure the 20,000 women involved—and, no doubt, all the other women throughout Scotland who are deeply concerned about the possibility that their tests have produced an inaccurate result? That is an important consideration for women.

Mr. Lang: I agree: it is urgent that as many people as possible are reassured as quickly as possible. Mrs. Mary Robertson, the unit general manager, has been appointed head of a task force set up to take appropriate steps as quickly and efficiently as possible, and the assistance of two external laboratories has been called in to speed up the process. In addition, further resources will be made available as necessary.

I emphasise that the eight-to-nine-week time scale is the outside limit within which I hope the entire exercise will have been completed, including the follow-up on those who have to be tested again.

Mr. Tom Clarke (Monklands, West): Does the Secretary of State accept that it would be churlish not to agree that the Government have acted speedily on this matter but that my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman) has done a great service to the House and to women in tabling the question? Although the Secretary of State apparently takes the view that this is an isolated incident, does he accept that 20,000 women are deeply worried and that the incident has implications beyond Inverclyde?

Will the Secretary of State accept that we require assurances about standards of quality elsewhere in Scotland and that it is a matter not only of human frailty but of the type of systems that we operate? Is he satisfied that the available resources are sufficient to ensure that no such incidents occur elsewhere?

Will the Secretary of State consider whether the inquiry that he has outlined should be broadened in its remit not to deal only with the specific problem in Inverclyde but to allay the worries of women throughout Scotland and Great Britain who have rightly placed so much faith in smear tests?

Will the right hon. Gentleman give an assurance on resources? Will he assure us that the local health authority will not be asked to pay the bill arising from this unfortunate incident?

Does he accept that the Opposition and the whole House wish to encourage the great majority of hospital laboratory personnel engaged in such demanding work to maintain their very high standards, and that we acknowledge that the obligations placed on them are horrendous in the extreme?

[Mr. Tom Clarke]

It is essential that this incident should not act as a deterrent to anyone anywhere in the United Kingdom, and certainly not in Scotland, who is considering whether to be screened or tested by the NHS. Apart from the re-examination of slides, which the Secretary of State has announced, and the inquiry, what further steps will he take to ensure that there is no such deterrent effect from the sad experience of Inverclyde?

Mr. Lang: I am grateful to the hon. Gentleman for his comments about the speedy reaction of the health board and the Government to this extremely unfortunate and serious incident. I must emphasise the fact that, of the 20,000 cases involved, some 90 per cent. will not need to be recalled—that is our expectation—and, of the remainder who are recalled, a substantial proportion will be recalled simply because the quality of the original smear does not enable an adequate reading to be taken.

I anticipate that any difficulty or problem arising over the identification or diagnosis of a cancerous or pre-cancerous condition will be confined to a very small number of people within the overall numbers with which we are dealing.

As for resources, I stress that the important thing is to get the exercise completed quickly, accurately and sensitively, and I shall not allow resources to be a problem. Whether it is a matter for the health board or for the health service as a whole in Scotland, I shall ensure that resources are adequate.

The question of the possible broadening of the inquiry's remit is essentially a matter for the inquiry itself whose terms of reference have not yet been set, but I shall consider what the hon. Gentleman said.

I certainly pay tribute to the staff of the health board for the speed and commitment which they have shown in bringing all their efforts to bear on this problem and ensuring that the counselling services and other ways of helping the anxious women involved are put into operation as speedily and effectively as possible.

I underline the wish stressed by the hon. Gentleman and by the hon. Member for Greenock and Port Glasgow (Dr. Godman). This incident should not deter women from undertaking these tests. Tests that identify a problem early are immensely valuable for the prospects of the woman affected. As for further steps that might be appropriate to ensure that that result is achieved, I shall watch the situation closely as it develops and take full account of the inquiry's findings.

Business of the House

3.38 pm

Mrs. Margaret Beckett (Derby, South): Will the Leader of the House state the business for next week?

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): Yes, Madam. The business for next week will be as follows:

TUESDAY 4 MAY—European Communities (Amendment) Bill, Report state, first day.

WEDNESDAY 5 MAY—European Communities (Amendment) Bill, Report stage, second day.

THURSDAY 6 MAY—Debate on the Royal Navy, on a motion for the Adjournment of the House.

FRIDAY 7 MAY—Private Members' Bills.

MONDAY 10 MAY—Progress in Committee on the Finance (No. 2) Bill.

The House will also wish to know that European Standing Committees will meet on Wednesday 5 May at 10.30 am to consider European Community documents as follows:

Committee 'A'

Document No. 11235/92 on European agricultural guidance and guarantee fund anti-fraud measures.

Committee 'B'

Document 7021/92 on company taxation.

[Wednesday 5 May:
European Standing Committee A
Relevant European Community Document
11235/92 Anti-fraud measures
Relevant European Legislation Committee Document
HC 79-xviii (1992-93).
European Standing Committee B
Relevant European Community Document
7021/92 Company Taxation
Relevant European Legislation Committee Report
HC 79-vi (1992-93)]

Mrs. Beckett: I thank the Leader of the House for that statement, and especially for the debate on the Navy for which he will recall hon. Members on both sides have been pressing for some time. I remind him that we are still anxiously awaiting an announcement of the assignment of the new European constituencies in terms of where they will go and of who will deal with the issue of boundaries. Labour Members have repeatedly said that it would be outrageous if such decisions did not go to the Boundary Commission, which has expressed its willingness and ability to deal with them. We are anxious to have an early statement in the House on the matter.

May I press the Leader of the House for a statement and some information on the Asylum and Immigration Appeals Bill, which I understand may be returning from another place shortly? I hope that he can tell us that it will be possible to have the new draft immigration rules before the House before we come to that part of our proceedings so that people can assess how the Government have been able to meet assurances given in Committee which will clearly inform the debate that we have here.

I ask the Leader of the House to bear in mind that we will need at least three full days in Committee on the Finance Bill so that we can explore, for example, the recent judgment of the IMF that we are seeing the emergence of a structural budget deficit alongside a structural trade

deficit in the United Kingdom. The emergence of such twin deficits will be of great concern to hon. Members on both sides of the House.

To address the issue of the victims of the Government's economic policy, I ask the right hon. Gentleman to ask the Secretary of State for Employment to come to the House and make a statement on the observation of the hon. Member for Welwyn Hatfield (Mr. Evans):

"of the 1 million long-term unemployed, probably half . . . can be termed layabouts".—[*Official Report*, 27 April 1993; Vol. 223, c. 838.]

The Secretary of State conspicuously failed to rebut that statement at the time—it has caused outrage certainly among Labour Members. I hope that she will take the opportunity to make a statement to rebut it.

Finally, I remind the Leader of the House that we are anxiously awaiting a further Opposition day.

Mr. Newton: On the last but one point, I will certainly bring the the right hon. Lady's request to the attention of my right hon. Friend the Secretary of State for Employment. I must admit that I did not read into those remarks of my hon. Friend quite the import that the right hon. Lady has suggested.

As for days on the Finance Bill, the right hon. Lady will find that she will have ample opportunity to make the points that she evidently wishes to make, although I am not sure whether they truly arise in relation to the Finance Bill. It sounded more like the sort of point that she wanted to make anyway, and I acknowledge and, within limits, respect that.

On the Asylum and Immigration Appeals Bill, I cannot give immediately to the right hon. Lady the precise undertaking that she sought. I know that my hon. and right hon. Friends will seek to ensure that the House has what information it feels it properly should have in undertaking the further debates that will be required on that measure.

On the question of the boundaries of the extra European seats, I cannot add to what I have said on the past two or three occasions—that once proposals on the matter have been formulated, the Government plan to consult the Opposition parties. I am sure that the right hon. Lady will come well within that parameter.

I note the further request for another Opposition Supply day. I couple it with the right hon. Lady's kind thanks for the debate on the Navy. I repeat the point that I think I have been meeting the right hon. Lady's requests at the rate of one a week, so at least she can harbour some continuing hope.

Sir Terence Higgins (Worthing): As it appears to be the policy of the Chairman of the Accommodation and Works Committee not to reply to letters from right hon. and hon. Members regarding the future of Old Palace yard, will my right hon. Friend allow us to have a debate next week? Is he aware that it is a serious matter? It is wrong that hon. Members and their secretaries should be evicted to accommodate the House of Lords secretarial agency. Their Lordships have said that the building is not suitable. The proposal is to apply for planning permission to make structural alterations to a building that is clearly of great historical importance.

Mr. Newton: I am, of course, aware of the concern expressed in various quarters, not least by my right hon. Friend, about the matter. As he suggested from the way in which he put his question to me, the issues are primarily for the Accommodation and Works Select Committee, the Chairman of which I note is present in the Chamber. I am sure that he will have noted and will seek to respond in an appropriate way to my right hon. Friend's remarks.

Mr. Matthew Taylor (Truro): The Leader of the House may not be aware that in the past two weeks confusion seems to have developed between Ministers at the Department of the Environment about whether they have any responsibility for water charges in those parts of the country which face large increases in water charges. In view of the differences of opinion within the Department and with the Prime Minister, perhaps it would be appropriate to allow some time for a debate in the Chamber so that the matter can be urgently resolved. It seems extraordinary that Ministers have not decided among themselves.

Mr. Newton: I am sure that my right hon. and hon. Friends in all Departments are united in their view about such matters, but I will certainly bring the hon. Gentleman's perception of disagreement to their attention.

Mr. Andrew Hunter (Basingstoke): Last week my right hon. Friend agreed to consider my request that statutory instruments Nos. 526 and 542 should be referred to a Standing Committee for debate. In those statutory instruments the Government seek to treat timeshare dwellings as commercial properties subject to business rates. Now that the weakness of the Government's position has been exposed and the cost to individual timeshare owners has become clear, will my right hon. Friend grant my request?

Mr. Newton: I am afraid that I have not yet had an opportunity to complete my examination of the matter in the light of my hon. Friend's request last week. However, I note his further request, and I shall seek to complete my consideration as soon as possible.

Ms Diane Abbott (Hackney, North and Stoke Newington): May I draw the attention of the Leader of the House to early-day motions 1858 and 1859 and the recent murder of the black schoolboy Stephen Lawrence?

[That this House shares the sense of outrage in the community in South East London following the brutal racist killing of Stephen Lawrence on 22nd April 1993; sends condolences to his parents, Neville and Doreen Lawrence; recognises the state of shock in the area in view of the previous murders of Rolan Adams and Rohit Duggal; believes that the presence and activity of the British National Party in the area incites racial hatred and contributes to the level of racial violence; calls on the Attorney General to bring proceedings against the British National Party for incitement to racial hatred; and calls on Bexley London Borough to use its enforcement powers to close the British National Party headquarters which are operating in breach of planning regulations.]

Stephen Lawrence, a church-going schoolboy, was standing by a bus stop when he was set upon by a gang of white youths carrying knives. It is the third murder of a young black person in recent months in that area. All those murders have taken place within a four-mile radius of the headquarters of the British National party.

I visited the family last weekend. In the light of the family's grief and the fear of the black community that the murders represent the start of a wave of racist attacks, I

[Ms Diane Abbott]

ask the Leader of the House to make time for a debate on racial attacks. We want to tell the House that the black community wants to see such murders receive the front-page attention that other attacks receive. They are fearful that the type of racial violence that we have seen in Europe is coming to the British Isles.

Mr. Newton: I cannot promise the hon. Lady a debate, but I can say—and I am sure that I say it on behalf of not only members of the Government but of all Members of Parliament—that I unreservedly condemn all attacks on members of ethnic minority communities. We all extend our sympathy to the family of Stephen Lawrence and express our hope that the culprits will be caught and brought to book.

Mr. James Couchman (Gillingham): My right hon. Friend will have seen early-day motion 1670 on the selected list proposals for family planning.

[That this House notes the Government's proposal to include the contraceptive pill in the Selected List of drugs for prescription under the National Health Service; notes that the United Kingdom uses the cheapest oral contraceptives of any country in the EC and that the contraceptive pill gives the lowest failure rate of any form of contraception; recognises that following medical advances, the newer and more expensive pills containing safer progestagens are most vulnerable to the Selected List proposals because they are more expensive but are the first choice when prescribing; is concerned about the possible side effects, such as weight gain, headaches, bleeding and even unplanned pregnancies in women forced to transfer to a cheaper contraceptive pill; notes that the saving per woman is of the order of £16·90 per annum and contrasts this with £200 as the average cost of a termination of pregnancy and £1,217 for a delivery; therefore concludes that there will be no net saving if between two and four unplanned pregnancies occur in 100 women per year; understands the concerns expressed by health care professionals and organisations including the Royal College of Obstetricians and Gynaecologists and the Family Planning Association; and therefore calls on the Secretary of State for Health to delete the contraceptive pill from the Selected List.]

The matter is causing increasing anxiety among both doctors and the pharmaceutical industry. I draw the attention of the House to my declared interest in the matter. Will my right hon. Friend give time for a full debate in the House in Government time on the proposals, which will affect many patients throughout the country? I am aware that my hon. Friend the Member for Basingstoke (Mr. Hunter) recently had an Adjournment debate on the matter, but I feel that it should have Government time for full debate.

Mr. Newton: My right hon. Friend the Secretary of State for Health will be present to answer questions on the first day of the business programme that I have announced. Meanwhile, I understand that the independent advisory committee on NHS drugs will ensure that oral contraceptives to meet real clinical need remain available on NHS prescription.

Mr. Ray Powell (Ogmore): As to the question by the right hon. Member for Worthing (Sir T. Higgins) about the Accommodation and Works Committee, I can assure the Leader of the House that any letters he or any hon. Member sends to it are replied to. Indeed, if anyone has a complaint, most of them—like the right hon. Member for Worthing—are invited to raise it with the Committee.

I was not going to ask that particular question. My main question was to ask whether the Leader of the House had read early-day motion 1892.

[That this House shares the concern reported in the House Magazine of 19th April over the way the televising of Select and Standing Committees can be something of a lottery because of a haphazard pricing structure which can result in broadcasting organisations being asked to pay up to £2,000 for the television feed of a two-and-a-half-hour Committee hearings; believes that Committee hearing which are of interest on editorial grounds should not go unrecorded soley because of cost; and calls on the Lord President of the Council and the Broadcasting Select Committee to have discussions with the independent contractor, CCT Productions Ltd., so as to agree a pricing structure which meets the needs of the smaller regional companies and programmes as well as those of the national news networks.]

I pay tribute to the Table Office for ensuring that it appeared on the Order Paper because it was tabled only at 2.30 this morning. I do not expect the Leader of the House to have read it, but it is of direct relevance to him. It has a direct effect on the House of Commons Committees and, in particular, on those dealing with private Member's Bills. The televising of my Committee was stopped because it could not be funded on the particular day that I wanted it to be televised.

Mr. Newton: If I might advert briefly to the first part of the hon. Gentleman's question—which he conceded was not really his intended question at all—I realise that I am standing here as a sort of postbox in an exchange between my right hon. Friend the Member for Worthing (Sir T. Higgins) and the hon. Member for Ogmore (Mr. Powell).

Mr. Dennis Skinner (Bolsover): The right hon. Gentleman is in the firing line.

Mr. Newton: The hon. Member for Bolsover is right, but I am glad to have facilitated this exchange between then.

As to the latter part of the question, I have not had a chance to look at the early-day motion, but I understand the position to be that the House decided that the broadcasting of Standing Committees should be, as it is called in the jargon, "demand-led"—that is to say, a Committee is covered only if one or more of the broadcasting organisations is willing to pay for it. I do not think that it is a matter over which I can have any direct or overriding control.

Mr. Roy Thomason (Bromsgrove): Will my right hon. Friend arrange for time to be given soon for a debate on management buy-outs, with particular reference to Leyland-DAF, so that the preservation of jobs in the west midlands created by that management buy-out and its knock-on effect of retaining jobs in my own constituency can be fully discussed and the Government's contribution of £5 million to help Leyland-DAF can be properly noted?

Mr. Newton: I am grateful to my hon. Friend for his very sensible question. I am glad to confirm the welcome news that the Leyland-DAF receivers have now transferred ownership to the management buy-out team. I

understand that that was completed over the weekend, and officially launched yesterday. It will secure about 1,000 jobs, and it is good news.

Mr. Dennis Canavan (Falkirk, West): May we have a debate soon on the financing of political parties in view of the recent revelations of the former director of fund raising for the Tory party that two thirds of the £11 million which the Tory party admits to spending in last year's general election came from rich overseas backers, many of whom did not have a vote in this country at that general election? Is it not a serious threat to democracy for the party of government to be filling its coffers in such a way?

Mr. Newton: I am not sure whether the hon. Gentleman was here during Prime Minister's questions. If he was, I cannot better—nor will I attempt to—what my right hon. Friend the Prime Minister said then: that it takes a pretty fair nerve for questions of that kind to be asked by a party, well over half of whose members, as I understand it, are sponsored by trade unions and where trade union leaders are on record as saying something as simple and straightforward as that which my right hon. Friend quoted a few moments ago.

Mr. Harry Greenway (Ealing, North): I again ask my right hon. Friend for a debate next week on the serious and ever more widespread mutilation of horses in this country and to take account of the recent report of the National Equine Welfare Committee, of which I am president, which is seeking to co-ordinate a nationwide effort to stop those vicious practices?

Mr. Newton: Once again, with respect, I note my hon. Friend's persistence in quite rightly raising this matter on the Floor of the House. I hope that he will understand that I am not able to promise a debate, but I will ensure that my hon. Friends with responsibilities in this area are made aware of his continued concern.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Thank you for calling me, Madam Speaker, and I wish you well as you enter your second year in the Chair.

May I support my hon. Friend the Member for Falkirk, West (Mr. Canavan) in asking the Leader of the House for a debate next week on the funding of political parties so that we can compare the contributions from British trade unions, which are openly and honestly declared, with the secret contributions of millions of pounds from foreign business men and tax evaders and find out exactly what the kickbacks are and what they get in return for their secret, undeclared contributions to the party in government?

Mr. Newton: The hon. Gentleman seeks to make amends to you, Madam Speaker, for what amounted to lese-majesté yesterday or the day before. He can ask me the question but he will not get a different reply. I would like him to explain what was said to the union leader who said that he will have a say in the party while he continues to fund it and that it will be a question of "No say, no pay". What about that?

Mr. Geoffrey Dickens (Littleborough and Saddleworth): Will the Leader of the House make time to enable the House to redebate some elements of the Criminal Justice Act 1991, which is clearly not working? I concede that I voted for this Act and that I was wrong. I hope that the Government will also concede that they were wrong.

One element is that magistrates do not know the history of the persons appearing before them and therefore, when the case has been proved, they do not know whether the sentence is for a persistent or a first-time offender. Clearly, that is wrong. The fines formula is also not working well. People with a disposable income of more than £100——

Madam Speaker: Order. There is no need to argue the case. The hon. Gentleman must ask a business question.

Mr. Dickens: I wanted to be clear about the two elements. The disposable income formula is not working well and, as Madam Speaker has so kindly suggested, a debate would give us a wonderful opportunity to explore the subject in depth.

Mr. Newton: Even without a debate, it sounded to me as if my hon. Friend managed to explore it in some depth and I note his concern. He will be aware that we are all —including my right hon. and learned Friend the Home Secretary—aware of the comments and criticisms made in that respect. Equally, he will understand that I cannot promise a debate or the Bill that he appears to want, but I shall consider the matter carefully.

Mr. Alex Salmond (Banff and Buchan): Could the Leader of the House arrange for an early statement from the Minister responsible for fisheries on the implementation of policies towards the industry, particularly the Sea Fish (Conservation) Bill? Because of the preponderance of agricultural questions during Agriculture, Fisheries and Food questions, he will have noted that there was no opportunity for Members of Parliament representing fishing communities to express their views. He will also recognise that the Government's policies are extremely controversial and wholly hated in the fishing communities. May we have an early statement so that those matters can be examined once again?

Mr. Newton: I am sorry that the hon. Gentleman evidently did not manage to get in during Agriculture questions. I am sure that my hon. Friend the Minister was as sorry as I am and I am sure that he will seek to respond appropriately to the hon. Gentleman's question.

Mr. Nicholas Budgen (Wolverhampton, South-West): Will my right hon. Friend arrange for a debate on British relations with Denmark before 18 May? May I remind him that at the Edinburgh summit the Foreign Secretary said that it would not be a political reality to suppose that we should sit down at a new place and renegotiate a treaty with 11 member states without Denmark. As he has since made some ambiguous remarks in Denmark which, given their worst interpretation, may amount to a betrayal of the promises made to obtain the paving debate——

Madam Speaker: Order. I do not need hon. Members to argue their case at business questions. A couple of lines merely to give an indication of the subject to the Leader of the House would be sufficient. Will the hon. Gentleman please make his point?

Mr. Budgen: Those ambiguous words might have been a gross——

Madam Speaker: Order. I am now calling the hon. Gentleman to order. He must either ask a direct question or resume his seat. Which is it to be?

Mr. Budgen: I shall ask a direct question. In the light of those observations, will my right hon. Friend arrange for a debate as quickly as possible?

Mr. Newton: I have nominated two days of debate on European matters—the first two days after the weekend. I am not absolutely sure whether my hon. Friend was present during Prime Minister's questions on Tuesday, but even if he was not he has only to read the record of what my right hon. Friend the Prime Minister said to my hon. Friend the Member for Stafford (Mr. Cash) to see that the implications of the question that he has just asked were completely disposed of by the answer of my right hon. Friend the Prime Minister on Tuesday.

Mr. Barry Jones (Alyn and Deeside): When will the Secretary of State for Trade and Industry make a statement on the new map of assisted area status for Britain? Cardiff, Newport, Rhyl, Wrexham, and Alyn and Deeside are apprehensive about losing that prized status. Wales must not miss out. There are 3,100 people out of work in my constituency; they need the status to find work.

Mr. Newton: I note the hon. Gentleman's concern about the assisted area status map. I take it that he is giving a sign of what he wants to see in the outcome of the current review. I am not in a position to give the outcome today, or to say precisely when it will be possible to give it. However, I am sure that, once again, my right hon. Friends will have noted the hon. Gentleman's question.

Mr. Nicholas Winterton (Macclesfield): My right hon. Friend will be aware that in a moment or two the House will undertake a debate on the problems of Bosnia and the ethnic difficulties of that embattled republic. Does he accept that a similar, although lower profile, problem presently exists on the wonderful and beautiful island of Cyprus, about which discussions are taking place? Will my right hon. Friend arrange for my right hon. Friend the Foreign Secretary or an appropriate Minister to come to the House and make a statement on the United Kingdom Government's exact stance on the problem? That would allow the Foreign Office to adopt an even-handed attitude to both the Greek Cypriots and the Turkish Cypriots—which is not the case at present.

Mr. Newton: I cannot promise the sort of statement that my hon. Friend wants, but at least I am saved from the task of having to act as a postbox as the man at whom the missive was aimed, my right hon. Friend the Foreign Secretary, is by my side.

Mr. Bob Cryer (Bradford, South): Will the Leader of the House provide time next week for a debate on the long overdue reports of the Select Committee on Members' Interests on a register of lobbying interests and new registration rules which are roughly two years and 14 months overdue? Does he not realise that people will think it hypocritical of the Tories to vote for a 1·5 per cent. pay freeze for the public sector while many of them are busy lining their pockets with outside directorships and parliamentary adviserships? Such moves have been backed by a Government who consistently refuse to give time for a debate on reports as requested by the House.

Mr. Newton: Leaving aside all the political stuff at the end of the hon. Gentleman's question, as I have said to the hon. Member for Workington (Mr. Campbell-Savours) on a number of occasions, I am hoping to make progress on the matter. Clearly, the House has had to deal with much business of various sorts in recent weeks.

Mr. Phil Gallie (Ayr): Given the tragedy of Warrington, the mayhem of Bishopsgate, regular disasters throughout the United Kingdom, particularly Northern Ireland, and the fact that the IRA has boasted that no security levels are immune to them, will my right hon. Friend consider a debate on a means of resolving those problems?

Mr. Newton: I certainly cannot promise a debate next week, but I note the concern that my hon. Friend has expressed—I am sure that it is echoed in many parts of the House. I shall bring it to the attention of the Home Secretary, who is the person principally concerned.

Mr. Malcolm Chisholm (Edinburgh, Leith): May we have a statement from the Secretary of State for Scotland next week to clear up the confusion that has arisen in Scotland about what has happened to its share of the money announced by the Secretary of State for Employment for after-school child care? When I asked her about this in January, she said that 9 per cent. of the £45 million should go to Scotland and that the money was earmarked for that purpose. Can the Secretary of State explain, then, why the money is ring-fenced in England and well publicised in England, yet the Scottish Office has refused to ring-fence it or give any publicity to it?

Mr. Newton: The hon. Gentleman should be able to find an opportunity to put that point directly to the Secretary of State on Wednesday 5 May, when he will be here to answer questions.

Mr. Michael Fabricant (Mid-Staffordshire): Will my right hon. Friend assure the House that, regardless of what may or may not happen on 14 May to the private Member's Bill introduced by the hon. Member for Ogmore (Mr. Powell), the Government will, in the next Session, introduce a Bill of their own on Sunday trading, offering at least three choices on which the House will be able to vote without a Whip?

Mr. Newton: In a technical sense, my hon. Friend is asking me to pre-empt the Queen's Speech, but he will be well aware of what has been said about the Government's intention to introduce legislation covering this matter.

Mr. Mike Hall (Warrington, South): May I draw the attention of the Leader of the House to the fact that the doctors' surgery at Windmill Hill in my constituency has closed today, and that the 703 patients of the surgery were advised of the closure by Cheshire health authority only last weekend? They were not consulted about the decision, and they now have to go elsewhere in Runcorn to find doctors' practices. Can the right hon. Gentleman arrange for the Secretary of State for Health to come to the House next week and make a statement on how the patients charter is protecting the interests of my constituents?

Mr. Newton: As it happens—I have already said this once or twice—the Secretary of State for Health is due to be here on Tuesday 4 May. Perhaps I can be even more helpful by saying that I understand that the hon. Gentleman has already spoken to the Minister, who has agreed to write to him about the matter. I am sure that she and her officials are looking into it at this very moment.

Points of Order

4.17 pm

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. I wonder whether, arising out of Question 6 to the Prime Minister, you would reflect on the following issue over the weekend, because these matters are complex. I refer to the question of the sub judice rule.

I draw your attention to column 755 in the *Official Report* of 10 November 1992, when my right hon. Friend the Member for Chesterfield (Mr. Benn) said:

"On a point of order, Madam Speaker. I would like your advice on how the House is left following today's statement. Is it the case that no further questions can be put or answered on the many issues that have come up in the questioning, on the grounds that it is sub judice? I hope that you will not answer today, because it is an important question.

If a Minister can set up a judicial inquiry and no questions can be put on the matter for the next 18 months, on the grounds of the sub judice rule, parliamentary accountability will disappear overnight."

My right hon. Friend then asked you, Madam Speaker, to reflect on the matter. At column 756, I said:

"Further to the point of order raised by my right hon. Friend the Member for Chesterfield (Mr. Benn), Madam Speaker. This morning the Table Office accepted two identical questions from me—one for the Prime Minister and one for the Secretary of State for Defence—asking on what date they were first alerted to the Matrix Churchill situation. In the light of the answer to my right hon. Friend, are we saying that there is no need for Ministers to answer such questions, even if they remain on the Order Paper, on the grounds that the matter is sub judice"?

You, Madam Speaker, replied:

"Order. It is quite the opposite. As I have already said, the inquiry is not sub judice."—[*Official Report*, 10 November 1992; Vol. 213, c. 755-56.]

The argument is that the Ordtech trial, which is a very grey area, is parallel to the Matrix Churchill trial. However, after various inquiries, I do not know whether this is covered by Lord Justice Scott although I am told that it is. In those circumstances, may I ask you to reflect on those complex issues over the weekend and perhaps make a judgment on Tuesday?

Madam Speaker: If the hon. Gentleman would read his Question 6 to the Prime Minister today, he will see that it deals not with an inquiry, but with legal proceedings. In fact, his question today did not breach the sub judice rule. The hon. Gentleman did, I have to say, stray in his supplementary a little far into matters of that nature, and the Prime Minister was quite correct in declining to comment further. The hon. Gentleman's question was not related to an inquiry; it related to legal proceedings.

Mr. Dalyell: Further to that point of order, Madam Speaker. The Prime Minister's answer did relate to the inquiry as I understood it. Would you reflect when you see the full report?

Madam Speaker: I think that I have gone far enough on this matter. I hope that the hon. Gentleman will read his question and will look at my answer. The question is concerned with legal proceedings; it is not concerned with inquiries.

Mr. Ian Bruce (South Dorset): On a point of order, Madam Speaker. Can you do something to protect the business of the House? We had questions today to the Ministry of Agriculture, Fisheries and Food. My right hon. and hon. Friends will be aware that we made much progress through to Question 18 because, of the first six Labour Members with questions on the Order Paper, only one turned up for Question Time. Of the first six, only one turned up, although the seventh was present.

Can you advise the House whether you were paid the courtesy of being informed that notice of those absences had been given? Is there some way in which hon. Members can raise important subjects such as the Agricultural Wages Board, the Potato Marketing Board and the distribution of surplus food to poorer people when hon. Members do not turn up for their questions?

Madam Speaker: As the House is aware, I am quite anxious to get speedily through the Order Paper, but not as a result of absenteeism. Of course there are occasions when I am given notice of absence from the Chamber and that was the case today in relation to one question where notice was given well in advance, and in relation to a couple of others when it was given rather late in the day. It is a discourtesy to the House for hon. Members to table questions and then not to be present without giving notice to the Chair and to the Minister who is to answer them.

BALLOT FOR NOTICES OF MOTIONS FOR MONDAY 17 MAY

Members successful in the ballot were:

Mr. Simon Coombs
Mr. Archy Kirkwood
Mr. John Austin-Walker.

Bosnia

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. MacKay.]*

[Relevant document: the unnumbered Explanatory Memorandum submitted by the Foreign and Commonwealth Office on 23rd April 1993, relating to sanctions against Serbia and Montenegro.]

Madam Speaker: Today's debate is on Bosnia. I remind the House that, because of the great interest in this subject, I will have to limit hon. Members to 10-minute speeches between 7 pm and 9 pm. I hope that hon. Members who speak outside that period will help the House and limit the length of their speeches.

May I make a point about the digital clocks which cannot be restarted without an engineer entering the Chamber? However, I think that we can manage without them, and I draw the attention of hon. Members to the clocks that are operating in the Chamber.

4.23 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Douglas Hurd): It is right that the House should return again to the tragedy of Bosnia. I am sorry that, because of the state visit, I cannot stay until the end of the debate. My right hon. and learned Friend the Secretary of State for Defence will reply to the debate and of course the views of the House must weigh heavily with us as we continue to consult our allies.

Before I come to the policy issues, I should like to give the House a short update on developments on the ground since I made my statement in the House last week. At that time, 19 April, our concern was focused on the outrageous Serb attacks on the Muslim enclave of Srebrenica. Thanks to the courage and determination of the United Nations High Commissioner for Refugees staff and the United Nations protection forces, particularly the 200 Canadians now in the town, the situation there has become somewhat better. A ceasefire is holding, although it is fragile. More than 700 wounded have been evacuated by air and food convoys are getting through.

The House may know that on Tuesday an Overseas Development Administration British aid civilian driver, Jerry Swallow, leading an aid convoy in northern Bosnia, suffered serious shrapnel wounds when the convoy was attacked by mortar bombs. He has been treated in a Canadian field hospital in central Bosnia, where his condition, after an operation, is much improved. He has our sympathy. He was wounded in a good cause.

Since last week's statement we have seen further attacks launched by Serb forces near the UN headquarters at Kiseljak and around Bihac in the north-west. The swirl of violence is sometimes hard for us to piece together. The Serbs clearly bear the greatest share of the blame for starting the war and for the atrocities that it has produced, but they are not uniquely guilty. The recent carnage in central Bosnia committed by the Croats and occasional evidence of Muslim atrocities against both Serbs and Croats vividly illustrate that no side has the monopoly on evil.

This is not a war with saints or heroes. We all share the revulsion forcibly expressed about Croat atrocities by Colonel Stewart of the Cheshires. He was right to be angry and the dedication and commitment of Colonel Stewart and his men deserve our highest praise.

Our armed forces and British civilians, of whom I have just given an example, continue to play a leading part both in bringing relief from the suffering in Bosnia and in enforcing the arms embargo and the sanctions. Since November, our troops have escorted more than 500 convoys carrying nearly 35,000 tonnes of aid. In 460 flights to Sarajevo the RAF has carried more than 6,000 tonnes. We have contributed over £92 million to the international relief agencies directly and through the European Community. This British effort has helped to keep alive hundreds of thousands who might otherwise have perished this winter from cold and hunger. We must sustain the effort for as long as the need is so great and for as long as the situation on the ground allows.

We are all conscious of the moral and public pressures on the international community to do more, to intervene more actively to stop the carnage. Those pressures are sincere and must be taken seriously. However, we also have to remember the nature of this problem. We are witnessing a civil war in Bosnia which is encouraged and overwhelmingly fuelled by Belgrade. We should not pretend that, from outside, we can ensure a solution. Even a prolonged military commitment by the interational community could not guarantee that. It would convert Bosnia into a protectorate for an indefinite period without a certain outcome. In practice, no Government—I am not speaking about columnists—are seriously suggesting that.

As the House knows, our troops are in Bosnia for a humanitarian purpose and we do not intent to convert them into an army of occupation or an army fighting to impose a particular solution on the problem by force.

Mr. Patrick Cormack (Staffordshire, South): Does my right hon. Friend agree, as he has in the past in the House, that if a peace settlement is agreed it will have to be internationally guaranteed, with all the consequences of that guarantee?

Mr. Hurd: That is quite a different proposition. Work is going on in NATO and elsewhere on how, if there were a credible and durable agreement, the Atlantic alliance under the authority of the United Nations might help to keep it that way. I am sorry to say that, as my hon. Friend knows, that prospect has receded quite substantially in the past few weeks. It may return, and I shall come to that matter later in my speech, because in the end the only durable answer is a negotiated political solution. That solution will have to provide ways in which the three communities in Bosnia can live and work together, if not in friendship, at least not in war.

If we accept, as I have argued, that military intervention on the ground is not an option, we are faced with a choice of lesser options to achieve that objective. None of them can be guaranteed to be wholly effective. All have drawbacks, some more serious than others. We must keep in mind our overall objectives—to provide a framework for a political solution, to press the Serbs, in Bosnia and in Serbia, to abandon the pursuit of their aims by the use of force, to relieve humanitarian suffering and to prevent the fighting from spreading—for example, to Croatia, Kosovo, Macedonia or, indeed, beyond.

Several hon. Members *rose*——

Mr. Hurd: I hope that hon. Members will allow me to make progress with my speech.

To be sustainable, peace must be based on a settlement agreed by all parties. The fighting cannot by itself resolve the fundamental problems in Bosnia, any more than fighting solved, or could solve, the dispute between Israel and the Arabs. A peace process is essential in Bosnia, as it is in the middle east, and of course a successful peace process involves difficult compromises.

Gains, to be permanent and worth while, must be accepted by others. Military conquest in Bosnia cannot achieve gains which are accepted. It is not enough to fly flags over ruined towns and villages. Worthwhile gains are not to be secured by making a desert and calling it peace. There is no future for Bosnian Serbs down that path, if they look beyond the coming days and weeks. The only alternative to a real negotiated settlement is indefinite fighting and suffering.

Dr. Norman A. Godman (Greenock and Port Glasgow): In regard to United Nations resolution 828, what progress has been made in setting up an international war crimes tribunal? Does the right hon. Gentleman believe that a genuine threat of being arraigned in front of such a court might act as a deterrent to those who sanction acts of barbarity against the poor people of Bosnia and elsewhere?

Mr. Hurd: It might. I do not deceive myself that it is a certain remedy. The answer to the hon. Gentleman's question is that the Security Council passed a resolution asking the Secretary-General of the United Nations to draw up a scheme for precisely such a tribunal. Everybody knows that it is not easy. It has consumed years of work by lawyers in the United Nations, and the outcome is not yet clear, but the Secretary-General has been asked to do that and we shall help to forward that work as best we can.

Mr. Chris Mullin (Sunderland, South) *rose*——

Mr. Hurd: I shall give way to the hon. Gentleman, but then I must make progress with my remarks.

Mr. Mullin: The right hon. Gentleman said that it must be made clear to the Serbs that aggression does not pay. It is clear, is it not, that aggression for the Serbs unhappily has paid? The only time that it will not pay is when they realise that the UN is serious and is prepared to back up threats with credible force. Is it not an unhappy fact of life that only a credible military force—on the ground, not bombing—will make any difference? Are we not deluding ourselves if we talk of any other alternative?

Mr. Hurd: I shall be coming to that issue. The hon. Gentleman's premise is wrong, as he will see if he considers the matter in detail. One does not secure anything seriously—for our children or ourselves—by raising flags over ruined towns and villages. There is nothing secure about that. It is a temporary gain, but it must be accepted if it is to result in any real benefit. That is the point I am making and why we have given our full support to the efforts of Lord Owen and Mr. Vance.

Two sides in the conflict—the Muslims and the Croats—have accepted the peace proposals. Lord Owen has been tireless in his efforts to bring the Bosnian Serbs around, exploring every possibility for compromise. So far, they remain intransigent. The plan remains on the table. It incorporates a number of guarantees to take account of Bosnian Serb concern to ensure that key decisions in Bosnia cannot be taken without the consent of the Bosnian Serbs and that they have unimpeded access, monitored by an international authority, between their provinces.

The political process is not dead and sooner or later, for the reasons I have put before the House, the parties must, and will, come back to it. The Vance-Owen peace plan is not a sacred text. Adjustment to it is perfectly possible. The political process is essential because it is the only realistic way forward for Bosnia, and the choice facing not just the Serbs but others is how long it takes to realise that and for how long the fighting and suffering must go on.

I come to the means of pressure, because persuasion has to be backed by pressure. The main, agreed, instrument of pressure on the Serbs has been, and remains, sanctions. I do not claim, and the House would not accept it if I tried to, that sanctions alone can guarantee success. I do not wish to follow the example of those who, in the past, have given a time scale for the effectiveness of sanctions. However, if carried out in a rigorous and determined manner, they can make an important difference. Combined with economic mismanagement, they are already having a harsh effect on the economy of Serbia and Montenegro. Monthly inflation in March was 225 per cent. Industrial production is half the level of 1990, more than 70 per cent. of the work force is idle and shortages are becoming the norm.

There are signs—I put it no more strongly than that—that under the pressure the leaders in Belgrade are becoming increasingly impatient with the Bosnian Serbs, whose territorial ambitions threaten to involve the whole Serbian nation in virtual isolation from the rest of the world. Those signs are insufficient. The Government in Belgrade can do more. We believe that they can exercise decisive influence on the Bosnian Serbs by cutting off economic and military support.

On Monday this week, a letter from Mr. Milosevic and three Serbian presidents to the Bosnian Serb assembly urged full acceptance of the Vance-Owen plan. It came days after the television station that carried the letter urging acceptance had been demonising Lord Owen. Public opinion is split and confused in Belgrade. We have to increase the pressure on the Bosnian Serbs and on Belgrade. That is why on midnight last Monday, a tighter and more powerful regime of sanctions was applied to Serbia and Montenegro. I am referring to Security Council resolution 820, through which we aim effectively to close Serbia's border. We are pressing forward with efforts to ensure that the provisions are translated into a blockade.

Sir David Steel (Tweeddale, Ettrick and Lauderdale): Is the Foreign and Commonwealth Secretary able to confirm the reports that some of the shelling of Srebrenica took place from Serbia? If that is so, does it not make nonsense of written appeals to the Bosnian assembly and cast doubt on the use of the phrase "civil war"?

Mr. Hurd: It is a civil war in the sense that the huge majority—more than 90 per cent.—of those fighting are Bosnian. They are Bosnian Serbs, Bosnian Croats and Bosnian Muslims. What the right hon. Gentleman says may be true. Certainly, there are supplies and encouragement from Serbia. That is why the pressures which I am describing are directed overwhelmingly against the Serbs as well as the Bosnians.

Mr. Nicholas Winterton (Macclesfield): Will my right hon. Friend give way?

Mr. Iain Duncan-Smith (Chingford): Will my right hon. Friend give way?

Mr. Hurd: I do not want to take up the whole afternoon. I will give way to my hon. Friend the Member for Chingford (Mr. Duncan-Smith) and then I must get on.

Mr. Duncan-Smith: In line with what my right hon. Friend has said, so that there is no confusion, will he confirm that, in the past 15 months, Croatia has taken shipments of some $320 million-worth of imported arms of all kinds, from aircraft through to powerful tanks, so the whole area is awash with arms? It is not just the Serbians who are involved in the matter.

Mr. Hurd: I cannot confirm my hon. Friend's figures. I shall come to the arms embargo and I hope that my hon. Friend will agree with me from his analysis.

I wish to deal briefly with the four main areas of sanctions. It is important that the House should understand what we are trying to do. On the Adriatic sea, since Tuesday we have new powers to prohibit all commercial and maritime traffic from entering Montenegran territorial waters unless specifically authorised. HMS Cardiff has been in the Adriatic with other ships for some time. The North Atlantic Treaty Organisation and Western European Union forces in the area should be able to stop illegal passage by sea.

In the Danube, it is much more difficult. There are plans to deploy a WEU monitoring flotilla. We support that and are considering what we can do to help. The British are already providing a communications system between the states on the river, which is crucial for this purpose. We are anxious that the operation should begin as soon as possible.

The land borders are almost equally difficult. All freight and rail border crossing points should now be closed, with limited and specific exceptions. People are able to move from one country to another, but goods cannot, except for food and medicines.

We have to find the best ways of monitoring the new sanctions. We have sanctions assistance missions in all the countries concerned and they are being reinforced. We are considering with the United States and our EC partners how those numbers can be doubled, and we are tripling our own contribution of customs officers.

Finally, on financial sanctions, Lord Owen believes—and I think that there is evidence for this—that these are the most crucial of all. The financing of trade is just as important as its physical passage.

Since Tuesday, the obligations on Governments worldwide to enforce financial sanctions against Belgrade have been tightened even further. Funds outside the former Yugoslavia cannot be used for the benefit of the Federal Republic of Yugoslavia or of any commercial, industrial or public bodies in Serbia and Montenegro. We now have the power to freeze the flow of any Serb assets of even indirect benefit to Serbia.

There have been some real and publicised problems in Nicosia, Cyprus over the enforcement of financial sanctions. The Government of Cyprus have now announced certain measures to help bring them into the mainstream of enforcement. Those measures are welcome, but there is still some way to go.

I have proposed that, because of all the institutions involved in the effort under Security Council resolution 820, the Secretary-General should appoint a sanctions co-ordinator—a senior figure who would identify loopholes, have the authority to knock on the doors concerned to ensure that the loopholes are quickly blocked and, where necessary, knock heads together.

I have gone through the measures because on paper, and now in international law, they are formidable. They will not halt the conflict overnight, but they pin down the Serbs and they limit their options. I hope that the message is clear that the Serb leadership has to exercise decisive influence on the Bosnian Serbs by political means, but principally by cutting off military and economic support to them.

Mr. Harry Barnes (Derbyshire, North-East): Presumably the sanctions will also apply to Kosovo. In those circumstances, what is the point of the sanctions? Might they not be counter-productive all over Serbia and Montenegro?

Mr. Hurd: The sanctions have to apply to Kosovo because, under international law, Kosovo is part of Serbia. The point of sanctions is to intensify the pressure on the Serb leadership to induce it to exercise pressures which could be decisive on the Bosnian Serbs who, although they do not bear the entire responsibility, bear the main responsibility for prolonging the conflict.

Mr. Peter Hardy (Wentworth) Will the Minister give way?

Mr. Hurd: No, I must get on.

I now turn to other options. None of us can refuse to look at other ideas for a way forward. The suffering is great, the prospects for further atrocities are bleak and the glimmers of hope are too dim for us not to examine and re-examine all choices.

Solidarity among like-minded nations is essential. The European Community has worked together, with difficulty, but knowing that one policy is better than 12 and carries more weight than 12. NATO is now involved in different respects, on the Adriatic, as I have mentioned, providing elements of control and command for UNPROFOR. The NATO 16 are working closely and well. The WEU and the CSCE are involved and the Security Council has stuck together.

Work on other options is going on in all the major capitals. Wide discussions continue on three particular policy options in addition to the sanctions choice which has been made. It is now a matter of putting it into effect. Our common aim is to stop the fighting and bring the parties back to the conference table.

Mr. Tony Benn (Chesterfield): I do not know whether the Foreign Secretary is coming to this point, but if so, perhaps he will allow me to anticipate it. Has he made it crystal clear to the American Administration that if arms are supplied and poured into the civil war, or if bombing is carried out by the United States, that will put at risk more lives and the humanitarian effort and will lead us into a far worse crisis? Has he made that clear to the Americans?

Mr. Hurd: The right hon. Gentleman has mentioned two of the three options with which I am about to deal, and I shall come to his point soon.

The first option, which the right hon. Gentleman did not specifically mention, is safe areas. We have already

welcomed the UNHCR proposal for safe areas in Zepa and Gorazde to allow the United Nations humanitarian agencies and the Red Cross to operate there. We supported similar United Nations ideas on those lines last July.

An international presence can have a calming effect, as we have seen in central Bosnia, and is invaluable to ensure access by relief convoys. However, there is a limit on what can be negotiated. We are discussing the option of safe havens by negotiation and the number of forces available and we do not believe that United Nations forces could or should fight their way into designated areas, or become combatants on behalf of the Muslim or any other community.

The House will know that in Srebrenica the Canadians have been living through some difficult moments. At one stage last week they felt that they were in acute danger. We have made it clear that it would be inconceivable for us to fail to support them from the air if the need arose.

We have always emphasised the right and determination to use force in self-defence if necessary. Thankfully, the situation in Srebenica is quieter than it was, but that may not last for ever.

Ms Kate Hoey (Vauxhall): Will the Foreign Secretary give way?

Mr. Hurd: No, I shall not give way again, as I have some ground yet to cover and many hon. Members wish to speak.

The second option was mentioned by the right hon. Member for Chesterfield (Mr. Benn)—lifting the arms embargo. The House knows our deep reservations about that. We believe that we should be in the business of trying to stop the war and not equipping the parties to fight it out. The idea is understandably presented as giving the Muslims a chance to defend themselves against the more heavily armed and better equipped Serbs. It is possible that in that way Muslims would get better access to weapons, but the impact on the military situation would be neither quick nor decisive. The Serbs, and possibly the Croats, might decide to attack before the Muslims became too strong.

Far from tilting the balance towards the Bosnian Muslims, lifting the embargo could lead to an increase in the supply of weapons to the Serbs and the Croats. Violence could escalate and the humanitarian relief operations would become increasingly difficult and dangerous. If that were to happen, far from ending the suffering, that course would aggravate it. It could, more than any option seriously being considered, threaten an extension of the conflict into other parts of the former Yugoslavia or beyond. As arms flow into the area, the fighting could overflow out of it.

The third option is that of limited air strikes as a further means of pressure on the Serbs to accept the Vance-Owen plan and as a response to military attacks. That might work as a threat to deter the Bosnian Serbs from further attacks, atrocities and offensive strategies. If it were defied, actual strikes could prevent them from following those strategies. However, there are risks and uncertainties attached to any such action and they need to be thought through with the greatest of care, not just here but in consultation with our allies, before decisions can be reached. In particular, as the right hon. Member for Chesterfield pointed out, the implications for the forces of the United Nations, for our own forces, for humanitarian agencies and for the drivers and civilians carrying supplies through day after day have to be weighed carefully.

We could not agree to action which would put British forces at serious risk. That was put succinctly, as the House will have read, by the chairman of NATO's military committee, Sir Richard Vincent:

"Decide what you're trying to achieve before you go out".

That is very true. In testimony before the Senate this week, my colleague Warren Christopher, the American Secretary of State, made it clear that air power should be used in Bosnia only after strict criteria had been met.

Those criteria included the assurance that the goal of strikes was clear and understandable to the American people, and that there was what he called an "exit strategy" to avoid becoming involved in a Balkan war. In Washington, on the same day, the vice-chairman of the Joint Chiefs of Staff said:

"you cannot allow somebody to go forward and assume you are going to get in and out with a quickie operation."

Those are all wise comments.

The situation essentially is similar to that when I reported to the House last week. Those options and others are being considered. We must seek to stick together as we consider those options. We must not allow the Atlantic alliance to fracture on this issue. We are not excluding options simply because they were considered earlier and not adopted. But we in Government, we in the House, owe our constituents, as we said in another context last week, our considered judgment. The worst of all worlds would be half-measures in Bosnia which salved consciences without saving lives.

There is a risk of overlooking the broader picture in that concentration on Bosnia. The break-up of the former Yugoslavia has left a rash of conflicts, not just one. I sometimes think of Bosnia as a fire which is blazing, but there are heaps of combustible material around which we must try to prevent from catching fire. That is why we must support what Lord Owen and Cyrus Vance, soon to be replaced by Mr. Stoltenberg, are doing to prevent the trouble spilling over into neighbouring regions, particularly Croatia, Kosovo and Macedonia.

In Croatia, there is particular concern that moves to announce the unification of the Krajina Serbs with the Bosnian Serbs could lead to a flare-up of the fighting there. Pressure is being brought to bear on both the Croatian Government and the Serbs to hold back from any new offensives and to enable the renewal of the mandate for the 15,000 UNPROFOR troops in Croatia. That is the first force, not the one in which the Cheshires are involved. The continued presence of the United Nations in Croatia is vital if the kind of cruel, bitter fighting which occurred at the end of 1991 in Croatia is to be avoided.

In Macedonia, the greatest risk comes from instability as a result of that country's relations with its neighbours, including Greece. We worked hard, and in the end successfully, to secure Macedonia's admission to the United Nations on terms acceptable also to Greece. Lord Owen and Mr. Vance are now charged with seeking to resolve the difference between those two countries which continue.

At the same time, 700 UNPROFOR troops from Scandinavia, together with monitors from the conference on security and co-operation in Europe and the EC

[Mr. Hurd]

monitoring mission, are active in Macedonia helping to build confidence. There is a case for strengthening that United Nations contingent.

In Kosovo, there remains a high risk that a particularly brutal incident of repression against the ethnic Albanian majority could spark an uprising which could in turn destabilise the region. Under international law, it is part of Serbia. No one questions that. A CSCE monitoring team is active in the province under the direction of the Swedish Prime Minister, the chairman of the CSCE. That mission, he told me this week, is being urgently reinforced; but, undoubtedly, the situation in Kosovo remains dangerous.

Dr. John Cunningham (Copeland): Are not the points that the right hon. Gentleman has just made reasons for making it clear to the Serbs that they should stop their aggression now and that they will not get away with ethnic cleansing? If they are allowed to get away with it in Bosnia, will not the temptation be for the Serbs to try it again in Kosovo and Macedonia?

Mr. Hurd: I follow that thread of argument. I am all in favour of finding effective ways in which we can achieve a turnaround in Serb strategies. I have been running through the options and we shall listen to the right hon. Gentleman with great care. I have listed the disadvantages of options, as well as the way in which we are carrying through the option that has been agreed—sanctions. I repeat that we are not excluding further examination and the consultation will continue next week, but it would not be right to refrain, either in private consultations or in dealings with the House, from setting out the difficulties that we see.

Bosnia was once a peaceful, prosperous country, in which all ethnic groups mixed freely. I had a letter last week from a medical student who now lives and works in Birmingham but who escaped from Sarajevo last year and whose family is still there. She wrote:

"Until the war began, Sarajevo existed as a multicultural, pluralist and peace-loving society. No one cared about the ethnic origin of their neighbours, nor their own for that matter. And people there still live together, Muslims, Croats and Serbs (because Mr. Karadzic is not a leader of all Bosnian Serbs)."

From my slight knowledge of the former Yugoslavia, I do not believe that hatred and killing are inevitable, somehow irredeemably logged in the history books as something that has to happen. That is not the history of the former Yugoslavia. The killing and hatred will come to an end—perhaps not soon, but never too soon.

We are deeply moved and angered by what has been happening in Bosnia. Why? Because it is carried day by day and night by night in our newspapers and on our television. But Bosnia is not unique, and I end on this general thought. If one visits Japan, as I did recently, one finds that the people there are much more concerned about what is happening in Cambodia. In Moscow, people are at least equally concerned about the killings in Georgia and the conflict between Armenia and Azerbaijan. Africans are more conscious of the atrocious killings, on a much larger scale, which continue in Angola, Liberia, Rwanda and the Sudan.

All those, and others—I have given only a selection—are wars inside countries in which thousands are being killed and standards of decent behaviour are wholly disregarded. That is why I have always disliked as pretentious the phrase "a new world order". We are wrestling, in fact, continent by continent with ancient disorders fanned into a new blaze by factions and extreme nationalism. It has been so through the centuries. What is new is our awareness of it.

We should not resent the fact that the media bring some, but of course only some, of those horrors into our homes. It is difficult for the television or even the press to convey the complexity of conflict, the spread of guilt, or the difficulty of arriving at the truth which characterises, in particular, a civil war. Nevertheless, they are right to anger and horrify us.

Anger and horror are not enough as a basis for decisions. It is a British interest to make a reasoned contribution towards a more orderly and decent world. But it is not a British interest, and it would only be a pretence, to suppose that we can intervene and sort out every tragedy which captures people's attention and sympathy. I have never found the phrase "something must be done" to be a phrase which carries any conviction in places such as the House or the Government where people have to take decisions. Governments and Parliaments have to weigh and judge. Bosnia is not the same as Kuwait or the Falklands, in history or terrain or calculation of risk.

Decisions cannot be based either on false analogies or on a desire to achieve better headlines tomorrow than today. That is particularly true when those decisions affect human life, and more especially still when the lives are those of British service men or civilians. The instinct to do better, to work harder, to look again at options, even those previously rejected, is a sound one, which we are following. But the decisions that follow must be based on judgment as well as instinct if they are to match the need. We shall continue, with our friends and allies, to apply that judgment.

4.58 pm

Dr. John Cunningham (Copeland): It was right for the Government to provide time for a debate on Bosnia today and we welcome the decision of the Leader of the House to respond to the request made by my right hon. and learned Friend the Leader of the Opposition for such a debate.

There are deeply held and genuine differences of opinion on both sides of the House on this nexus of complex problems in the former Yugoslavia.

I make no criticism of those hon. Members who take a different view from the one that I take; nor are there certainties in any of the options that we are considering. I believe, however, that there have been some disasterous miscalculations in the past with diplomatic efforts, particularly in the European Community, over the former Yugoslavia, and that the credibility of the Community has been damaged as a result. We now face circumstances where the credibility of the United Nations itself is being questioned, not just by hon. Members and not just by people in the West as a whole but by many people in Muslim countries, and people in Muslim Governments too.

I want to begin, therefore, by making it clear to everyone that any action that Opposition Members would support, any new departure that we would endorse, would

have to be firmly authorised under the provisions of chapter 7 of the United Nations charter, specifically article 39, which says:

"The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security."

I do not believe that we should depart from those provisions.

It is to the decisions of the United Nations that I first want to turn. There is an arms embargo under resolution 713 of September 1991. The United Nations protection force was established by resolution 743 in February 1992. Mandatory sanctions were established under a resolution of the Security Council in May 1992, and the UNPROFOR mandate in Bosnia is under those provisions of chapter 7 of the United Nations charter. I begin with those facts to answer those who say that nothing has been done and to point out that a great deal has already been done to try to deal with the appalling situation in Bosnia.

Who does not share the anger and the anguish of people in Britain and elsewhere about the agonies of the Bosnian people? We all share the anger and anguish, but we should not allow anger to dictate the difficult political decisions that we must make in trying to deal with the circumstances.

I want to echo the point made by the Secretary of State for Foreign and Commonwealth Affairs about British personnel currently in the former Yugoslavia, all of whom, military and civilian, are playing an effective and brave role in appallingly difficult circumstances. They have earned our lasting admiration and they enjoy our complete support in the tasks that they are trying to carry out.

We gave our support to the London peace conference which eventually produced the Owen-Vance plan. I want to compliment Lord Owen—not always my favourite person—on his outstanding attempts to secure a peace settlement in Bosnia. The peace plan unveiled in Geneva in January 1993 has now been signed by the Croatians and the Bosnian Government but not by the Serbs. Surely the principal political objective of any action we seek to take must be to secure Serbian signatures to that peace plan? We must spell out political aims and objectives before we can begin to contemplate whether any kind of military intervention is appropriate or likely to be effective.

I do not, however, understand why there is such a drawn-out, continuing delay in reaching conclusions. The tragedy is that, in spite of the mandatory resolutions on sanctions of, in some cases, a year ago, no serious effort has been made by the international community to implement them effectively. That is the truth. It is clear that members of the European Community as well as members of the United Nations, including in some respects members of the Security Council itself, have allowed their own economies and their own people to turn a completely blind eye to the mandatory resolutions of the Security Council.

So while we warmly welcome something that we have called for since the summer of last year, namely a complete economic blockade of Serbia—I first called for it on 4 August last year, and I remember the date well because it was my birthday—we regret that it has taken the international community until now to accept that the existing resolutions were being flouted and that they were in no way preventing the Bosnian Serbs from continuing their military aggression in Bosnia. The decision, therefore, is welcome, if somewhat belated.

I recognise too that questions remain about the peace plan that the sanctions are intended to buttress, but Lord Owen has made it perfectly clear that it is open to amendment if only agreement to it can be reached.

Other decisions by the United Nations have been taken in support of securing peace in Bosnia: on human rights, particularly with reference to crimes of violence against women, under resolution 808 of February this year, and on the establishment of an international war crimes tribunal. As, in an incremental way, the international community has sought to bring about a resolution of the problem, we have gone along with those decisions, hoping that eventually they would become effective in a cumulative way, but we must face the reality that they have not done so. Economic sanctions, the arms embargo, the humanitarian aid programme which has been so worth while, the no-fly zone, the resolutions on crimes of violence and on the war crimes tribunal have not stopped the Serbs. They have not stopped Serbian aggression which, regrettably, continues even today.

The Serbs are the principal aggressors although it does not help the case or the credibility of other political leaders in Bosnia—Croatian or Muslim—when the Croatians launch attacks on the Muslims or the Muslims launch attacks on the Croatians. The reality is that among the political leaders as well as among the military leaders in Bosnia there are no innocents. They all bear a grave responsibility for continuing the slaughter in the way they do.

Mr. Jim Marshall (Leicester, South): Will my hon. Friend give way?

Dr. Cunningham: In a moment.

The innocents are women and children, elderly people, civilians and non-combatants, the hapless victims of the civil strife that their political and military leaders continue to inflict on them. Surely it is they who should be uppermost in our thoughts. The best way to help them must surely be, in turn, to secure as quickly as possible a peace; an end to fighting; an end to the conflict in Bosnia.

Mr. Marshall: May I first of all apologise to my right hon. Friend for failing to note his recent promotion?

While I do not disagree with a good deal of what he has said, when he uses the term "Muslim" he uses it in the sense of the Bosnian Government, the legitimate Bosnian Government. Although it is true that atrocities may have been committed by that Government, does he not accept the basic fact that, when the Bosnian Government attack the Croatian nationalists in Bosnia or the Bosnian Serbs in Bosnia, they are carrying out the legitimate right and programme of any legitimate Government?

Dr. Cunningham: I accept that civil war is going on in Bosnia, and I also accept that Serbian aggression is taking place.

Lady Olga Maitland (Sutton and Cheam): Will the right hon. Gentleman give way?

Dr. Cunningham: I am in the middle of replying to one intervention; I can hardly deal with another at the same time.

[Dr. Cunningham]

The point that I was making is that political leaders on all sides of the conflict are willing to continue to wage war. I do not believe that, in those circumstances, there are any innocents.

Lady Olga Maitland: Will the right hon. Gentleman give way?

Mr. Cormack: Will the right hon. Gentleman give way?

Dr. Cunningham: I will not give way yet. I am dealing with the point put to me by my hon. Friend the Minister for Leicester South (Mr. Marshall).

Let me refer my hon. Friend to a passage that I came across by accident. It is very relevant to the aggressive nationalism that is now so rampant. In one of his essays, George Orwell wrote:

"Actions are held to be good or bad, not on their own merits but according to who does them, and there is almost no kind of outrage—torture, the use of hostages, forced labour, mass deportations, imprisonment . . . forgery, assassination, the bombing of civilians—which does not change its moral colour when it is committed by 'our' side."

I am afraid that too many such views prevail now among political leaders in Bosnia.

Mr. Cormack: This morning, the right hon. Gentleman was kind enough to receive the Foreign Minister of Bosnia. We recognise the Bosnian Government—a multi-ethnic Government including Serbs, Croats and Muslims; but they have been virtually disarmed while seeking to repel people who are guilty of the most appalling atrocities. Can the right hon. Gentlemen deny for a moment that the overwhelming majority of those atrocities have indeed been committed by the Serbs?

Dr. Cunningham: I have already dealt with that point at least twice. I shall say more about my meeting with Dr. Silajdzic in a moment.

There are arguments for further action in the circumstances that I have described: action to secure peace, to end ethnic cleansing, to stop the killing and brutality, to prevent the destabilisation of the region—to which the Foreign Secretary rightly referred—and to avoid a spread of Serbian aggression into Kosovo or perhaps Macedonia, destabiilising Greece and, possibly, Turkey, Albania, Romania and Bulgaria. The need to uphold the authority of the international community and the decisions of the United Nations is another reason for contemplating further action, different from any that has been taken hitherto.

There is a good deal of evidence to suggest that, if we are to secure compliance with the decisions of the United Nations, we need to do more to deal with Serbian aggression than we have done so far. I am not sure that the necessary international political will exists to support the economic blockade that the United Nations is imposing. It is a sad irony that Cyprus—itself the subject of ethnic cleansing nearly 20 years ago—is now a base for money laundering to support that atrocious act in the former Yugoslavia. There is plenty of evidence that some countries are not ensuring that, for instance, money laundering and the trade in arms and important supplies are stopped.

I do not believe that we can simply stand by and let the present position regarding the peace plan drag on indefinitely. When I met Dr. Silajdzic this morning—I had already had a discussion with him some weeks ago—he made it clear that he did not want military intervention by ground troops in Bosnia; what he did want were air strikes and an end to the arms embargo.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): That may well be true from the point of view of the Bosnian Government, but my right hon. Friend should bear in mind the fact that air strikes without the withdrawal of British troops on the ground would simply put at risk many of my constituents, and those of other Cheshire Members.

Dr. Cunningham: I am coming to that. I am now explaining what Dr. Silajdzic asked me to support on behalf of the Labour party.

I recognise that none of these proposals is without risk: anyone who did not recognise that would be deluding himself. I cannot accept, however, that ending the arms embargo, abrogating the mandatory resolution of the UN Security Council—either by taking unilateral action, or by seeking to change it—and allowing additional arms to pour into Bosnia would do anything to bring about an early peace settlement. I do not believe that it would do other than extend and exacerbate war and conflict. Certainly, it would almost completely end any hope of maintaining an aid programme. The idea that it is the moral imperative of the west to arm the combatants and stand by while they go on slaughtering each other in ever greater numbers does not appeal to me at all.

Nor do I accept the argument put to me by Dr. Silajdzic and others that we have a moral duty to intervene in Bosnia. No one talks about our moral duty to intervene in Angola, where nearly three times as many people have been killed in a bloody civil war. No one says that we have a moral imperative to intervene in Nagorno-Karabakh.

Lady Olga Maitland: Will the right hon. Gentleman give way?

Dr. Cunningham: Not for the moment.

If the fragile circumstances brokered by the United Nations in Cambodia collapse and we see a return of the atrocities perpetrated by the Khmer Rouge, will we be obliged to intervene?

Ms Clare Short (Birmingham, Ladywood): I do not think that anyone wants more arms to go to the region. Does not my right hon. Friend agree, however, that if there is no willingness to create safe havens and no willingness to stop the Serbs, the Bosnians are entitled to have arms to defend themselves? If we do not accept that, we are saying that we want the war to be ended by the defeat and slaughter of the Bosnian people. Arms are not the best option, but if we do nothing else, the Bosnians are entitled to defend themselves.

Dr. Cunningham: My hon. Friend is a little precipitate in suggesting that I am about to rule out all the other options, but I do not agree that ending the arms embargo would be sensible; nor do I think it likely that the UN Security Council will be persuaded to agree to such a course.

Lady Olga Maitland: Will the right hon. Gentleman give way?

Dr. Cunningham: I am sorry; not for the moment.

There are other options. If, through agreement and negotiation, safe havens can be approved, of course they should be created. I do not believe, however, that we can establish such havens quickly or simply by taking military action and putting in combat troops. That is a fundamental difference between my view and that of my hon. Friend the Member for Birmingham, Ladywood (Ms Short).

Indeed, the whole argument that somehow—quickly and militarily—we could impose a peace in Bosnia is not borne out by any sensible, rational examination of the circumstances. It would take weeks, if not months, to assemble a force, set up the logistical support and create the necessary airfields, safe harbours and supply lines. In the meantime, surely the predictable response of the Serbians would be simply to turn up their own aggression to grab as much land as they possibly could.

My hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) mentioned air strikes. I know that they, too, are not risk-free. My right hon. and learned Friend the Leader of the Opposition spelt out our view, clearly and concisely, nearly two weeks ago. He rightly pointed out:

"In recent days the tragic civil war in the former Yugoslavia has produced ever more appalling examples of barbarity as innocent civilians are made the victims of indiscriminate and brutal attack.

The slaughter in . . . Srebrenica and the horrific and ruthless pursuit of the inhuman concept of . . . ethnic cleansing requires urgent re-examination of the policies adopted by the international community.

Last year the United Nations imposed mandatory sanctions against Serbia in an attempt to halt the persistent aggression on which it was engaged. Over the months . . . we"—

meaning the Labour party—have

consistently protested at the failure to make the economic and military sanctions effective. Long before now they should have been widened and intensified—and above all, enforced. The sad truth is that so far they have not been a sufficient or effective impediment to Serbian aggression."

My right hon. and learned Friend concluded—and I believe that he was right—that the

"time is now overdue for the United Nations to insist that its mandatory sanctions must be imposed urgently and completely so that the pressure upon Serbia becomes intense. Had this been done earlier, as we have consistently advocated, perhaps we would have avoided reaching the edge of the present abyss.

However we are now in a situation which requires a more urgent response . . . it is now necessary for the United Nations to issue an ultimatum to Serbia—that unless a ceasefire is made effective, the United Nations will authorise air strikes against Serbian lines of communication in Bosnia-Herzegovina. Such action is of course punitive, but I believe we are now at a stage where it is necessary to stop the flow of material to the war zones and to make the Serbs realise that the international community is capable of effective action in the course of implementing a resolve to bring the slaughter to an early end."

Mrs. Dunwoody *rose*——

Dr. Cunningham: I shall come to the point of the intervention made by my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) in a moment.

My right hon. and learned Friend continued:

"Thereafter there must be continuous pressure to reach a political settlement which is the only way in which some sense of peace and order can be restored."

The whole purpose of an ultimatum is not only to give time for compliance but to give time for our own troops on the ground and the troops of other countries involved in the United Nations protection force effort there to regroup and, if necessary, withdraw. That is the reality of the situation. It will take some time, which is why it would be foolish in the extreme to say that we should simply launch air strikes immediately.

Air strikes have some advantages as well as some disadvantages. They can be far more readily controlled, politically as well as militarily, than involvement by ground forces in a combat role. They could be brought to an end and the situation reassessed after air strikes had taken place if the Serbians did not accept the ultimatum. However, none of my colleagues has ever suggested that there are any risk-free options in any of the propositions that we are discussing in connection with this war.

Mr. John Wilkinson (Ruislip-Northwood): Does not the ultimatum proposed by the Leader of the Opposition have a fatal deficiency—that the sanction that would ultimately have to be invoked would be air operations? By giving notice of them, would not the likely targets be dispersed and the effectiveness of the air operations minimised? In the meantime, the aid work, which has been so effectively pursued by the United Nations humanitarian agencies and our own forces, would be fatally compromised.

Dr. Cunningham: If the purport of the hon. Gentleman's intervention is that risks would flow from taking the type of military action that I am describing, that is undeniable. He has to set beside that the risks and results of doing nothing further at all, of inaction. I have been making clear—as I believe the Foreign Secretary also made clear because it is a point of agreement between us—that those risks go way beyond the borders of Bosnia. They may not only be translated into action by the Serbs in Kosovo or Macedonia, but other people threatening ethnic or religious minorities in other eastern countries and other parts of Asia may conclude from the Serbian aggression that they, too, will be able to treat their minorities in the way that the Serbs are treating minorities or, in this case, the majority, in Bosnia.

Mrs. Edwina Currie (Derbyshire, South): I have been listening carefully to what the right hon. Gentleman said about the risks of doing nothing. Has he noticed that the loudest voices from Labour Back Benchers urging military action are the same voices that were urging that we should do nothing in the Gulf? Does he believe that the hon. Members who have taken that line have now been converted to military action, or is it just that they oppose Government policy, whatever it is?

Dr. Cunningham: Fortunately, the hon. Lady is not eligible but, if she had been able to attend the parliamentary Labour party's debate last week or the discussion of its foreign affairs group, she would have discovered that there are some very unusual alliances in the Labour party on both sides of the argument. As I said at the outset, there are deeply held and genuine differences of opinion about what constitutes the proper course of action in these matters. I do not criticise my hon. Friends for taking a different view from mine but I am expressing the view of my right hon. and learned Friend, endorsed at the meetings that I have described.

Mr. Hardy: Many of us would not shrink from military action in the cause of peace, but my right hon. Friend will know that a number of us have been seeking to make modest contributions of a political nature. Is he aware

[Mr. Hardy]

that, in December last year, at the latest assembly of the Western European Union, which is heavily involved in the monitoring of sanctions, the then chairman of the Council of Ministers, an Italian, enthusiastically embraced the call that any European member state of the Council of Europe, WEU or any other European forum, or any aspiring member state—which may be more relevant—which was involved by negligence or design in the breach of sanctions should forfeit its right of membership of those forums?

The Italian Minister enthusiastically supported that call, then confirmed that WEU Governments had plenty of information about the breach of sanctions but said that he would release that information so that political decisions could be taken. The sad part is that the right hon. Gentleman has gone along with the Italian Minister and left us with an inadequacy in that political approach.

Dr. Cunningham: My hon. Friend said "the right hon. Gentleman", but I am not sure whether he means me or the Foreign Secretary. I hope that he was not aiming that accusation at the Labour Front Bench, because it is from this position that the persistent calls for the effective implementation of sanctions and United Nations resolutions have been coming for almost a year. I understand from my hon. Friend's indication that he was referring to the Foreign Secretary.

Mr. Frank Field (Birkenhead): Will my right hon. Friend give way?

Dr. Cunningham: No, I must move on, if my hon. Friend will allow me.

Sooner or later—again, I believe that there is agreement between the Foreign Secretary and myself—there will have to be a political solution to the situation in Bosnia. Sooner or later people will have to accept that they cannot go on slaughtering each other but will have to come to terms with living together as neighbours, peacefully and in harmony or at least without resorting to the violence of the past few months.

We are clear that the political objectives—the peace plan, the ceasefire and the need to bring the combatants to their senses—can be supported only by military action which is endorsed by and has the support of the Security Council of the United Nations. We would not contemplate supporting unilateral action from whichever quarter it was suggested, but we believe that the Security Council should be meeting now to consider the proposal in the terms put forward by my right hon. and learned Friend.

5.29 pm

Sir Edward Heath (Old Bexley and Sidcup): All hon. Members in the House and everyone outside will agree with the Foreign Secretary's admirable words about the feelings of horror we all have about what is happening in the former Yugoslavia. Of course I share those feelings.

This afternoon at Question Time I asked the Prime Minister to give a clear undertaking that in no circumstances would British sea, land or air forces be used in the former Yugoslavia except for humanitarian purposes. I said that it was absolutely essential that such an undertaking be given because, until it is, every action taken by the Government is suspect and slowly dragging us into the civil war—*[Interruption.]* It is a civil war. Until we get such an undertaking, the Government's action will be suspect. An example of that is the presence of the Navy in the Adriatic. It has been said that the Navy is there to evacuate British forces. However, everyone suspects that it is there to join in military action if we agree to it.

All the time, we hear sources say that our presence in the Adriatic gives the impression that the Government are evasive or indecisive. Neither of those things is desirable. We must have a clear policy. If it comes to the question of air strikes, surely a decision can be made now—that is, that the humanitarian forces would immediately be endangered. We know full well that that is the case. Therefore, we should say decidely that we will not take part in or agree to any action in the air.

The right hon. Member for Copeland (Dr. Cunningham)—as I understood him, because so many of his arguments were contradictory—said, "Of course, we will not agree to the use of armed military force of any sort unless it is sanctioned by the United Nations." In other words, he accepts the use of armed force, provided the United Nations agrees to it. Is he urging the Government, sitting on the Security Council, to agree to proposals for armed force from other countries? If so, he completely denies all his arguments that the British forces will be damaged if air force is used.

Dr. Cunningham: I am sorry if I was as unclear as the right hon. Gentleman is suggesting, but I read carefully what my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) said. We believe that the Government should support in the Security Council the issuing of an ultimatum to the Serbians. If the ultimatum is not complied with, selected air strikes should follow. I have said that clearly, and it is what we are suggesting should be discussed in the Security Council. We are asking the Government to put that question forward for discussion.

Sir Edward Heath: The right hon. Gentleman is saying that he accepts the invasion of the former Yugoslavia to deal with the situation. I cannot accept that for one moment. If that is proposed in the United Nations, the British Government should veto it completely. We must not send forces to the former Yugoslavia for military purposes. What balance of advantage can there be if we must immediately withdraw some 2,630 personnel who have done such magnificent work in helping all those wretched people? They are the people who matter. I cannot understand how the right hon. Gentleman can stand up in the House and say, "Take action, even though it will mean that all the humanitarian action will stop." Nor is it in any way justified.

Mr. Nick Raynsford (Greenwich): The right hon. Gentleman had a proud record in the past in opposing fascist agression at a time when other people were perhaps prepared to appease it. Does he recognise that this proposed course would essentially give the green light to continued Serbian aggression and remove any possibility of our having a sanction to stop the aggression which is causing the most terrible suffering in Bosnia?

Sir Edward Heath: I do not agree with that entirely. As the right hon. Member for Copeland said, we must weigh up the possibilities. It is no use saying that there are risks in whichever course we follow: we must weigh up the risks against the possibility of obtaining an advantage. In this case, the risks are much greater than any advantage that

we could obtain. The countries around Yugoslavia have agreed that they will not become involved in this civil war. If they want further protection, it is up to us to arrange to help them with it. That is different from taking part in a civil war.

Let us consider history. Anthony Eden rightly kept us out of the Spanish civil war, which was in my time. I was against Franco: I was on the other side. I went to Spain during the civil war. It was absolutely right to keep British forces out of that civil war. If we had gone into it, it would have precipitated the second world war before we were prepared for it. That is a fact.

Harold Macmillan kept us out of Vietnam, despite all the pressure from American Presidents, and from the Australians and New Zealanders. He was absolutely right. Recently, Henry Kissinger said that it was easy to get into Vietnam but damned difficult to get out. That applies just as much to the situation in Bosnia.

Mr. Wilkinson: Does my right hon. Friend agree that, week after week and month after month, the United States air force and navy pounded away at the Ho Chi Minh trail, dropping tonnes of ordnance but in no way stopping the supply of armaments to the Vietcong and in no way preventing the Americans from being defeated in the war?

Sir Edward Heath: My hon. Friend is absolutely right —I had not quite got to that point.

Another example is what happened in the Lebanon. When the American forces were blown up, President Reagan immediately withdrew everything and nothing else has ever been done about the Lebanon.

What I find slightly unrealistic about much of the discussion relates to the United Nations. What is the United Nations? It is the five members of the Security Council. The right hon. Member for Copeland is surprised that other countries do not carry out actions to support the resolutions. Those countries do not take action because they take no part in the Security Council and are not interested, or they find that their own interests are affected to their disadvantage. There is no need to be surprised at that. The right hon. Gentleman said that the resolutions must be enforced, but how do we enforce them? How do we force other countries not to do deals under the counter? It is a practical matter which must be dealt with by the United Nations.

The United Nations always acts after the event. It has no means of pre-empting the dangers that the world faces today. It has no intelligence service of any sort and it does not know what is going to happen. It has no information service, no means of assessing risks in actions that can be taken and no military staff to advise the Secretary General. It has absolutely nothing. If it is to perform any worthwhile service in this new world, it must have all those things and be properly organised; otherwise, it is just a matter of a discussion in the Security Council and the pressure exerted by its individual members.

Mr. Cormack: I am sad to disagree with some of the things that my right hon. Friend is saying. He was rather against the United Nations having any involvement in the Gulf. As he tried to be influential against it, does he regret his position in speaking against that? Does he now see that an independently recognised sovereign state has been invaded and dismembered and its people butchered before our eyes?

Sir Edward Heath: I said that we should have pre-empted the Gulf war and recognised what was going on, which we did not. We still have not had an honest admission from Washington of what the American ambassador said to Saddam Hussein about the lack of any interest in Kuwait—and he should get on with it. It is a complicated situation, which I will not go into now. Once we got to the point of the war, I did not oppose it. However, if it had been handled effectively by Secretary of State Baker, as my remarks on television have recorded, the whole situation could have been entirely different. To come to the final point, Saddam Hussein and his regime are still there.

This has a lesson for us. We hear about war crimes. If people taking part in ghastly orgies are told that there will be a war crimes tribunal, they will say, "If I have had it, I might just as well go ahead." So that is what they do. That is the psychological impact of saying that war criminals will be tried. We are unrealistic in suggesting that war crimes trials are part of the answer. They are not.

It is all very well to talk about sanctions. It grieved me when my right hon. Friend the Prime Minister said the other day that sanctions were a long-term business and that they would continue until the previous situation was restored. That is also entirely unrealistic. We shall never return to the previous situation in the former Yugoslavia. Therefore, we are committing ourselves to something which is impossible and from which later we shall have to withdraw. That is another aspect of the unrealism that is prevalent.

We have just heard again from the right hon. Member for Copeland about the peace plan. It is hopelessly irrelevant. It is out of date. It bears no relationship to the present circumstances in the former Yugoslavia. It is useless to continue saying that we have a peace plan and that we must put it into action. That gets us nowhere. There may still be negotiators for the peace plan.

Lady Olga Maitland: Surely the peace plan has validity in that it is a means of bringing people to a peace agreement. No one has ever said and no one says now —not even Lord Owen or Cyrus Vance—that the peace plan proposals would be the final version. The great thing is to get people to agree in principle. Surely it is worth it.

Sir Edward Heath: The peace plan is now so irrelevant that it is not fulfilling the purpose that my hon. Friend wants. If we tell the Serbs in Bosnia that they must give up what they have now, which is more than 70 per cent. of the territory, and return to 43 per cent., they will not say, "Thank you very much. We will now sit round and have a happy party about it." The peace plan is entirely irrelevant.

It is also important that Lord Owen should retire and that there should be a fresh negotiator.

Mr. Nicholas Winterton: I hope that that is not an invitation.

Sir Edward Heath: He goes to the other place. I am sorry if that disturbs my hon. Friend. Before Lord Owen was appointed, he made it clear that he believed that military force was the only way of settling the crisis in Yugoslavia. When he took over he said that he wanted a peaceful agreement. On television last week he said that the only answer was force. It is not possible to conduct peace negotiations if one publicly announces that the

[Sir Edward Heath]

answer must be force. One cannot be surprised if those whom one wants to take part in the peace negotiations say, "Thank you very much, but there is nothing doing."

We must have peace negotiators who are prepared to recognise the reality of life and negotiate. We must have negotiators whom all the parties who take part in the negotiations, however controversial and nasty, are prepared to accept as people who are trying to do a proper job of settling the problem. Lord Owen is no longer capable of doing it. The best thing that the Community can do is ask him politely to retire.

Mr. Tony Marlow (Northampton, North): I agree with much of what my right hon. Friend is saying. However, he says that one must recognise the reality on the ground. Does that not encourage the Serbs and their allies to conquer more territory?

Sir Edward Heath: No one is going to stop them. That is where people are so unrealistic. The conflict is a civil war stemming from Yugoslav history going back centuries. It is seeking to wipe out all the changes and hatreds of all those years. Unless we recognise that as the basis of the conflict, we shall not reach any peaceful solution. One must realise that.

Ms Hoey: Will the right hon. Gentleman give way?

Mr. Malcolm Wicks (Croydon, North-West): Will the right hon. Gentleman give way?

Sir Edward Heath: No, I am sorry.

We then come to the European Community. The problem about the Community is that, again, it has no machinery to find out what will happen. I am sorry that my right hon. Friends who are now in power are opposed to the Community having the machinery to deal with foreign policy and defence. It is absolutely essential. Otherwise, there can be no Community action. We hear criticism not from sceptics, who approve of the European Community's stance, but from other people. They ask why the Community has not stepped in to deal with the conflict. It did not foresee it and it has no means of evaluating a policy on it or achieving any results.

Mr. Nicholas Winterton: It is divided.

Sir Edward Heath: One has no means of knowing that it is divided, because it has not got together on the issue.

The Community requires the proper machinery to deal with problems such as the crisis in Yugoslavia. People ask what can be done. I agree with my right hon. Friend the Foreign Secretary when he stands against the "something must be done" syndrome. That syndrome is affecting much of the behaviour in the House.

We see ghastly scenes on television and of course we are horrified. So are people outside. But the people of Britain do not want us to go to war. They do not want to see planes bringing back dead bodies as they see dead bodies on television in Yugoslavia. Of course people are opposed to that. I believe that the great majority in the House are also opposed to it.

Mr. Frank Field: Will the right hon. Gentleman give way?

Ms Hoey: Will the right hon. Gentleman give way?

Sir Edward Heath: No, I will not give way.

We are told that we have the closest contact with our allies in Washington. The new President has no experience of international affairs. He has no military knowledge. His Cabinet is hopelessly divided on all these problems and incapable of reaching a decision about Yugoslavia or any other international matter. So why should we risk being pushed into military action by the President of the United States? In his younger years, before he became so important, he criticised what the Americans were doing in Vietnam.

Mr. Mullin: There is no comparison with Vietnam.

Sir Edward Heath: Yes, there is. There is a comparison between policies of putting forces into a country in which they cannot achieve their end. That applies just as much to Yugoslavia as it did to Vietnam.

Mr. Mullin: Half a million American troops were sent 10,000 miles to prop up a rotten regime which had no moral base whatever. There is no comparison between Vietnam and Bosnia.

Sir Edward Heath: With great respect, I will not argue about the nature of the regime.

How many troops would be required in Yugoslavia —150,000? And where would the troops come from if we decided to use force? We could not provide them. We are already over-extended. So which other countries will provide the forces to deal with the conflict?

We must not allow ourselves to be pressured by Washington. One of the American chiefs of staff said that air attacks ran no risk. That statement shows profound and overwhelming ignorance. There would be enormous risks to our people there, who are carrying out their task magnificently.

Mr. Robert Banks (Harrogate): Does my right hon. Friend agree that, if bomb attacks were agreed, the logical conclusion would be to put in combat troops to safeguard the lives of humanitarian aid workers? The deployment of ground forces would follow from that. So one cannot divorce one argument from the other.

Sir Edward Heath: Of course that is true. A substantial number of ground forces would be required. The minimum estimate is 150,000. One must be realistic about that.

Mr. Nigel Forman (Carshalton and Wallington): For how long would they be needed?

Sir Edward Heath: For year after year. I wish to say a few words about what we can do. We have given a great deal of humanitarian aid. The amount of food and medicine available now will last only a short time. To supply people with food to the end of the year will cost £590 million. Only £16 million of that has been committed internationally so far. If the "something must be done" brigade want to get something done, let them start working on that. Let them acquire the supplies of food and medicine. We can provide the people because they are there already. We can provide the air transport. That is a practical measure which would help the wretched people in Yugoslavia.

I ask the House to be clear. There is no future in our putting in military forces to join in the civil war in

Yugoslavia. On the other hand, there is an immense amount that we can do to help them if we put our minds to it.

5.49 pm

Mr. Paddy Ashdown (Yeovil): The House will have listened to the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) with interest. I am bound to say that he is, at least, consistent. The House will note that many of his comments and predictions are exactly the same as those that he made about the Gulf war. He was wrong then, and I fear that he is wrong now.

This is not an easy matter; it is a very difficult matter which requires careful judgment. None of us can be certain that any judgment that we make today will carry through in the heat of the events of a fast-changing situation. It is right that the House should debate it—many will find it remarkable that the House has not debated it before now except on a Supply day provided by my party.

The best that can be said about the tragedy in Bosnia is that it is a tragedy which arrived before Europe was ready to cope with it. The worst that can be said is that the consistent, year-long failure of judgment, leadership and action has led, as many of us predicted it would, inexorably to tragedy heaped on tragedy, to the humiliation of the United Nations and the weakening of its international standing, and to the humiliation of our own troops on the ground. It has led to the return of practices that we thought had been banished from the continent of Europe 50 years ago when the Nazis were defeated—except that the use of rape has now been added as an instrument of war—and to the ever-present and growing threat of a widening conflict with the incalculable consequences for the peace of the region and, in due course, the peace of Europe.

There was a failure of judgment from the start—that is without question—in the too-early recognition of Croatia, without ensuring that there were proper bulwarks in place for minority rights. There has also been a failure of judgment on our part because we began to see things in blacks and whites too early.

The Foreign Secretary and the right hon. Member for Copeland (Dr. Cunningham), who spoke for the Labour party, are absolutely right to say that nobody comes out of this with clean hands; there has been aggression on all sides—a powerful case can be made that the aggression in Bosnia-Herzegovina was started by the Muslims as much as by the Serbs—but there is no doubt whatsoever that the burden of aggression and the revolting overturning of the basic practices of human rights lies against the Serbs. And, whatever the history, it is with the current Serbian aggression that we must deal.

The failure to take action after the conflict started a year ago is greater than the failure of judgment which may have contributed to its beginning. We have acted throughout this crisis always too little and too late—always reacting to events, never shaping them; always allowing ourselves to be dragged in backwards, tiptoeing a step at a time into the mire of intervention in circumstances that we have never sought to control. Those are the circumstances we have currently arrived at, and the consequences of this failure are enormous.

A terrible price has been paid by the innocents on the ground for that failure. Every attempt at peace—from London through the Vance-Owen plan—has failed, because the Serbs, and now the Croats, have always understood that they had more to gain from aggression on the ground than from the negotiating table. The Prime Minister's own success at the London conference has, I regret to say, turned to dust, just as we warned him it would. Unless we were prepared to stop the aggression on the ground, there was no possibility that the Serbs—[HON. MEMBERS: "How?"] I shall come to that.

There was no possibility that the Serbs would seriously negotiate; they would not stick to anything they signed up to. No prediction is necessary because that is exactly what happened in Krajina of Croatia. Even if the Vance-Owen plan was to be put into practice—I share the view of the right hon. Member for Old Bexley and Sidcup on this and doubt that it will—the reality is that there is no prospect that the Serbs would then relinquish the territory that they had captured by blood around Srebenica, which is dedicated to the Muslims under the Vance-Owen plan, unless we are prepared to force them to do so.

We have but two options now open to us, because the other consequence of that failure is that all the best options have been lost to us. There is no risk-free option, there never has been. The risks of taking the actions that were open to us in August, September, October and November were less than the risks of the actions now open to us. There is no doubt whatsoever that further delay will mean greater risk of action, and that is the ineluctable conclusion to be reached as a result of what has happened.

It seems to me that there are only two options left; to act or to see the United Nations humiliated and forced to leave the area with its tail between its legs. David Owen has rightly said that this is a crucial moment because the Croats, having observed the Serbs indulging in aggression with impunity upon the territories held by the Muslim forces, now intend to join the feast and have started to do so.

If there is now a second front, as we see, opened up on this tragedy, the possibility of a situation which becomes totally unmanageable is much the greater. Unless we can stop it and stabilise the conflict now, we will have a situation where all the remaining power and authority of the United Nations will be incapable of making any major contribution.

In addition to that, the position of our own troops in Vitez will become increasingly precarious. We have to remember that every round of ammunition and ration pack for our troops must come across Croat territory. Their position will become increasingly hazardous if the Croatian/Muslim conflict is allowed to continue. The remaining Muslim state—a state recognised by the United Nations—will be annihilated, wiped out by aggression, and we will see a miserable and desperate end to this tragedy, which will undoubtedly result in the spread of this conflict to other areas.

Mr. Cyril D. Townsend (Bexleyheath): Will the right hon. Gentleman give way?

Mr. Ashdown: I will give way to the hon. Gentleman, but I must make it clear that I have quite a lot to say and because I do not wish to detain the House too long and allow time for other hon. Members to speak, I shall take three interventions only. *[Interruption.]* If hon. Members want me to take more interventions I will, but they are

[Mr. Ashdown]

cutting into their own time. *[Interruption.]* I sense the mood of the House and if hon. Members want me to take more interventions, I shall do so happily.

I want to knock on the head the idea that has been perpetrated by the Foreign Secretary—and behind which he has taken cover to excuse matters, as have the Government, the right hon. Member for Copeland, and the right hon. Member for Old Bexley and Sidcup the former Prime Minister—that this is a civil war. This is not a civil war. If it is, what on earth are we doing raising sanctions against Serbia and Belgrade? If it is a civil war, why is it that the Foreign Secretary admitted that gun sites in Serbia proper were used in the bombardment of Srebrenica, a clear act of aggression across a recognised United Nations border? If it is a civil war, what on earth are units of the Croatian standing army doing in Bosnia-Herzegovina involved in the attacks on the Muslims? It is as logical to claim that this is a civil war as to claim that the events in Sudentenland in the 1930s was a civil war.

Mr. Cyril D. Townsend: The right hon. Gentleman is good at outlining the problems and like all of us he wishes the authority of the United Nations to be maintained, but its authority has been desperately challenged in Nagorny Karabakh, where it has actually done nothing, it has been desperately challenged in Burma, where 5,000 people have been killed, and it has been desperately challenged in Liberia, where some of the atrocities are worse than the ones we are talking about. What is so unique about this one conflict, one of about 25 in our modern world?

Mr. Ashdown: The hon. Gentleman asks a perfectly fair question. Unless we are prepared to take a stand—and this happens to be Europe's problem and we have the capacity to take a stand on this—unless we are prepared to lay down standards here which might be applied later—the problems he talks about will not be controlled but will be multiplied out of number on Europe's own borders. Europe had better understand that this is not just the Muslims' problem but ours. Unless we are prepared to cope with it ourselves, more problems will arrive to threaten our peace.

There is no question but that the problem is Europe's failure. I am bound to say to the Prime Minister, who is not in his seat at present, that I think that it is a particular failure of Britain. We had the duty of leadership through our presidency, in the key months of the campaign. It was the Prime Minister's inability to realise that one must be able to reinforce on the ground what one seeks to achieve at the negotiating table that led to the failure of the London plan and, regrettably, the probable failure of the Vance-Owen plan. Once again, Europe is failing to tackle its own problem on its own doorstep, which leaves us today once again in the humiliating position of having to wait to see what the Americans will do so that we can, once again, hang on to their coat tails.

I noted Baroness Thatcher's criticisms of Europe. I found them strange coming from her, as no one has done more than she has to prevent Europe from creating the institutions necessary to tackle the problem on a European level. Opponents of even the modest advances contained in the Maastricht Bill are not in a position to criticise Europe on this problem.

Mr. Frank Field: The right hon. Gentleman spoke of the impact of the crisis as it explodes elsewhere in Europe. We have a self-interest in the matter. We are witnessing the collapse of the nation state and the rise of tribalism—and those tribes are armed. If the conflict extends in the way that I think the right hon. Gentleman is suggesting, millions of people will be driven from their homes and will try to gain entrance to this country and other European countries. We have already seen how Germany has been almost destabilised by the numbers of refugees that it is taking in.

If we cannot act from what some Conservative Members dismiss as higher motives, we can do so because of our legitimate self interest. Some people say that we act because we are horrified by what we see on our television screens—I do not think that that is a bad reason for wanting to take action—but we can also properly act in our self-interest. If we do not act, we may be engulfed, not directly by the fighting, but by the consequences of it as millions of people are pushed and moved around Europe.

Mr. Ashdown: The hon. Gentleman advances the argument more powerfully than I could, and I am grateful for his intervention. We do have a self-interest in the matter.

Those of us who propose stronger military action need to answer the question posed by many, including Mr. Alan Clark: why should action be in our interests? Why should we be involved? There are four reasons. The first reason is a moral one. We have a moral duty to help those who are suffering if it is in our practical power to do so, and I believe it is. Perhaps other hon. Members do not take that view, and some may believe that the moral argument is the weakest of all, but I do not think so. I believe that it is a powerful reason. I think that we can, and therefore should, help.

The second reason is an historical one. The continent of Europe should have learnt 60 years ago that appeasement does not satisfy the appetite of aggressors; it increases it. We Europeans, of all people, should have learnt that lesson.

The third reason is a regional one. If the situation gets out of control—as I greatly fear that it will if we do not act—there will be a regional conflict of incalculable proportions. It will destabilise, not just the regions of Europe, but Europe itself. Ultimately, members of the North Atlantic Treaty Organisation will become involved—Greece, Macedonia and Turkey. As the hon. Member for Birkenhead (Mr. Field) said, it is a personal problem for Britain. Over the past 40 years, we should have learnt from the experience of NATO that Europe's security problem is Britain's security problem—the two are indistinguishable and inseparable.

The fourth reason is an international one. If we do not stand up for the United Nations, its authority, and the basic standards of human rights and international law, then the UN will not be available to us when we need to rely on it in months and years to come.

The Secretary of State for Defence (Mr. Malcolm Rifkind) *rose*——

Mr. Ashdown: If the Secretary of State for Defence wants to intervene, perhaps he will answer the following question: if, after careful thought, it was considered right to risk lives in defence of the United Nations and international law in the Gulf, why is it wrong to do the

same in Bosnia? Are we so cynical that our answer to that question is that the only difference between the two regions is oil? I hope not.

Mr. Rifkind: I am grateful to the right hon. Gentleman for giving way as the question that he asks me is very much in line with the question that I want to ask him. He is trying to persuade the House of the crucial importance for moral reasons, the peace of the world and the future of Europe of bringing the war in Bosnia to an end. Why is he prepared to call for what is by any definition only partial measures to bring that about? If he believes in the arguments that he is advancing, why is he not using his authority to call, if necessary, for the total deployment of massive ground forces, including British forces, in Bosnia? If he believes in his own rhetoric, why does he seek to draw back from that position?

Mr. Ashdown: The right hon. and learned Gentleman asks a perfectly fair question, which I intend to answer later in my speech. If he wishes to intervene again because he believes that I have not answered it fully, I shall happily give way again.

What can be done? That question relates directly to the Defence Secretary's question. Some people—including, I think, the right hon. Member for Old Bexley and Sidcup (Sir E. Heath)—believe that nothing can be done. I do not agree. I believe that the longer one delays action, the greater the risk. For the past eight months, our plans have been bedevilled by the fact that we have been prepared to calculate to the last iota the cost of action, but we have never calculated the cost of inaction. But doing nothing carries the greatest risk of all, and could spread the conflict.

Whatever we do, our action must have a clear aim and deal with the facts—here, I agree with the right hon. Member for Old Bexley and Sidcup—[HON. MEMBERS: "Answer the question."] I have given the Defence Secretary the chance to come back. I will answer the question. [HON. MEMBERS: "The right hon. Gentleman should answer the question."] I shall answer the question in my own way, in my own time, in my own speech.

I agree with the right hon. Member for Old Bexley and Sidcup that one of the realities is—I wish it were not so—that the Vance-Owen peace plan is, for all practical purposes, dead. That has serious consequences, and if the plan could be resuscitated, I would be the first to cheer. However, that would be an act of resurrection equivalent to Lazarus being brought back to life.

What we do on the ground must always be co-ordinated with what we seek to achieve at the negotiating table. Until now, the deployment of our forces has not been in concert with what we have sought to achieve in the peace negotiations—there has been a dislocation between the two. [HON. MEMBERS: "What do we do?"] Hon. Members should allow me to make my speech in my own way.

I believe that the Government are right. The Defence Secretary is also right to say that there is no purely military solution. That is how I answer the Defence Secretary's question. I have never claimed that there was a purely military solution. The right hon. and learned Gentleman asked me why I did not recommend using vast numbers of groups to achieve a purely military solution. My answer is that such a thing is impossible, and for the past seven or eight months I have made it clear that I have never believed it to be possible. The job of the military is to create the conditions in which peace has a chance.

My criticism of the Government and of those Conservative Members who are now heckling me is that we have never created that position. On every occasion our lack of capacity to take action on the ground has murdered any chance of peace because the Serbs and Croats could gain more from aggression.

Mrs. Currie *rose*——

Mr. Ashdown: If the hon. Lady will allow me to make a little progress, I will happily give way to her later.

There can be no military solution, but there can be no political solution either for as long as the Serbs and Croats believe that they will gain more by aggression than they will at the negotiating table. That must be properly understood.

What are the options? The Government tell us that the sanctions are the option. They tell us that sanctions are part of a package which includes the enforcement of the no-fly zone, for which I called seven months ago. Then, I was told that it was impossible; now it is being done. In any event, we are told that sanctions will solve the problem. Yet this is the same Government who told us before the Gulf war that sanctions would not solve the problem. I should like to know why they thought that sanctions would not stop Saddam Hussein but will work to stop Serb aggression. Today the Foreign Secretary almost admitted that sanctions would not work, yet they are as far as the Government are prepared to go.

Mrs. Currie: I am most grateful to the right hon. Gentleman. He will know that, as with the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), constituents of mine are in the military in Bosnia. Given the figures that the Secretary of State gave us earlier, not only for deployment in Bosnia but for deployment in neighbouring areas, would the right hon. Gentleman agree that there are now the best part of 10,000 United Nations troops deployed there on various missions? If they cannot do what he thinks they ought to be doing, just how many does he think there ought to be?

Mr. Ashdown: The hon. Lady is wrong: there are 16,000 in all. She will have to wait until I offer my solution to what can be done. I will then tell her about the calculation given to me by soldiers on the ground.

There are two kinds of intervention. We might call the first offensive intervention and the second preventive intervention. The first is based on the idea that we can somehow deploy 250,000 troops to roll back the Serbs and recapture the territory. I do not believe that possible, for the reasons that I have already given. There would not be enough of them, even in those numbers, to do the job.

The second form of offensive intervention is that we should lift the arms embargo as recommended by the Bosnian Foreign Secretary. I agree with the Government and the Labour Opposition about this. This is the single action best calculated to ensure the widening of the war. It is also an impractical option, because if we lifted the arms embargo, to get the arms to the Bosnian Muslims, they would have to pass across Serb territory—self-evidently the Serbs would not allow that—or Croat territory, and as the latter are also engaged in the conflict, they would not allow it either.

Mr. Michael Colvin (Romsey and Waterside) *rose*——

Mr. Ashdown: I have taken enough interventions.

Secondly, the arms could not be delivered to the Muslims until a considerable period had elapsed, and that would provoke increased aggression on the part of the Serbs and, perhaps, the Croats too.

Thirdly and crucially, if we are to lift the arms embargo on the Muslims, we will inevitably have to tolerate its being lifted from the Serbs too—and the Russians are only too ready to supply the Serbs with all that surplus, highly sophisticated equipment, including possibly nuclear weapons. God forbid that those weapons should get on to the battlefield.

Then there is the Labour party's suggestion that we should bomb the supply lines. If the Opposition seriously believe that that will stop the aggression, I must tell them that they are wrong. I have travelled in the area, for a week last September. I can tell Labour Members that the Serb part of Bosnia is stuffed with weapons. It was Tito's arms manufacturing area, separated both from the eastern and the western borders and thus best able to resist invasion.

The Serbs are past masters at throwing up new roads through forests. I saw them do it overnight when a road was cut by a Muslim ambush.

The bridges that would have to be blown are situated in the middle of densely populated towns. Even using smart bombs with a 40 per cent. accuracy rate, this would end up with the United Nations killing innocent Serb civilians. Nothing could be better calculated to strengthen support for the Serb leaders or to widen the conflict.

I can see a case for air intervention attacks against purely military targets, with the aim of showing clearly that we are earnest in our intent; but I do not believe that we will hit many of them. They will have been long since dispersed into the forests. But if we want to do this as an earnest of our intent, so be it. We should not expect it to have any effect on the ground.

The truth is—it is a hard truth—that if we want to do anything effective, we cannot do it without troops on the ground. If we are not prepared to countenance that—and it seems that the Labour party is not—we should not be in Bosnia at all. I can see no other way of achieving what we need to achieve except by putting troops on the ground ready to play their role.

When I spoke to the troops north of Vitez in December, they all said that they knew that the job they were doing was important and that they are prepared to take risks to do it, but they want to do it properly, and hitherto they have not been able to do so.

Mr. Andrew Robathan (Blaby) *rose*——

Mr. Ashdown: If the hon. Gentleman will forgive me, I must make some progress—and the Secretary of State is already waiting to intervene if I do not answer his question effectively.

But I believe that we can go in for protective intervention. I believe that we can establish the safe havens for which many of us have been calling for so long. I believe that it is possible for the United Nations to take under its protection the remaining Muslim enclaves in Bosnia-Herzegovina. That is possible, and it is already being done, de facto.

Mr. Jacques Arnold (Gravesham): How long?

Mr. Ashdown: If the hon. Gentleman will be patient, I will come to that.

Furthermore, it can be done without any change in the current mandate on terms of engagement. Indeed, this is precisely what the senior UN commander recommended three weeks before Srebrenica fell. He was prevented from taking that action by the politicians. It is also what the Canadians—only 150 of them; not vast numbers—in Srebrenica are doing today under the current mandate. It is precisely what the UN commander in Bihac recommended be done the day before yesterday. Indeed, he promised that it would be done under the present mandate.

The fact is that the soldiers on the ground are rewriting and reinterpreting the mandate, because they are fed up with waiting for the politicians to give them the backing they need. The Secretary of State says that military commanders have advised against what I propose. I tell him that there are times when politicians, who have to take account of wider considerations, have to disagree with military commanders. We had to do that in the Falklands; if we had not done it, we would not have undertaken that operation. But if, as the right hon. Gentleman claims, military commanders here disagree, why are the military commanders on the ground putting this into practice right now? Why was General Morillon prepared to recommend it? Why are the Canadians putting it into effect, supported, we understand, by the Government?

There are those who argue that this will mean the end of humanitarian aid, but it has already ended. Tuzla has had no effective aid for a month. If this is such a catastrophic course of action in terms of the delivery of humantarian aid, why has the United Nations High Commissioner for Refugees recommended just such action in a letter last week to the Secretary-General of the United Nations?

I will now answer the question asked by the hon. Member for Derbyshire, South (Mrs. Currie), because it needs an answer. How many would be involved? I can only tell her the answer that I was given by the commanders on the ground in December. I said, "If I asked you to protect the remaining Muslim enclaves in Bosnia-Herzegovina, how many troops would you require?" Their rough calculation was about double the number that are there now—30,000-plus. *[Interruption.]* The hon. Lady can sit there comfortably on her Bench, but that is the view of the commanders on the ground.

Mr. Rifkind: The right hon. Gentleman is seeking to present to the House a dramatic initiative to reverse the whole course of aggression in Bosnia in his proposals to protect the remaining Muslim enclaves. Why does he restrict his proposals to enclaves? In practice, is he suggesting that we should deploy whatever ground forces are required, without a ceasefire, to guarantee all remaining Muslim-held territory? Is he prepared to do that without a ceasefire and if the troops in Bosnia do not have the weapons to defend themselves if they face a combat situation?

The right hon. Gentleman is aware that there are more than 80,000 heavily armed Bosnian Serb troops in Bosnia. He is trying to suggest that we should expose British and other UN forces on the ground, and without a ceasefire, to a possible onslaught from those 80,000 men. How long should those troops stay there, and when would he draw a line in respect of that kind of operation?

Mr. Ashdown: The Secretary of State clearly, and presumably selectively, has not been listening to my speech —*[Interruption.]* I will answer the Secretary of State, if I may, without being shouted down by Conservative Members. What I have described is precisely what is happening now. Has the Secretary of State not yet fastened on to the fact that the senior UN commander on the spot, three weeks before Srebrenica fell, said that he was prepared to protect Srebrenica but he was prevented from doing so? He believed that it was possible to do so with his present forces.

Mr. Marlow: What happens if they are attacked?

Mr. Ashdown: The hon. Member for Northampton, North (Mr. Marlow) wants to know what will happen if they are attacked. The answer is precisely what the Government have agreed to do to protect the Canadian forces in Srebrenica. We are not there, in these circumstances, to assault or kill the Serbs or to conduct an offensive operation. We are there to set up United Nations-protected enclaves. However, if they attack us, they will feel the full force of the response available to us, and that includes a response from the air. If that is the case, how can 150 Canadian troops, presumably with the commander's agreement, be placed in precisely the position I am recommending in Srebrenica today, with the support which the Government are now providing, of air power?

Mr. Rifkind: The right hon. Gentleman has been very kind in giving way. However, he must appreciate that the 150 Canadian troops, brave though they are in Srebrenica, are not in a position to defend Srebrenica from a determined Serbian onslaught comprising thousands of Serbian troops. At the moment, they are doing a very important job, but we must acknowledge the reality that that is because the Serbs have so far chosen not to use their weapons against them. What does the right hon. Gentleman suggest they should do if that position were to change?

Mr. Ashdown: The Secretary of State's arguments are becoming weaker and weaker. The troops are there, there has been no attack and presumably the Government agreed to that disposition, because they have said that they will support it from the air.

If, as the Secretary of State claims, the action that I have described is impossible, why did the senior United Nations commander on the spot—General Morillon—recommend such action? Why did the UNPROFOR commander in the Bihac area, the day before yesterday, say that that is what he is now doing? Why are the 150 troops in Srebrenica following that policy at this very moment when we are prepared to support that action by the use of air power?

What the Secretary of State has said in the past is absolutley right. It is true that if we are to use air power alone in offensive operations, we will have to have massive numbers of troops to back up that action. However, that is not true in defensive operations. That is the crucial difference between what we recommend in this case and what has been happening in the Gulf.

Mr. Shore: Will the right hon. Gentleman give way now?

Mr. Ashdown: I promised to give way to the right hon. Gentleman, and so I will. However, it will be the last time that I give way.

Mr. Shore: I am grateful to the right hon. Gentleman; I am very interested in his argument. One should not approach this debate in a negative spirit. We want to find a solution. However, there is a difficult point. The 150 Canadian troops are where they are now by agreement and permission of the Serb commanders. They would not have been able to get to that enclave or to the other enclaves without, as Morillon discovered to his intense fury, negotiating an agreement first. Does the right hon. Gentleman accept that his plan depends on negotiating agreements to allow UN forces into the different enclaves?

Mr. Ashdown: As the right hon. Gentleman will be aware, there are only two enclaves left. We already have ready access to all other areas. Unhappily, there are only two enclaves left—we could say that there were three if we included Sarajevo—but the two major enclaves are Zepa and Gorazde.

The right hon. Member for Bethnal Green and Stepney (Mr. Shore) may be aware that the UN has agreed to establish protective zones in those two areas without agreement from the Serbs. The UN simply declared them protected zones. It is fair to ask how we would get the protective forces through to those areas. It would be up to the UN commander on the ground to decide whether he could force passage. Let me make it clear that I believe that it would be extremely unlikely that that would ever be possible except in the most stable of circumstances.

I remind the right hon. Member for Bethnal Green and Stepney—*[Interruption]*—and those Conservative Members still baying from the Government Benches, that the Muslim forces already in those towns are almost capable of holding the Serbs at bay. If we were to declare them defendable protected areas, it would be perfectly open to the UN to declare a land no-go zone around them and to use air power to assist the Muslim defenders to ensure that they did not face the kind of attack from heavy artillery and tanks that they currently face.

Mr. Robathan: Will the right hon. Gentleman give way?

Mr. Ashdown: The hon. Gentleman must forgive me; I will not give way, and I apologise to him.

It is perfectly possible for the UN to make that kind of declaration and to use air power to support the Muslim defenders to put it into practice.

I have criticised the Secretary of State for Defence for not having a clear aim. Let me tell him what I believe the clear aim of such a military operation would be. It would be to make it clear to the Serbs and Croats that they could not gain more from aggression on the ground and therefore the conditions in which a meaningful peace could be created.

I will now respond to a sedentary intervention, about the long-term solution, from the Conservative Benches. The Americans are right. If we go into something, we must have an idea about how to get out. Let me tell the House what I believe could happen. If we were to protect the remaining Muslim enclaves, and if we were therefore to create the conditions in which a genuine peace could be operated, it would be open to the UN to declare the remaining Muslim enclaves a UN protectorate. In that respect, I assume that the Vance-Owen plan has failed.

[Mr. Ashdown]

If the Vance-Owen plan fails, we cannot commit any British troops, or troops of any other nation, to preserve the illusion that Bosnia-Herzegovina can be recreated. In those circumstances, Muslim enclaves could be declared a UN protectorate and the UN, on behalf of the Muslims, could negotiate with all the authority of the international community behind it, with the Serbs and Croats to establish safe, just and secure borders. After that, it would be for the UN to support that state until, in due course, it would achieve self-determination and the capacity for self defence.

This is a very important debate. When the Secretary of State for Defence sums up, will he tell us why, if he believes that this course of action is so impossible, it is the course of action currently being carried out by UN commanders on the ground? If it is the view of the commanders on the ground that it is possible, why are they not now receiving the backing of politicians here?

I finish by returning to a point raised earlier. Europe is most at threat when empires collapse: so it was at the end of the Austro-Hungarian empire, and so it is at the end of the Soviet empire. We do not have to look very far to see that the Yugoslav crisis is not so much a revisiting in Europe of Europe's dreadful past as a precursor for Europe of what might happen in Europe's increasingly chaotic future.

We do not have to look very far—not even as far as Hungary—to see the conditions for ethnic cleansing which are already in place. We need look only so far as Czechoslovakia to see nations being divided up and borders being rewritten. We need look only so far as the old Soviet Union to see rising warlordism with warlords armed to the teeth with the most modern and sophisticated weapons.

If western Europe, as the only bloc and foundation of stability on our continent, is not prepared to project its power to secure peace around its borders, this decade will be a very painful, very troublesome and extremely difficult one. I believe that this crisis is now in the eleventh hour. It is not too late to act, but it soon will be.

6.28 pm

Mr. Tom King (Bridgwater): I agree with the last point in the speech by the right hon. Member for Yeovil (Mr. Ashdown). The debate takes place at a difficult time. Paradoxically, we may be close to success but we are also closer to failure. The debate is of high quality and hon. Members have expressed strong feelings. The House is united in its concern about the appalling and distressing situation facing people in the former Yugoslavia, but it is divided honestly and sincerely on the best way to tackle that problem.

The right hon. Member for Yeovil said that perhaps the problem came too soon for Europe. Hon. Members who take an interest in defence know that the most feared scenario of NATO was that precisely the situation that we now face would arise during the cold war, and that a conflict and a collapse of authority, ethnic tension and civil war would lead to the involvement of the great powers and a third world war. If there is a tiny crumb of comfort to be taken from this appalling situation it is that that has not happened. Only a courageous hon. Member would deny that the spreading of that conflagration throughout Kosovo, Macedonia and the Balkans could give rise to the risk that we thought we had put behind us.

We should all have a proper sense of humility, because we face an appallingly difficult situation. All hon. Members are equal in the House, but the Government have to take responsibility for agonisingly difficult choices. It is easy to be courageous on the Back Benches and to advance radical and bold thoughts, but it is not so easy to commit our friends and the sons of our constituents to a conflict which we will not face ourselves but which will place them at considerable risk. I had some brief experience of such choices.

Our first objective must be to stop the fighting, to get a genuine ceasefire and then to see some prospect of diplomacy and negotiations leading to finding a political solution. I shall try to outline how we can ensure that pressure grows to the extent that those who will suffer from it will be able to judge in their coldest and most calculating nationalist interest that resisting it will not be worth the diminishing benefits that will flow from continuing aggression.

The past week has revealed some evidence that the balance between growing pressure and diminishing returns is starting to be considered. Unfortunately, it coincides with a period when we are closer to failure. Today, the French decided to move some of their forces because of their current exposure to risk. Such risks can arise suddenly. At any time, a message could reach the House about a serious accident involving our troops. If that happened, the Government would have to decide whether the risk to our troops could be justified. If it could not, the vital humanitarian bridgehead that we have established could be lost.

As I have said, we must achieve our first objective of a genuine ceasefire so that we may sustain and develop the humanitarian effort on which it is asserted that 2 million people in the former Yugoslavia now depend. We have a massive responsibility to ensure that that effort is not impeded in any way. As all hon. Members who have spoken have said, that effort is a tribute to the amazing achievement of our forces and those of other countries. They have made possible not the feeding of 5,000 but the feeding and support of 2 million who might otherwise not have survived an appalling winter.

As we debate the wider issues, our forces are flying into Sarajevo with supplies, and ensuring the safe passage of the convoys at some risk to themselves. Today, a Spanish major put his life on the line, apparently to save 171 people who faced the risk of massacre. That is an example of what Colonel Stewart and his forces have to face. Anyone who listens to broadcasts will appreciate the undoubted strain and pressure that are being placed on our forces. We are asking a great deal of them.

There is an urgent need to re-establish the credibility of the United Nations. The right hon. Member for Copeland (Dr. Cunningham) said that the United Nations lacked credibility in other territories, but the key area in which it currently lacks credibility is with the Serbs. It is perceived that the United Nations does not seriously intend to obstruct the activities of the Serbs. The United Nations lacks credibility because it is not enforcing a resolution stating that the conduct of the Serbs should not continue.

We had hoped that one of the most fruitful outcomes of the Gulf war was the establishment of the credibility of the United Nations as a force that would resist aggression and

could be enlisted to support free, sovereign nations. Such credibility could have been of enormous benefit but, tragically, it is being seriously undermined. We must get through to those who need to hear it the message that the world is no longer prepared to accept the flouting of the United Nations and its resolutions and that action will be taken against those who do so.

Mr. David Winnick (Walsall, North): Will the right hon. Gentleman give way?

Mr. King: I should like to be brief so I shall not give way.

We must make it clear that continued aggression will result in total disaster for them. Perhaps that message is now getting through to Mr. Milosevic. The Foreign Secretary spoke about Mr. Milosevic's letter and apparent pressure on the Bosnian Serbs. However, we do not have to take that on trust, although if it is right it is to be welcomed. The pressure must be maintained and reinforced so that next time it will be clearly understood where it matters.

Mr. Winnick *rose*——

Mr. King: As I have said, I am trying to be brief, so I shall not give way.

We must examine what is realistic and possible, and in that context I welcome the action by the Government in the United Nations to turn the sanctions regime into an effective blockade. The Gulf war illustrated the importance of sanctions as a key element in the early stages of a conflict. Sadly, it became clear that they would not be successful. But a substantial organisation was established and meticulous effort was put into the sanctions. Sanctions take much work and close attention and cannot be implemented merely by pious United Nations resolutions. They must be reinforced by organisations on the ground. I welcome what the Foreign Secretary said about that.

Much more effective measures must be taken on the Danube to support what is being done on the Adriatic and on the land frontiers. Although I appreciate the difficulties, we must insist that it is a total approach by all members of the United Nations. Those who are looking for the support of the UN in other areas—for example, the Russians, Bulgarians and Romanians, desperate for economic support from other countries—must give wholehearted support to UN resolutions on the sanctions side.

We must back it up with a military threat, and in that respect I depart from the view of practically every right hon. and hon. Member. There has been exhaustive examination of every option. Each has been thoroughly examined, criticised, ridiculed and finally discarded. We have announced to Belgrade that this or that will not work, so we will not do it. That has been profoundly unwise, so I welcome the Foreign Secretary's statement today that no option has been ruled out.

My right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath) said in his speech and in an intervention to the Prime Minister that troops on the ground should be ruled out. I can presume to appreciate as much as anyone in the House the difficulties involved in putting troops on the ground in an offensive position. But why rule that out? Why tell Belgrade or the Bosnian Serbs in advance all the steps we will not take?

There are a number of options, and I can think of a few that have not so far been canvassed, some of which could be extremely unpleasant. We have the capacity to do some very nasty things to people who seek to obstruct the will of the UN. The key element is not to examine and then disclose such issues—for example, matters in connection with air strikes. Let us not flag up the options in advance.

I said in an earlier speech that I thought that the situation in Bosnia and Yugoslavia was an absolutely classic example of where one should not get involved. I give no secrets away when I say that I know exactly the military advice that the Secretary of State is getting. I strongly recommended Field Marshall Sir Richard Vincent for the post of Chief of the Defence Staff. I am proud that he is the first Briton for many years to be chairman of the military committee of NATO. We could not have a better man, regardless of nationality, in that post at this critical time.

I remind those who have suggested that there is great division among the different countries—in case some believe that soldiers may hold different views—that the press conference given by Sir Richard Vincent was not a personal or private conference. It was given in his capacity as chairman of the military committee, one of the key members of which is General Colin Powell, chairman of the American Joint Chiefs of Staff. I have no doubt that the military advice coming through is setting out the real difficulties that are faced. It is right that such advice should be given because any senior serving officer in uniform must have a sense of responsibility, a feeling for his men, and be concerned about the situations in which he may commit them. I appreciate why those officers have been issuing the warnings that have been coming through.

But as the right hon. Member for Yeovil pointed out, although military considerations must be taken into account, decisions still have to be taken. My simple and clear message is that we must make it clear that military options exist and that we are not in the business of discussing and disclosing what they might be. I would issue the clear warning to those in positions of authority in Belgrade or elsewhere—to the leadership of the Bosnian Serbs and to anyone who might seek to continue aggression—that the anguish, horror and awfulness that is felt by us, here and throughout the world, has brought forward the prospect of some military contribution.

I say that recognising the disadvantages that might attach to such a prospect, but it would be a very foolish person indeed who, sitting in Belgrade or elsewhere, thought that the discussions we have had on the difficulties and problems meant that people did not face any risk of such a consequence. I want them to understand that they face a real military threat, coupled with the certainty of a massive threat of the blockade which would totally destroy their economy and cause huge disaster and unhappiness to their people. Let them know that they had better understand that quickly.

Such an approach must be adopted in a united way. I noted the conditions that Mr. Warren Christopher set out to a Senate sub-committee. One was that any step must be acceptable to United States public opinion. That is not good enough because it would be catastrophic if the United States acted on its own. Any actions must also be acceptable to UN public opinion.

There is no simple, obvious solution. We recognise that every option is extremely difficult. Even so, we must not dismiss any of them out of hand. We must maintain the

[Mr. King]

most effective threat possible because I believe that there is now a chance to get messages through. The balance of advantage—of the continuing struggle and violence—is changing. If that threat can be developed at this time, it may prove to be the crucial contributor that might lead, helpfully and hopefully, to the ending of the present awful situation.

6.46 pm

Mr. Chris Mullin (Sunderland, South): I agreed with two points made by the right hon. Member for Bridgwater (Mr. King). The first was that we must approach the subject with humility. There is disagreement on both sides of the House and in our respective parties on how the issue should be approached, and none of us should be arrogant enough to imagine that we have a magic solution to what everyone accepts is a complex problem.

If people listening to my contribution disagree with me, I hope that they will be generous enough to accept that it is offered in a spirit of sincerity and is made by someone with some experience of having been out and about in the world, but who does not suffer from the illusion that he is always right.

I also agreed with the right hon. Gentleman that it is foolish to rule out military action and to send the message to Belgrade that we have ruled it out. So I regret that any Serb listening to the contributions from the Government Front Bench today will have got the message that just about every form of effective action has been ruled out. That is a regrettable but unhappy truth, so we must face the problem more robustly than we might otherwise have done, had there been more spirit coming from the Foreign Office and the Department of Defence in recent months and today.

I make it clear at the outset that I am in favour of ground forces, under the United Nations banner, in such numbers as are necessary, for as long as is necessary. I agree with Field Marshal Sir Richard Vincent that a clear objective must be set, and it is only right that the military should receive clear instructions from the nation's political leaders.

In my view, the objective is not complicated. It is to create a safe haven based as far as practicable on the recent borders of Bosnia. I do not prentend to know the precise details. There are sufficient people, many of them in the military, more experienced than I in such matters. If I were the Secretary of State, I would listen carefully to what the military people are saying. As I say, they expect to receive positive political leadership. I regret that up to now they have not received it.

When I outlined my position succinctly to a gentleman from the BBC a few hours ago, he said, "You are an ultra." I replied "Hang on a minute. Actually, I am a moderate. Ultras feel able to sit by while innocent women and children are slaughtered on a huge scale, and I do not have the stomach for that. I am not tough enough to sit through that indefinitely." That is the ultra position. I respect the view of those who disagree with me, but the ultra position is to sit by and do little or nothing, and a worse position is to pretend to be doing something.

Mr. Andrew Robathan (Blaby): Will the hon. Gentleman give way?

Mr. Mullin: No, I will not.

People ask for how long, and I say, "For as long as is necessary." I shall accept the judgment of those who are qualified. It will probably not be for as long as we have kept—I see a smirk on the face of the Secretary of State for Defence. I hope that he will wipe it off. The Government's policies have not been so glorious that they can rule out all advice from whatever quarter. This has not been a very glorious episode, whatever course we should take. It will probably not be for as long a period as we have kept hundreds of thousands of troops in Germany—for the past 45 years—or for as long a period as a large number of troops, mainly American, were kept in Korea to protect that not very perfect regime. It will probably not be on that scale, but it will have to be for as long as necessary.

It has been said that there will be casualties, and there are always casualties of war. In my previous incarnation I was a journalist, and in that capacity I attended a number of wars, including those in Vietnam, Cambodia and Laos. I am not under any illusion about the nature of war. However, those casualties will be small compared with the tidal wave of human misery with which we are faced, and which will get a great deal worse. There has been some discussion of alternatives. [AN HON. MEMBER: "What about the Gulf war?"] We are debating the situation in Bosnia. If the hon. Gentleman wants a debate on the Gulf, we can have one. Angola has been mentioned. If we want a debate on that, we can have one. Somebody else mentioned Cambodia, and we can have a debate on that. I happen to know something about Cambodia. However, we are debating the situation in Bosnia and that is what I propose to stick to.

What are the alternatives? The one most practised so far has been hand wringing. By God, we have been faced with a great deal of that. It does not get us anywhere. A second course of action is hand wringing plus food and medicines. The food and medicines are running out, but the hand wringing is not. Tragically, that is not getting us anywhere either, because we are not being taken seriously. Whatever message the Serbs are getting, it is not the right one. Another course of action, which was arrived at very reluctantly, was the air exclusion zone. That is the most pathetic alternative that we have come up with. It is designed solely to placate western public opinion. By and large, the threat is not coming from the air.

Another suggestion was bombing. The Americans have always been very keen on bombing, mainly because they have never been bombed themselves, but bombing on its own, as other hon. Members have already said, will not do anything. It is another way, a tougher way, to add to the air exclusion zone and placate domestic public opinion. However, it will not achieve anything. It will not cut the supply lines. As the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) has said, the millions of tonnes of bombs dropped on the Ho Chi Minh trail did not interdict any supplies. I confidently predict that it will not make any difference to Yugoslavia if it is designed to cut supplies.

Bombing will threaten our troops over there in a way that they have not been threatened hitherto, and it will kill a lot of innocent civilians. I am not in favour of bombing. I can see that one has to give air cover for any ground troops that one might have to put in, but that is a different argument. Bombing by itself will get us nowhere; I hope that everyone involved in this tragic situation understands

that and that every possible restraint is put on the President of the United States to persuade him to rule out unilateral bombing raids.

What is at stake is not just the fate and the misery of hundreds of thousands of people that we have witnessed so far. It is, as others have said, the credibility of the United Nations. The Serbs are laughing at the United Nations. Nothing that they have heard from those on the Government Front Bench or from other western capitals on the subject will stop them laughing. They will carry on until they are stopped. If they are allowed to carry on, that will give the green light to every little tinpot nationalist from here to Cambodia, and they will stop only when they realise that we are being serious, as the right hon. Member for Bridgewater said.

Unfortunately, so far we have not been particularly serious, so it will take some effort—only the introduction of ground troops will do—to convince the Serbs that we are serious. Only when we have done that will they stop.

6.55 pm

Mr. David Howell (Guildford): My right hon. Friend the Member for Bridgwater (Mr. King) knows, from his experience in government, all about enduring pressure to use military force. He spoke very much for me. I agree with, and strongly endorse, everything that he said. With the statutory 10-minutes rule coming up, I shall make my speech an addition to his.

I sympathise strongly with my right hon. Friend the Foreign Secretary, who made a brave speech. It is not at all fair to allege, as the right hon. Member for Yeovil (Mr. Ashdown) did, that my right hon. Friend is taking cover. My right hon. Friend advanced the dilemma with his usual integrity and honesty. I realise the enormous difficulties that he faces, especially as—there is nothing to be ashamed of in this—there are comings and goings in Washington. Washington has not yet made up its mind, and we do not know which way President Clinton will go.

It is a question not of waiting and then following the lead from Washington but of trying to get the allies—ideally, all members of the Security Council, including not just the five permanent members but the rotating members—on the same side, acting together, sounding decisive and presenting a credible threat to the war makers and those who have shown that they do not care tuppence for the remarks of the allies in the west, and believe that no one will stand in the way of their wish to pursue an agenda of endless slaughter of civilians.

This is not one of these wars where civilians get accidentally caught up. Killing of civilians, particularly the women and children, and the murdering of every village inhabitant is a deliberate aim of policy. Let us not confuse that with the accidental killing of civilians which, tragically, happens in every conflict.

I confess that I used to think that this was just another Balkan mess, that they have been at it for hundreds of years—we can all remember Balkan wars—and if we could somehow put a ring fence around all that, we could stand aside and walk away from it. The truth, which has gradually dawned on the policy makers and perhaps on all of us as well, is that we cannot possibly walk away. We have already been dragged in. We fell into a major diplomatic ambush and allowed premature recognition of Croatia and then of the independent state of Bosnia—probably the biggest diplomatic blunders since the second world war. Once we had done that, we had created new states, with all the resulting paraphernalia and obligations on the international community.

We could not walk away for that reason and we cannot walk away because genocide is not something over which we can wring our hands and tell our schoolchildren that it is not our matter, we are against killing people, but, in this case, it is all very difficult, and nothing can be done. Furthermore, we cannot walk away because we have already interevened, as a result of the decisive action through resolution 820, which ruled that heavy arms should be denied to one of the combatants. That is a direct intervention.

The Serbians, the Croatians and the Serbian Bosnians—the Serbians are supplying the latter—have unlimited access to arms. The idea that if we put more arms into the area, they will fall into the wrong hands, is absurd. They have already fallen into the wrong hands in vast quantities. Access is complete for any range of weapons falling short only, by some miracle, of tactical nuclear weapons, which I hope are under the tight control of the CIS forces. We must work to ensure that that hope is soundly based.

There are plenty of arms. As one of my hon. Friends said this afternoon, the place is awash with arms. Everyone has access to the killing weapons which they are using freely, although the Bosnian Muslims very much less so that the others. It is all the more remarkable that they are putting up such a staggeringly successful fight against Serbian-Bosnian forces who do not seem to be keen on engaging in hand-to-hand fighting and prefer to sit outside towns mortaring children's playgrounds.

Hon. Members say with great sincerity that we must not become more involved, but of course we are involved. We are already caught in a process which is dragging us forward into more difficulties and narrower choices. The idea that if we could stand aside everything would settle down and there would be some equilibrium, a stalemate of terror or a halt to the killings through exhaustion, is completely false, extremely dangerous and one which will encourage us not to take further action now and find that later we are far more committed.

There are many more British than other troops involved. Those who are now saying that we must not have our boys in there will find that, through circumstances not of our dictation, many more troops will have to get involved and we will pay a heavier price later than if, between ourselves and our allies, we can produce the will and the clarity of objective necessary to act.

The choice is not between involvement and non-involvement, but between action now and far more involvement later. I know that my right hon. Friend the Foreign Secretary understands that if we delay now and do not manage to get a grip on the deteriorating and sliding situation, everything will get much worse.

Hon. Members rightly ask about our existing commitment. It is not true that we are doing nothing at all. We have made a major humanitarian commitment and our troops are protecting the heroic humanitarian workers, some of whom are being killed, and that has undoubtedly helped to save lives. The same applies to other countries. Of course, our French neighbours have already paid a penalty in the loss of military life, as 12 French soldiers have already been slaughtered.

It has been said that all that will be at risk if we move in a new direction and develop a new policy to halt the bloodshed. I have to tell those who do not know it already

[Mr. David Howell]

—that sounds arrogant, as most hon. Members know that the humanitarian effort is increasingly under strain. All those who have been to the area know from talking to the operators of the humanitarian effort that it is becoming more difficult and supplies are not getting through. Supplies have been blocked through Gorazde, one of the target towns, and other places. The intensity of effort required to get supplies through, even on quite a modest scale, let alone on the full scale required to feed everybody, is getting harder to sustain.

The humanitarian effort has worked very well; the troops and the UNHCR drivers have done wonderfully through the winter months and many lives have been saved, but it is an illusion to imagine that, just because it has gone well, it is still going swimmingly and we must not do anything to upset it.

The humanitarian effort is now in great danger. Our troops and, as we have seen from the French experience, those of other countries are in increasing danger because the policies and the patience have run out. The combatants, particularly the aggressors, and the Serbians who are supplying the equipment and the personnel to Serbian Bosnia have reckoned that they no longer need to be quite so careful or sensitive about who they shoot at and whether they should tolerate the humanitarian effort. They said yes to the Canadian troops in Srebrenica this week and I hope that they will continue to say yes, but it is a precarious situation and we may well be compelled or forced to go to the aid of the people there if the yes becomes more conditional and the bombs and shells start falling into the town again.

I sense from what my right hon. Friend said—perhaps some of us have realised this rather late, in my case only a few weeks ago—that the whole mood has changed. The policy phase of the past is over. In that phase, we were trying to establish the Vance-Owen plan—I do not think that maps were ever going to work, as they were far too complicated—in which it was believed that Mr. Milosevic and the Serbians meant what they said, were not supplying the Serbian Bosnians, genuinely wanted them to stop and were going to hold off from the systematic phases of bloodshed and knocking off the Muslim enclaves. We have to move to new ground. Of course, we are already doing so.

In my view, although we have canvassed every option this afternoon, there is no single solution. It will have to be a mixture of measures applied with great sensitivity. It will need as much support as we can get from the United Nations. I am glad that Mr. Yeltsin now feels that the Russians can come on side in a more effective way. Frankly, I think that they would have done so anyway two or three weeks ago, but they are now playing a much more positive role. My right hon. Friend the Foreign Secretary has rightly put his weight behind the proposal, which comes into force on Monday, not merely for the sanctions but for a serious blockade.

I hope and understand that it will be a real blockade. A blockade has to be imposed by force because people will break blockades. Ships will try to run it and will have to be stopped; lorries and trucks will try to break it and will have to be physically stopped; operations on the Danube will have to be interfered with to make a blockade work, quite apart from the financial aspect which, as my right hon. Friend said, is extremely important. Those measures, combined with the no-fly zone, which will probably also have to be intensified to the point at which there could be interdiction, represents a move into the area where real force is threatened and I strongly welcome it.

Now we come to the next steps to stop the process sliding away from us and dragging us into far greater commitment than we want. We have had authoritative views on whether we can cut supply lines. I do not know whether the right hon. Member for Yeovil is right in believing that all the bridges are in the middle of towns and nothing can be done. Cutting supply lines from the air is difficult, but every litre of benzene that fuels the Bosnian-Serbian armoured troop carriers comes out of Serbia.

I cannot believe that some interdiction, whether by bombs, rockets or more subtle lateral thinking—the military are very good at that—could not make serious inroads into the entire fuel supply of the Serbian-Bosnian operation. I regard that as second best to the idea which is now being advanced on all sides—which I suspect is the one that President Clinton will propose next week—that we enlarge the safe areas into safe havens. In a sense, that is the limited objective which makes sense.

We cannot solve the war from outside; it is partly civil and partly invasion from next door and we can all argue endlessly where the solution point lies. However, we can deal with the immediate objective, which is stopping further bloodshed on a massive and hideous scale by the systematic elimination of towns and communities in the way we saw when the mortar bombs scattered the limbs of children in the schools at Srebrenica. We can move on those fronts.

We should take seriously the recommendations of the latest United Nations surveillance force to Bosnia and the recommendations of the President's own study group which went to Bosnia, all of whom said that it would be possible if one moved carefully, without putting in thousands of troops and getting the Serbians into a state of total aggression, to establish wider areas that were genuinely safe and protected where it was known that, if people started lobbing artillery shells, there would be retaliation.

Mr. Peter Temple-Morris (Leominster): Will my right hon. Friend give way?

Mr. Howell: I should love to give way, but I am right up against the 10-minute rule and I have only a minute left.

We must not merely keep that option open but sound as though we are addressing the matter seriously, as my right hon. Friend the Member for Bridgwater rightly said. The threat must be credible otherwise there will be no movement and no halt to the bloodshed. If not, we will be forced back to the idea of the Bosnian Foreign Minister and everyone else that if we are not prepared to help people, we should not deny them the arms to help themselves. That is a very bad option, but if we are not

I realise that combining foreign policy with democracy is good but difficult because one has to explain to people what may happen in the future—not immediate interests, but what may happen if we do not take action now. In this case, it is clear to me that if we do not take action now, the actions that we shall take later, the bloodshed, the cost in

our own troops and their lives, let alone to the moral authority of the post-cold war world, will be far greater than our worst fears at the moment.

Several hon. Members *rose*——

Mr. Deputy Speaker (Mr. Michael Morris): Order. Madam Speaker has imposed a 10-minute restriction on speeches from now on. Hon. Members will be aware that the digital clocks are not working. Therefore, I ask them to look at the clocks at either end of the Chamber. I shall move in my seat 15 seconds before the 10 minutes is up.

7.10 pm

Mr. Andrew Faulds (Warley, East): I welcome the apparent conversion of the Chairman of the Select Committee on Foreign Affairs to a more realistic appraisal of the problems of Bosnia. I hope that more of his colleagues follow his conversion.

There is a near-exact analogy for the inaction of the Front Bench of timorous Tories with the conduct of a not dissimilar bunch who sat there in the 1930s as the civil war in Spain erupted. They dithered and prevaricated, except of course those who supported the fascists in Spain. They refused even to supply arms to the Government of the day while Nazi Germany and fascist Italy armed Franco, and the second world war ensued because of such apppeasement.

As Yugoslavia broke up, it was clear what the proponents of greater Serbia were after, and it is still clear. It has no intention of abandoning its military campaign to create that greater Serbia. Its leaders, fanatics to a man—we have seen them in action on the screen—take no regard of United Nations instructions. But the resolution of the countries of the United Nations has been less than effective and the United Nations has found excuse for delay and further discussion—the phrase of leaders who do not know what to do.

Time has been wasted with the plodding pursuit of the Vance-Owen plan. What a farce that has been; an arrogant attempt to redraw the lands of Yugoslavia along ethnic frontiers, and that in a community that has been mixed for centuries. The map that was drawn up by that failed politician, now a distinguished world figure, David Owen, our old colleague, actually recognised the ethnic cleansing achieved by the Serb attacks. Just last week, the Croats and Muslims fought each other to ensure that they got their bits of the map as drawn up by those two stumbling savants.

The Vance-Owen plan is as dead as a dodo. As I warned many months ago, there was never any hope that the Bosnian Serbs would ever sign up to the delimitation of their own territory, or what they thought was their own territory, because they have not completed the operation yet.

There will be another bite at Gorazde and Zepa, and if the international community does nothing, as appears to be the case, and that is endorsed by this timorous Front Bench, it will all start again in Kosovo. Then we shall be into a Balkans war. It is extraordinary the limitation of understanding of the men who are professionaly advised on the issues. Do they listen to the professional advice, I often wonder?

Only effective military action will stop the advance and enlargement of the Bosnian Serbs. The palsied leaders of western Europe have to summon up their shrivelled political will to mount military action, as must the new President, poor inexperienced clot, whom British Ministers have tried to emasculate, apparently with some success.

What should that action entail? I do not believe that any of the leaders in western Europe will agree to the early involvement of ground troops made up of their forces. They are too frightened of the effect that the body bags will have on their electoral chances in future years. But if the military were instructed to mount specific actions against certain objectives, of course it could be done. It is outrageous to suggest that that could not be achieved. Remember the skills and precision displayed in the Gulf war, a somewhat less justified intervention than would be intervention in Bosnia.

The aims of those operations would be destruction from the air of the bridges between Serbian and Muslim territories—they are all in towns, so both communities would suffer—of Serbian routes of supply and communication, which can certainly be interdicted, of their air force, which has cheated the United Nations resolution, and the taking out of their artillery emplacements. They might move them, but modern warfare has ways of finding to where they have been moved. Finally, and absolutely essential, is the destruction of the armament factories within old Yugoslavia. Unless we do that, we do not mean business.

Serbian aggression has to be stopped, and to achieve that we must go in and mean to win. Of course there will be civilian as well as military casualties, but civilian casualties are continuing all the time, compounded by cold-blooded murder, torture and rape as a policy objective.

The humanitarian operations will have to be withdrawn while the attacks on Serbian objectives continue. It would be foolish in the extreme to keep our and other forces in Bosnia as sitting targets for revenge operations, and the Serbians are not very nice fighters. The protection that those forces provide and the provisions they distribute would have to cease, hopefully only temporarily, while Serbia's military machine is crippled. On the achievement of that goal—it can certainly be done if the west means to do it—humanitarian operations must be resumed.

At that stage, with Serbian ambitions halted and their military effectiveness destroyed, the United Nations should introduce a protectorate, imposed by United Nations forces on the ground. They would run the communications, the utilities and the immediate provision of food and medical supplies.

Those forces would have to remain for some years. It would be a financially expensive operation to rebuild and initially administer a multi-ethnic democratic state. But only such resolute action would shorten the sufferings in Bosnia and prevent a protracted Balkan war. Perhaps, historically most significantly of all, only such action will avoid the alienation of millions of Muslims throughout the world which would give and will give enormous impetus to Islamic fundamentalism.

7.17 pm

Mr. David Sumberg (Bury, South): All of us approach this debate from the same starting point. All of us are angered and appalled by the terrible scenes of violence that we witness on our television screens every night. All of us

[Mr. David Sumberg]

are haunted by past horrors which come vividly to mind as a result of the suffering of the Bosnian people. I am no exception to that.

The leader of the Liberal party was right to refer to the events of the second world war. They have a powerful influence upon us. All of us in Europe thought that those events would never be repeated. Perhaps we were naive. We were wrong. Europe 1939 to 1945; Bosnia 1993—ethnic cleansing is back.

But the problem with history is that it sends out conflicting messages. Yes, it is true, my generation has always found it difficult to understand that the generation of the 1930s failed to recognise the threat that Hitler posed, certainly failed to do anything about it and certainly failed to protect some of those who went to their slaughter.

But equally, a later generation finds it difficult to understand how the greatest power on earth at the time and today—the United States—got sucked into the Vietnam war, which it could never win. First, it gave aid with arms, then sent instructors to demonstrate those arms, then used air power to support those arms and, finally and ultimately, it sent its own men and women to fight with those arms.

So when emotive words are used—I understand why they are, and perhaps it is right that they should be—by those who advocate further military action in Bosnia, words like "appeasement", words such as were used to me this morning by the Foreign Minister of Bosnia, "Munich" and "Chamberlain", I must remind the House—and perhaps the House as a whole should remind the United States of America—that words like "bombing Hanoi" and "My Lai" show that history is littered not only with examples of failure to act and the dire consequences that resulted but equally with examples of decisive action taken with disastrous results.

My point is simple: however haunted we are and however much we remember the past, we must not allow past failures of intervention or non-intervention or too little or too much intervention to dictate what we do today. The policy that this Government and the West must pursue must be pragmatic. It must be based on what we can realistically achieve.

In 1958, the United States invaded the Lebanon. It did nothing in 1956 about Hungary. We debate today whether we should do something about Bosnia. We have no intention, I imagine, of ever debating whether we should do something about Georgia, Armenia or Azerbaijan. So while it is true that foreign policy, rightly, has a moral dimension, it must be tempered with what is achievable and practicable.

I will be frank with the House: I have changed my mind on this issue, and I dare say that other right hon. and hon. Members may have taken a similar course, including perhaps even my right hon. Friends on the Front Bench. We may have been able to do something months ago. Six months ago, perhaps we should have bombed the Serbian artillery. We had no British troops there, no major humanitarian effort at risk, and there was still a realistic state to defend. Six months ago, air power might have been effective, and I said so at the time. But the scene has changed and events have moved on. It is not enough now to say simply, though understandably, "Something must be done," unless that something has a realistic chance of achieving the objectives that we set ourselves.

Will the air strikes be enough to end the killing? I do not think they will. Will they necessitate the end of the humanitarian effort? Yes, I think they may. The humanitarian effort, for all the comments that have been made, is daily saving lives and we see it too on our television screens. Would all this lead to massive ground intervention—one or two Opposition Members have been frank enough to admit that it would lead to that—and is that feasible in political and military terms? No, I do not think it is, and, more important, neither do those who are advising this and other Western Governments. We must listen to that advice because they are responsible for the lives of our soldiers and of other soldiers who will go into the conflict.

Would arming the Muslims save Bosnia? Yes, it might, but what would be the consequence and where would those arms eventually end up? Those who a year ago were saying that we should arm the Croatians may well have seen those very arms used in the massacres which we saw only a day or two ago and which British troops are now clearing up. Are sanctions enough? I do not know because —here I agree with the right hon. Member for Copeland (Dr. Cunningham)—we have not applied those sanctions vigorously enough so far. Month after month, the killing has been going on and we have still not imposed, or perhaps we are just starting to impose, the sort of blockade to which my right hon. Friend the Member for Guildford (Mr. Howell) referred. It is essential that we have an effective blockade.

I am torn on this issue and I think that many other hon. Members are too. There are powerful emotions. There are no easy choices, but the difference between me and my right hon. Friends in government is that, if the decision they make is wrong, and if they respond to the "something must be done" argument for the best of motives and they get it wrong, with all the resultant disasters, it is they and not I or the leader of the Liberal party who must come to the Dispatch Box and answer for what they have done, not just to the House but to the people of the country, including people who may have paid the price for that error.

So I say, not with an easy heart, because it is not an easy decision—we all approach the matter with great sadness —that it is a balanced judgment as to what should be done now. Circumstances may change. Nothing should be fixed, but I believe that, on that balanced judgment, the Government have for the moment got it right.

7.25 pm

Mr. John Spellar (Warley, West): Other contributions tonight have dealt with the appalling situation in Bosnia, the awesome scale of the human tragedy there and the way in which we see it every night on our television screens, but I hope that the House will forgive me if I do not use the short time that I have to go over that again.

We should recognise that there are dreadful events happening in many other areas of the world. Some, like the situation in Armenia, have been very well reported in the past. Some, like the appalling events in the Sudan, have never been properly covered. We cannot, then, just base

our decision on moral outrage, although that will be one of the factors in our decisions. Nor can we base it on where the television companies choose to send their cameras.

Ms Hoey: On that point, does my hon. Friend agree that we should all pay tribute to those very brave camera men and women, photographers and reporters, for without the work that they have done in very difficult circumstances none of us would be seeing the pictures or reading about what is going on?

Mr. Spellar: I absolutely agree with my hon. Friend. She reinforces my point about the acts of great courage of those who are not combatants in the events. Without them we would not know what was going on. In many other areas of the world we do not know what is going on, and there is not so much public concern because the events in other areas are not being reported. It is right that they should be reported and that we feel outraged about them, but that cannot be the only guide to action. We must take into account the international situation and Britain's capabilities. We must also consider Britain's interests in this.

I therefore wish to confine myself tonight to the very basic questions that we ought to address: what is to be done and, in particular, what is to be done by Britain? Our debate has focused on what is to be done about military intervention and, in particular, on what should be done about troops on the ground. That point was highlighted by the right hon. Member for Yeovil. I also ask what this country should be doing as a party to military intervention on the ground because, so far as I am aware, no one is suggesting that Britain should act unilaterally or in an isolated fashion.

What does that international agreement amount to? Mention has been made of the United Nations, particularly by my hon. Friend the Member for Sunderland, South (Mr. Mullin), although up to now in many cases they have not been particularly united, especially Russia. It might therefore seem unlikely that we would get agreement from Russia in the Security Council, where we would require unanimity in order to take such military action.

We have had a welcome indication of a shift in the attitude of a post-referendum Boris Yeltsin. There was some criticism of the western Governments as to whether they should have required greater conditions from Yeltsin in return for the granting of aid, but that criticism was perhaps a little unfair as we are seeing some change. Equally, we must ask why Yeltsin was so sensitive on the issue in the first place. What did he detect inside Russia regarding a strong, pro-Yugoslav, possibly pan-Slav attitude among the Russian people which made it a consideration, so that these decisions were delayed in deference to his desire to get past the referendum?

That attitude will still be there. It could still influence Russian foreign policy, and it could well influence Russia's decisions on the Security Council. We would not be able to rely on unanimity to secure a decision from the United Nations, and even if we secured such a decision, we should have to question whether the Russian army would be willing or able to participate.

If this were not a United Nations operation, would a UN-sanctioned NATO force be involved? Is it proposed, even, that if United Nations agreement could not be secured, a NATO force should act on its own account? The right hon. Member for Yeovil (Mr. Ashdown) did not answer the real question: what decisions would have to be made, and how would they be implemented?

NATO would be taking a dramatic step if it moved from being part of a defence pact to being a world policeman, able to intervene throughout the globe. It would have to take a far greater step than any taken in the Gulf war, which involved a clear military objective, a clear international principle and a simple and straightforward issue. Favouring intervention in a civil war in Yugoslavia would represent a dramatic change in NATO's terms of reference, which would require serious consideration and a major debate before any action was taken.

Let us assume, however, that the objections were overcome. What if the Government decided tonight that we would intervene militarily? Would the invasion be over by May day or the Whitsun holiday? Not a bit of it: it would not even have begun.

At the time of the Gulf war, we all saw how long it took to build up military troops and to prepare an invasion force. We must remember the sheer logistics involved in preparing sea and air forces for action. Even if we were able to use Europe's road transport system, it would still take a good deal of time. What would happen in the meantime? Would there be a reduction in hostilities, or —as was suggested by my right hon. Friend the Member for Copeland (Dr. Cunningham)—an escalation, while everyone in Yugoslavia tried to secure their section of territory before the potential invasion? I believe that the violence would increase, rather than diminish.

If we invaded, what would be our objective? It would not be so simple as the objective involved in the Korean war—to move beyond a certain parallel—or that involved in the Gulf war, which was to drive the Iraqi forces back from the Kuwait border. Presumably, our aim would be to bring about a ceasefire; but no meaningful line exists in Yugoslavia. In fact, we should need to establish not merely an invasion, but a permanent military presence. We should have to achieve not just a military victory, but a takeover of civil power. That would mean army patrols on every street corner, and would create an almost unending situation from which we would have enormous difficulty in emerging. It could drag on for many years.

There would then be no way out, unless we were prepared to commit massive forces and, possibly, to use methods on the ground that the House—indeed, all civilised opinion—would deem unacceptable for the maintenance of the basics of law and order. The situation in Bosnia has justified General Sherman's dictum that "war is hell". If we intervened, we would be deeply immersed in that hell.

How could we guarantee the continuation of peace after we had left? Moreover, how could we answer the all-important question, "Will the British public give us the support we need?"? Are the public now loudly demanding action? I have to say that the awful situation in Bosnia is not the subject of unending talk in the pubs and clubs of the black country, and I suspect that not many other members are under pressure from their constituents to suggest intervention in the region. Without such support, how could we bring matters to a successful conclusion?

We must say, bluntly and honestly, that we cannot be the world's policeman—or, in the words of John Bright during the Crimean war, "the knight errant of the human race". We should not bring injury and death into the

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homes of our soldiers. Ultimately, we must say that we cannot go out and get involved in such an appalling situation—that this is not our war.

7.34 pm

Mr. Patrick Cormack (Staffordshire, South): I listened to the speech of the hon. Member for Warley, West (Mr. Spellar) with respect, but also with profound sadness. I trust that the House and members of my Front Bench will forgive me if, like the Irishman, I say that I would not have started from here.

In the small hours of 12 December 1991—the first occasion on which Yugoslavia had been debated in the House since the beginning of the current troubles—I urged the Government to take some action. Dubrovnik and Vukovar were being shelled. I still believe that, if we had put aircraft and a naval patrol in the area then, there might have been no necessity for today's debate. Since then, I have tried hard to argue effectively that not only a moral dimension but a political responsibility is involved.

Just over half an hour ago, I left the Chamber briefly to sit in the Foreign Secretary's room with Haris Silajdzik, the Bosnian Foreign Minister. I shall not, of course, reveal what was said, but over the past few months I have had many conversations with Mr. Silajdzik: he is deeply impressive, and anyone who has met him—as have a number of hon. Members on both sides of the House—will know that he is a man of great quality and dignity.

Since I first met Mr. Silajdzik for the first time in December last year, another 50,000 of his countrymen have been killed: the figure now stands at around 200,000. Some 75,000 have been maimed—most are without legs, and many are children; at least 30,000 women have been raped. That is the catalogue of enormity and horror that we must contemplate today.

That, however, is not the only issue. In 1914, Europe was destabilised for 50 years or more following events in the Balkans. If what is now happening spreads, as it may do, to Kosovo and Macedonia, inevitably drawing in Bulgaria, Albania, Greece and Turkey—with two NATO countries fighting each other—and possibly spreading to Romania, it is not inconceivable that a conflagaration would result that would destabilise Europe for another 50 years. That is what we should consider when debating what should now be done.

I make no accusation about the good faith of the Government; I have never done so. Surely, however, no one can deny two facts. First, it cannot be denied that the largest share of blame for the horrors that we have witnessed lies with Serbia; secondly, it cannot be denied that our collective policy—it is not just a British policy—has been manifestly ineffective.

I consider the present situation the gravest that Europe has faced since the end of the second world war. Hon. Members sometimes point out that problems exist in Angola and Cambodia; of course problems exist all over the world, but the fact that we cannot act everywhere does not mean that we should act nowhere. If we know that there is a bad house fire in Manchester and that we cannot get there, we have no excuse for not helping our next-door neighbour if his house starts to burn down.

The Yugoslavian conflict is at the heart of Europe. Whatever happens there will affect our lives and those of our children. If the world order and the European powers are proved to be ineffective, the signal that will be sent out will be dire. In this post cold war era, which is in itself so unstable, it will lead to more situations such as that which we are debating now.

What do we do? It would have been easier to act earlier, but that does not mean that we can do nothing now. Last week I was talking to the Foreign Secretary with officers of the all-party parliamentary Bosnian group. The Foreign Secretary was kind enough to admit that there was some merit in the idea that I put to him: why cannot the Prime Minister and Presidents Mitterrand and Clinton, as leaders of the three permanent members of the Security Council, communicate to Milosevic the notion "Thus far and no further", that the international order will never accept what has been brutally gained and that aggrandisement as the result of invasion and destruction is not acceptable?

Those of us who met Mr. Salidjic today heard that of every four prisoners captured by the Muslims—they do take prisoners occasionally—at least two are Serbian and one is from Montenegro. The tanks are still moving in and the Bosnians have no tanks.

The Bosnians are not all Muslims—let us nail that lie now. Bosnia was a multi-ethnic country which lived in peace until relatively recently. It still has an internationally recognised multi-ethnic Government and a Parliament whose Speaker is a Serb. Several Ministers are Serbs and others are Croats. Rightly or wrongly, we recognised Bothnia as an independent sovereign state. We are talking about a state that has been invaded and continues to be invaded, weekly if not daily. Tanks roll in from Serbia, and the Bosnians have no tanks.

Personally, I am not greatly enamoured of the idea of breaking the arms embargo, although it was an embargo against Yugoslavia, which does not now exist. But what can one say to a Foreign Minister who says that he does not want our people to die? He says that we can take them away if we must although he welcomes their marvellous humanitarian aid but, for God's sake, if we cannot stop the war, can we let the Bosnians stop it themselves and die for their own country? That is an exceptionally difficult argument to refute morally, although I would prefer us to make a final attempt at bringing the conflict to an end.

I should like us to communicate to Milosevic the notion that Sarajevo is a United Nations protected city and that any further attack on it will be regarded as an attack on the United Nations. I should like us to deliver an ultimatum to Serbia to the effect that we shall take appropriate action. Why agonise over that in particular? That has been the problem all along.

We invalidated the doctrine of the deterrent from the start by saying that we would take no action. As armchair generals, we sit around and say, "Do this, that or the other." It is possible to say that we shall take the appropriate action, which can take a variety of forms. Sometimes, a specific air strike can have a dramatic effect, and I need only say the word "Libya" to prove that.

Something that Haris Salidjic said to me today convinced me that we must get the message to Serbia. As he said, in the second world war there were leaflet drops, so why not warn the Serbian population, which is the subject of constant black propaganda, of what the world thinks? That would help to reinforce much of the

opposition there but, day after day, the people are fed the siege mentality black propaganda. There are things that can be done.

Hon. Members of all parties have said that the Vance-Owen plan is far from perfect. That is so, but the Muslims have signed it, or rather the multi-ethnic Bosnian Government have signed it, the Croats have signed it, and pressure can and should be put on the Serbs to sign it. It has been put to the Foreign Secretary many times—I put it to him again this afternoon—that, if a peace is brokered under international auspices, it will be internationally guaranteed. Just as he said yes on 13 January, he said yes again today. We must try to take action to bring the conflict to a close.

I see by your movements, Mr. Deputy Speaker, that I must bring my speech to a close. I appeal to my right hon. and learned Friend the Secretary of State for Defence, who will reply for the Government, not to throw away all the aces but to keep Milosevic guessing and make him and Karadzic realise that we mean business. We should make it clear that we are not prepared to see a sovereign state extinguished from the map of Europe.

7.45 pm

Mr. Ken Livingstone (Brent, East): I am struck by the fact that we are constantly told by the apologists for inaction that we are witnessing a civil war. We should examine that proposition a little more closely. Bosnia is not a nation of long standing with a fair history and which is now disintegrating. It is a wholly artificial construct.

There was no Yugoslavia before the end of the first world war. There was no demand from the peoples of the area that it should be created. It was created by great imperial powers at the end of the first world war and imposed on the people without a plebiscite. The people of Slovenia and Croatia were not consulted about whether they would be part of the new Yugoslavia. Broadly speaking, where Bosnia now stands has been a major international dividing line for almost 2,000 years. When the Roman empire split, it was the border between the eastern and western empires. It became the border between Christianity and Islam. One could not hope to bridge the area and not expect problems.

I am also struck by the fact that the apologists for inaction say that the problem with the Croats is that they are all fascists and are on Hitler's side. It is interesting that we are told that history seems to have started in 1940, because in the 1920s and 1930s people—including Members of Parliament at the time—signed international letters condemning the Serbian oppression of the Croats in Yugoslavia. There were protests when the Serbian royal family, a member of whom was to become the king of Yugoslavia, began assassinating and eliminating the political leadership of the Croats. I condemn the Croats who lined up with Hitler as I condemn the resulting butchery. However, let us not forget: they have been subjected to two decades of oppression as a minority in Yugoslavia. We must remember that when we hear these sweeping condemnations.

I cannot find any political party in any part of former Yugoslavia that I would be happy to join—the parties would probably not be happy to have me. It is not easy for those of us who are used to having to look for someone with whom we can agree ideologically—the goodies, of whichever party. There is no obvious group with which we could line up, and virtually all sides have bloodstained hands from events of the past few decades and centuries.

I believe that one principle should guide us in this horrendous mess. There is an equally horrendous mess around the borders of the old Soviet Union and, indeed, in parts of Russia today and also in the completely artificial nations created in much of the third world, especially in Africa. That principle is self-determination. It is on this point that the Government and the Opposition have failed most abysmally.

When Yugoslavia started to disintegrate, Slovenia and Croatia held free and fair ballots for the people to decide whether they wished to remain part of Yugoslavia or become independent. They voted overwhelmingly and I am not surprised, because the people of Slovenia and Croatia saw what was happening. I suppose that the only tribute one can pay to Tito is that he kept a lid on the mess for the best part of two generations. However, at his death, the Serbian ruling class, the leadership and the elite, began to debate a Greater Serbia.

In 1987, the Serbian Academy of Sciences voted for a Greater Serbia. There were no protests internationally or in the House when Milosevic suppressed the Kosovo Parliament. Kosovo is 90 per cent. Albanian, and the Serbs went in. In Kosovo, there are virtually no Albanian doctors practising, no Albanian teachers teaching and no Albanian children in schools. Virtually all Albanians are out of work. There is massive and sustained pressure because of the long historic demand that the Serbs have for that area.

Where was the protest? Nothing was done. That lack of action drove the Croat people into the arms of the thoroughly unpleasant leadership that emerged. Virtually no hon. Members in the House could find anything good to say about that leadership. What happened? I remember the first debate in the House in which a junior Minister in the Foreign Office was sent here, after the votes of the Slovene and Croat peoples. He stood at the Dispatch Box and said that the British Government's view was for the status quo and that they did not want Yugoslavia to unwind. That is what happened, instead of the people in the area being asked what they wanted and the matter being looked at objectively.

The people had just voted for independence in a free ballot. We decided that it was inconvenient and the Government jumped up and said that they completely agreed. How inconvenient that people should vote for the same right to national self-determinations that we have taken for granted for 1,000 years. What right do we have to deny people that?

The main principle that will get us through a difficult decade as such problems unwind across the face of the planet is self-determination—what people demand at the ballot box. We would have the same problem if 51 per cent. of the people of Scotland voted for independence. Would we fight to keep them? It would be a mess. The principle of self-determination applies close to home in Europe as much as it applies in other parts of the world.

We must accept that Serbia has a clear idea of what it wants. That idea has been argued by its intellectuals, its academics and the political leaders of Greater Serbia. They have pursued it logically and clearly, in the same way as Hitler pursued his strategy to unite all the German people

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in one nation. The rest of the world, and especially Britain, has been totally reactive. We did not once anticipate what was coming.

I do not think that any one has any doubt that, unless Milosevic is stopped in his ambition to carve up more of Bosnia, and we let him get away with it, we will see a much greater conflagration in Kosovo and Macedonia. I do not say that it is a repeat of Hitler in the 1930s. Hitler led one of the most massive industrial powers and a vast nation. The conflagration in Kosovo and Macedonia will not be conflagration on that scale, but it is the same principle.

I have sat in the House sometimes and thought that it must have been the same mood—this is what it must have sounded like as, year after year, weasel-worded people got up at the Dispatch Box and said, "Czechoslovakia is a long way away. It is a small country of no significance to us. Hitler has legitimate aspirations but we do not understand him." Some hon. Members said that the policies of the Nazi regime towards the Jews were an internal matter and no concern of theirs. That must have been the same as hearing people now say that the rape of women as an active policy is an internal matter and cannot be a matter for the international community.

That was the reality when the world was divided on ideological lines—when people were in one camp or the other. Some order and discipline was maintained in the communist and capitalist camps. That world has gone and we face a more dangerous situation. In a sense, all the problems can unravel and unwind and we must decide how we will be guided through them. The principle of self-determination will help, but people in the world who have little power—those who are in a minority, trapped in other nations or supporters of a religious minority—have the right to expect that world opinion and pressure will be brought to bear when abhorrent regimes practise policies that include genocide. That is why I condemned China's actions in Tibet and Iraq's bombing of the Kurds. It is why I support minorities that are oppressed by the regime that they may be trapped inside.

Having moved out of the cold war world, we must create an international mechanism that moves to stop the abuse of human rights. That is why I agree with everything that my hon. Friend the Member for Sunderland, South (Mr. Mullin) said. I am prepared to see as many ground troops as it takes for as long as it takes. If we do not stop Milosevic in Bosnia, we will have to fight a much worse conflict in Macedonia. If we do not act in Macedonia, there will be another conflict involving nuclear weapons somewhere on the fringe of the Soviet Union.

7.54 pm

Mr. Cyril D. Townsend (Bexleyheath): It is a privilege to take part in what is for many of us an emotional and important debate. We are debating the spiral of violence in the Balkans that we see nightly on our television screens. The media like to put labels around one's neck. I am a minimalist. Unlike the hon. Member for Brent, East (Mr. Livingstone), I want minimum intervention. I am frightened that we have become more involved in the quagmire in the past six months. If we have another debate in six months' time, I fear that we will find that we are even deeper in the mire.

I will not be accused of being an appeaser or a user of weasel words. However, I beg hon. Members to be a little more cautious about committing British troops to combat for unlimited periods for confused and blurred objectives. Before I entered politics, I was an infantry soldier for 10 years—twice on active service. A driver was killed alongside me. It behoves all of us with such a background to remember that we are talking about human lives; we are talking about our constituents and our countrymen.

Let us put the Balkans in some sort of perspective. The world's major religions meet in the Balkans. There has been ethnic feuding in the region for 300 years. My right hon. Friend the Foreign Secretary made an authoritative and excellent speech this afternoon, but perhaps he was a little optimistic in thinking that some time in the next 30 years all the fighting in that part of the world will miraculously come to an end.

The United Nations is desperately overstretched. Countries have not been paying their dues—and the United States is a bad offender. There is an unwillingness, which I entirely understand, for sovereign Governments to commit their troops to fight other people's wars. When we hear the demand for troops on the ground to be dispatched, it is not made clear exactly who will supply those troops. It is impossible for that world body, the United Nations, to deal with the 25 conflicts and the 70 potential flashpoints in the world. In the past, it has not tried to deal with them. In Cambodia, 1·5 million people were killed in the civil war—one fifth of the population was destroyed. It was not expected that the United Nations should intervene and become a third party to the dispute in Uganda or Biafra.

In Angola, we all know that UNITA lost the election but is now back fighting its corner. Is there a call in the House to take action against UNITA? I do not think so. We are being lead by the media—we must be cautious about this—like little dogs on a lead. The pictures are incredibly emotional. Many people saw the young boy who had been blinded the other day when meeting his brother. I told my wife on the telephone what I had seen on television and she said that the family cried when they saw it. That has been a common experience throughout the country.

The media are fickle. We all know that, if British Tornado pilots were to kill men, women and children while trying to take out a strategic bridge in Serbia, those pictures would be flashed around the world and those reporters in the media who are saying, "You must do something," would be saying, "My God, what have you done? Bring them back."

As the Secretary of State well knows, I was cautious about the commitment of the Cheshires to Bosnia. In the past, humanitarian aid has been entirely a civilian matter organised by the United Nations. I am the first to pay tribute to the commanding officer of the Cheshires and to the sterling work that they have done. However, I still have reservations. If we switch on our radios at breakfast time tomorrow and hear that there has been some heavy shelling and 12 soldiers have been killed, will we all say how marvellous it was that that battalion was given that task? We have put them in a most invidious position.

I hope that the Secretary of State will explain why British soldiers have been used to bring out in body bags the bodies of those who have been massacred. I am told that it is because no one else was prepared to do it. It is insulting and humiliating for our officers to be held up at

checkpoints by drunken bums with kalashnikovs. I query the role that the Cheshire battalion has been given. I wish that we did not intend to replace it. The winter is over. There is a tremendous job to be done in dispersing food. I do not deny that for a moment, but the end of the winter might have been the moment to bring that style of operation to a halt. By all means let us have medical personnel, engineers, communications experts and so on in Bosnia, but I am doubtful about keeping a British battalion there carrying out its present role.

We have been told that the way forward now is to allow the Muslims to have the arms they need. They are short of artillery and tanks. That is a crazy suggestion. It is nonsense to imagine that we would help to resolve the conflict by upping the scale of military hardware. Instead of rifles, there would be machine guns; there would be precision-guided missiles and more and more rockets; and more artillery would be introduced which would kill more people. That cannot be the solution.

There is a danger that the Serbs would get the surplus equipment sitting in Russia waiting for a home rather more quickly than the Muslims would get their equipment from their friends in the middle east. It could be that, within six weeks, the balance of power would be, if anything, more in favour of the Serbs than the Muslims.

I ask hon. Members to think carefully before they call for surgical strikes. Heaven knows, we know what happened in Vietnam, as my hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) said. Some of the American air force generals who talked about surgical strikes were responsible for the fiasco when the United States tried to get its hostages out of Tehran. Surgical strikes mean killing men, women and children. If strikes are to be effective, one needs observers on the ground. They entail involvement of people physically walking, using their radios to report back.

I appreciate that I am running out of time, Madam Deputy Speaker. My message is that we cannot bring about the good governance of every country in the United Nations. That is simply impossible. There is a danger that we would make matters worse. We can attempt to douse the flames. We should go in for humanitarian effort. But we cannot colonise the countries that are misbehaving or where human rights are a disgrace.

In the 1980s, the cry went up that something had to be done about the Lebanon. A bloody, bitter civil war was taking place and there was degradation and despair on all sides. We had no direct interests, but western countries felt that they should help. The multinational force was dispatched. What did it achieve? Some months later, more than 200 United States marines were killed. Shortly after that, the multinational force was withdrawn. No historian would say that it was anything other than a disaster.

I happened to be in Washington when that force was withdrawing. You may remember, Madam Deputy Speaker, that the United States used a world war two battleship, the USS Jersey, to shell the Chouf mountains. Each shell took out an area the size of a football pitch. We watched that on television in the United States. The image stuck in my mind. There was total misunderstanding in the United States of the local scene in Beirut, the local politics, the local ethnic communities and the intricacies of life in a city like Beirut. For heaven's sake let us learn from our previous mistakes and be cautious about greater involvement in the Balkans.

8.4 pm

Mr. Max Madden (Bradford, West): I begin by congratulating the right hon. Member for Guildford (Mr. Howell) on his speech. It is remarkable in this place to find someone who is willing to admit that he has changed his mind. It is even rarer to find someone who is prepared to admit that he was wrong. He did that today in a most eloquent speech.

As the case for military intervention in Bosnia has gathered pace and won more support, a formidable chorus of voices has been raised against that case. We have heard echoes of those arguments in the debate today. We have been told that no British or western national interest is at risk in Bosnia so there is no reason why we should intervene militarily. We have been told that there are other bigger and better wars around the world so why should we become militarily involved in Bosnia. We have been told that there is no guarantee of success.

We have been told that massive numbers of ground forces would be required. We have been told that it will endanger the lives of UN forces and jeopardise humanitarian relief. We have been told that arming the Muslims would escalate the conflict and increase civilian death, injury and suffering. We have been told that air strikes against supply lines would endanger civilian life and cause Serbian retaliation. Of course, all that is true.

However, not only in the debate but previously, far less emphasis has been placed on the risks of doing nothing about what is happening in Bosnia. There is a formidable risk in inaction and failure to take effective military action. From day one, and certainly since British troops were first involved in the United Nations contingent, there has been uncertainty and confusion about not only Her Majesty's Government's political objectives but the whole exercise. The House has been denied a debate on this crucially important issue since last November. I believe that that is because the Government are embarrassed about public scrutiny of their policies, primarily because they have no coherent policy on Bosnia.

NATO military commanders had a perfect right this week to call for clear political direction. The job of the military is to arrange military power to achieve political objectives. There are many objectives at play in Bosnia. The overriding political objective is to stop genocide, stop territorial gain by military aggression, create safe havens, secure an effective ceasefire, encourage joint negotiations to secure future political settlement, secure adequate food, water and medical supplies, to release detainees, sustain displaced persons—let us not forget that there are between 2 million and 3 million in Bosnia now—and bring war criminals to book.

I cannot see how those objectives can be achieved without military intervention mobilised by and through NATO under the overall command of the United Nations. That inevitably calls for a major ground force. Like other hon. Members, I came to that conclusion reluctantly, but nevertheless I accept the consequences of that and I say clearly and unequivocally that those forces need to be deployed in numbers that military commanders judge to be necessary. They should remain there until, in the view of military commanders and their political leaders, their job is complete.

I do not know how many will be required, but we must have to recall, as various military experts have done recently, that the Germans occupied the whole of

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Yugoslavia with five divisions. We should also understand that, if the Vance-Owen agreement were to be implemented—and I agree with many who have spoken that that agreement is dead—that would require at least 100,000 military personnel and possibly many more.

All of the options we have had paraded not only in this debate but before, have implications for military ground forces. Ground forces, in my view, would be reinforced by air strikes against all those exercising aggression to secure territorial gain—I emphasise "all"—and against supply lines, airfields and other military targets. A total blockade is to be established and I believe that very severe action must be taken against those who are flouting the operation of sanctions—and we all know that they are numerous. Intense diplomatic effort must be made to isolate Serbia and to bring all parties to the negotiating table.

The main aggressor is undoubtedly Serbia. It has an enormous arms superiority and is responsible for many, if not most, of the atrocities which have been committed, including the systematic rape of women designed to humiliate and demoralise the Muslims. The hon. Member for Staffordshire, South (Mr. Cormack) said that 200,000 have been killed. That includes 14,000 children under the age of 14. They have been slaughtered—and the bulk of them were Muslim.

The conflict has been met by hand-wringing and dithering inaction. That will be seen by many, especially those in the Islamic world, as part of a world wide conspiracy against Islam. We should take this factor on board if, in the future, we are to come to terms with the surge of nationalism and the rivalry between minorities —including ethnic and religious minorities. If we are to come to terms with the surge for the right to self-determination, for the right of people to decide their own destinies, the United Nations and the European Community must recognise those realities. The right hon. Member for Old Bexley and Sidcup (Sir E. Heath) was right to say that the United Nations and the European Community are singularly ill-equipped to deal with those political realities.

The hon. Member for Bexleyheath (Mr. Townsend) told me that when he visited the United Nations, its control room monitoring the conflict shuts down at the weekend. Is this the way in which the architects of the new world order intend to approach such intensely complex and complicated issues? I fear it is not and that we, the political leaders of this country, should ensure that the international forum that we charge with this responsible task should be properly equipped and resourced to carry it out.

I attended a broadcast debate recently in which a representative of *The Times* and the Minister of State at the Foreign Office, the right hon. and learned Member for Grantham, (Mr. Hogg) participated. Lord Bonham-Carter intervened to say that that was not the first time that *The Times* and a Hogg had sung the same tune. He recalled that the Minister's father ran a by-election campaign in the 1930s, under the memorable slogan, "Vote Hogg and save your bacon."

I venture to submit that the stench of appeasement hangs over the Government—and, indeed, over every EC Government. In my view, we do have an obligation to the people of Bosnia—Muslim, Croat and Serb—to defend their independent country from external aggression.

This debate is long overdue. I hope that the voices that have been raised today calling for military intervention will grow and continue to gather popular support. Unlike many other hon. Members who have spoken, I am getting a great deal of pressure from constituents—and they are certainly not all Muslims—for Britain to intervene militarily and effectively. People have said to me that they are ashamed to be British at this particular juncture. I can understand their point of view.

I hope very much that when the Government respond to the debate they will recognise that if we authorise air strikes, inevitably there will be retaliation and a vital need for ground forces. Let us, for God's sake, ensure that those ground forces are properly organised and equipped to do the job.

8.14 pm

Mr. Michael Colvin (Romsey and Waterside): Those of us who take part in this debate do so with mixed feelings of pride, anger, frustration and humility. We feel pride at the successes of our forces, and civilians too, in delivering humanitarian aid to Bosnia; anger at what is going on in that country—the bloodshed, the rape and the ethnic cleansing; frustration at our inability, so far, to stop the atrocities and humility because it is someone else's country that is being fought over by peoples whom we do not altogether understand, and because it is difficult, though not impossible, to define Britain's national interest. The hon. Member for Birkenhead (Mr. Field) in fact defined it extremely well.

Before we look for an acceptable and workable plan for peace in Bosnia, it is as well to consider what caused those wars—I use the plural deliberately because too many people refer merely to a three-sided civil war. We should not forget that Bosnia, a sovereign state, has been invaded by Serbia.

Hostilities started because the cohesion of communism —the glue which held Yugoslavia together—was removed. Totalitarianism was suddenly replaced by tribalism. In potentially volatile, though heterogeneous communities, tolerance gave way to the fear of minority groups becoming second-class citizens, deprived of their rights, freedoms, property and even their limbs and their lives. Imagine the sudden awful realisation that their neighbour, with whom they and their forebears had co-existed for centuries, was their enemy and that their enemy's enemy was not their friend, but their enemy, too. That is what has happened in this ghastly triangular conflict and it has fanned the flames of war still further.

I do not believe that there was a sudden release of centuries of pent-up ethnic hatred when Yugoslavia fell apart, although I acknowledge that some settling of old scores has triggered repeated reprisals. The problems of former Yugoslavia were exacerbated by the western powers' rush to recognise the independence and sovereignty of former parts of that country without giving any copper-bottomed guarantees to minority groups.

It might have been possible to recognise Slovenia, but it was certainly not possible to recognise Croatia. The fact that no guarantees were given to the Serb minorities led directly to Serbia's invasion of that country. That was just

one reason for the 1991 invasion: the other was Serbia's policy to create a greater Serbia and to drive through a northern corridor between Belgrade and the Adriatic.

Before we debate what should be done about Bosnia, we should consider the current situation in Croatia. UN Security Council resolution 743 and subsequent resolutions led to the establishment of UNPROFOR—the UN protection force. The most recent resolution, 815, extends the UN mandate until 30 June.

Croatia is a real test of the UN's ability to enforce such resolutions. At present 15,000 out of some 22,000 troops in former Yugoslavia are stationed in Croatia. They are drawn from 14 different countries. But Serbia is still in unlawful possession of vast areas of Croatia. Nothing has been done to persuade the Serbs to withdraw from those parts of the country that they have unlawfully occupied; the United Nations has failed to remove them.

Many observers feel that the United Nations' failure in Croatia encouraged the Serbs to continue their military aggression and invade Bosnia. The credibility of the United Nations is at stake. Other belligerants around the world—of which there are many—will be encouraged by the UN's failure to enforce its Security Council resolutions. Bosnia is already paying the price. Who will be next? There are 25 wars now being waged throughout the world. The UN is involved in 17 of them and they are all civil wars.

Mr. Dennis Skinner (Bolsover): Twenty-six with Northern Ireland.

Mr. Colvin: What should the United Nations do in former Yugoslavia? It may be best to acknowledge that we should leave Croatia to one side at present and deal first with Bosnia, where the position is more serious. One option is to do nothing. That would be a disaster. It would reward Serbian aggression and encourage the Serbs to take further aggressive action and to turn to Kosovo, Macedonia and who knows where. Many contributors to today's debate have reminded us how appeasement encouraged Hitler.

We could lift the arms embargo and let the parties fight it out, in which case humanitarian aid would have to cease. I believe that arms supplies would increase, and conflict and bloodshed would escalate. To lift the arms embargo, we would have to persuade Russia—as a permanent member of the UN Security Council, to agree, which it most certainly would not.

What about armed intervention? Military intervention would worsen the situation in former Yugoslavia. It would be difficult to define with clarity any military objectives. In addition, how would we withdraw if the policy failed? We have to acknowledge that Serbia has enough weapons and ammunition to fight a full-scale war for two years or more. The only way to stop the wheels of war turning is to have a full-scale blockade, but that will not work unless Russia, as well as Serbia's neighbours, Bulgaria and Romania, agree to co-operate. If a blockade is to be effective it must be coupled with a deadline. Unless an ultimatum is given to Serbia to co-operate, the blockade is unlikely to work.

What if the blockade is successful and there is a proper ceasefire? A growing number of people share the view that the Vance-Owen plan is now a non-starter, and a three-way partition of Bosnia is also ruled out. Therefore, there is no alternative but to return to the negotiating table and redraw the map of Bosnia. In any new negotiations, the Bosnian Serbs would be under far greater pressure to agree if a blockade was enforced. Only if the map is redrawn could the United Nations then be asked to set up a protectorate under chapter 12 of the UN charter. I believe that agreement on the map must come first; then the protectorate can be established. The negotiations would stand a better chance of success if they took place in the knowledge that the protectorate would follow.

Even if a plan was agreed by all the parties in former Yugoslavia, it could be achieved only if the UN was prepared to send in troops to underpin it and make it work properly. If that worked, we should have to start thinking about giving the UN the resources to repeat the operation elsewhere. Bosnia presents the western powers with a problem which has serious implications for world peace and the future of the United Nations. I have already referred to 25 conflicts around the world, 17 of which already involve the UN, but there are another 50 or so flashpoints around the world where hostilities could break out at any time.

8.25 pm

Mr. Jim Marshall (Leicester, South): In view of the shortage of time, I shall merely pick up on one or two of the issues raised by the hon. Member for Romsey and Waterside (Mr. Colvin). There have been continual references in the debate to the other flashpoints throughout the world, and the 25 wars—or, as my hon. Friend the Member for Bolsover (Mr. Skinner) said, the 26 wars. I am sure that he was joking when he increased the number.

There is a difference in degree and character between those 25 wars and the position in former Yugoslavia, which is a legacy of the breakdown and the end of the cold war. Many of the other 25 wars are legacies of the cold war itself, with one side intervening on the part of another because the east or the west was involved. Such intervention increased the trouble as an attempt was made to secure victory for one particular combatant in the cold war. We must increasingly take account of those wars, but the position in former Yugoslavia is of immediate importance.

The hon. Member for Romsey and Waterside mentioned Serbian arms. There is no doubt that Serbia has a virtually limitless supply of arms and one of the best military complexes in its part of the world. It is ironic when people say that Russia is prepared to provide more arms to Serbia as the Serbians did not build up their military complex to defend themselves against the west, but against the east—the former USSR and its allies in the Warsaw pact. The idea that Russia will run to the aid of Serbia if the Bosnian nation is armed flies in the face of historical evidence.

It is easy to say—every hon. Member who has participated in the debate has done so—that we are appalled by the position in former Yugoslavia, particularly Bosnia. It makes not one jot of difference whether we are appalled or not. If we are appalled, it will make no difference to the number of lives lost, people maimed and women raped. The only way that we can begin to assist is to do something as an international community or to enable the Bosnian nation to take up arms in its own self-defence.

[Mr. Jim Marshall]

I shall stand back from the horror and seek to draw some conclusions from the mistakes that the international community has made. The present conflict involves some successes as well as errors.

The United Nations humanitarian aid programme has been a success, and a further success is represented by the fact that the states bordering the former Yugoslavia have not yet been drawn into the conflict. Thirdly, the belated safe city policy, which I hope will turn into a safe haven policy, will provide some succour in the coming months.

These successes, however, are far outweighed by the failures. First, there has been the lack of any overall objective, adopted either by the European Community or latterly by the western allies. Secondly, there was the precipitate recognition of the former republics of Yugoslavia. Thirdly, there was the Vance-Owen plan which is now seen, if not actively to be encouraging ethnic cleansing, at least implicitly to recognise it. Lastly, there is the blanket arms embargo on the former republic of Yugoslavia.

There is no doubt in my mind that these failings have fuelled Serb and Croatian nationalism in Bosnia, encouraging Bosnian Serbs and Croats to take up arms, as they have done in the past 12 months—ably assisted and abetted by their masters in Serbia and Croatia.

In the meantime, the multi-ethnic Bosnian Government are virtually powerless, and, despite their cries for international assistance, they remain defenceless and they have not a cat in hell's chance of the international community exhibiting the political will to intervene in sufficient numbers to separate the combatants in Bosnia. If we do not realise this, we fail to understand one of the principal motives of western policy.

Air strikes are becoming increasingly popular among armchair generals. When they were used in Iraq and elsewhere, many people were critical of them, but now they seem to be becoming the day's best treat. Air strikes are nothing but a figleaf for military inaction. Unless they are the precursor of further military action, they will make no difference. And to pretend that air strikes will make any significant difference to the position of the Bosnian Government flies in the face of the evidence.

The arms embargo is virtually a pro-Serbian and pro-Croatian policy, since both countries have access to huge amounts of arms already. The Bosnian Serbs can acquire further supplies from the Serbian republic, while the Bosnian Government and people are denied the elementary right of self-defence.

The policy implied here is that a political solution in Bosnia will be reached only when the Serbs and Croats have realised all their territorial ambitions, whereupon the Bosnian Government will be reluctantly forced to accept the political fact of a rump Bosnian state.

In the meantime, people still advocate no intervention, but until this military and political stalemate has been achieved, thousands more men, women and children—Bosnian Muslims, Bosnians Serbs and Bosnian Croats—will be maimed or killed. That is intolerable.

I am driven to the view that the west intends to take no action, but I believe that we should at least admit that the Bosnian Government and nation have the right of self-defence, the right to defend the lives of their people and to try to defend the integrity of their territory. The only way of doing that and the only positive policy that we can offer the Bosnian Government is a partial lifting of the arms embargo so that the Bosnian Government can acquire the elementary means of self-defence which the west has been denying them.

8.34 pm

Mr. Nigel Forman (Carshalton and Wallington): At this stage in a debate of this character, many of the best and most necessary points will already have been made. Having listened to most of the debate, I believe that I can add only a little of value, so I shall try to be as brief as I can.

I want to look at these important questions under three disarmingly simple rhetorical headings. The first is: why are we in this position? When I say "we", I mean not only the House of Commons—it is interesting to speculate why this matter has not been fully debated here before—but the unfortunate people of Bosnia. Why are they in this tragic position?

I also want to say a word or two about some of the options already touched on fairly fully in this debate; and, thirdly, I want to discuss what I believe to be the least bad way forward in this unhappy situation.

Clearly, the original cause of these difficulties was the collapse of the communist yoke in Yugoslavia itself. Whatever else one says about the former Yugoslavia, it worked in a miraculous way to hold in check all the ethnic differences that have now bubbled out, with the tragic consequences that go under the headings of ethnic cleansing and tribalism. But there is more to it than that. The influence of the mass media on both politicians and public has had its effect, and not only by confusing and troubling us in the so-called free world; it has also had dramatic effects on the dramatis personae in the former Yugoslavia.

As we saw in the Iraq-Kuwait conflict and on other occasions, the media not only manipulate us, willingly or unwillingly; they are also used themselves, wittingly or unwittingly, by the participants. I have heard awful but true stories from people who have been out to Bosnia about the way in which certain parties to the conflict have wrought havoc and destruction on their own vulnerable peoples so as to make a point on CNN or world television.

So, we need to be not only idealistic and moralistic but also cynical. It is hard to hold all these perspectives in the mind at one time.

The issue has already been influenced by Lady Thatcher. I have not heard her much mentioned in this debate, but her influence on the American public is still considerable—and on the way in which opinion evolves within the Beltway in Washington.

Then there is the nature of American politics, something about which many of us know a bit at first or second hand. In the past, the only way the Americans have been mobilised for war, civil or abroad, has been by introducing the moral imperative. That can be very dangerous in situations that do not lend themselves to moral courses of action.

There is also the difficulty of the historical precedents, most of which are beguiling and false and some overlooked, which are used in cases like this. I do not believe that the Gulf war is a legitimate precedent for what is possible or desirable in this case. If hon. Members have had amnesia about some of the historical issues, they have

had amnesia about the inability of the most powerful nation in the world—the Americans—to subjugate the Vietcong over many years in Vietnam and the equal inability of the Soviets to subjugate the Afghan rebels in territory which is perhaps a little more similar, in topographical terms, to the territory in Bosnia.

What should we do next? The options have been well rehearsed. I believe that we should continue the humanitarian aid effort plus what the Foreign Secretary described as the peace process. He was right to describe it as a peace process, a phrase that is also applied in the middle east context. The Vance-Owen peace plan is, as has been said in this debate on many occasions, now looking a bit dated and irrelevant.

We must turn the economic sanctions, the effect of which has been rather pitiful so far, into a meaningful economic blockade. For example, I understand that until very recently any lorry or land traffic which could claim that it was in transit through Bosnia and the former Yugoslavia was not affected by any meaningful restrictions. Clearly, things were labelled as being in transit and then, surprise, surprise, they ended up in the relevant place to add to the warfare.

We must also consider the use of selective air strikes. That proposal has been at the heart of this debate. I see only three possible rationales for such a tactic. The first would be as a placebo to make us feel better, and we need only state that for it to be rejected.

The second rationale would be to use selective air strikes as a controlled experiment to test the reaction of the Serbs to see whether such action had any effective leverage over their desire or otherwise to come to the negotiating table. That is the most respectable reason for considering selective air strikes. However, it is not a conclusive reason.

The third rationale, which is the most likely because of the dynamic of escalation, would be to use selective air strikes as yet another step towards a full military commitment which would also involve substantial forces on the ground. I believe that the unwisdom of that was well expressed by Sir Richard Vincent, and I do not have to repeat what he said.

Were we to use ground troops in a peacemaking rather than a peacekeeping role, we would effectively be taking sides to punish aggression. That is a perfectly honourable thing for a nation or group of nations to do, but we must be very clear about the chances of that improving the situation at the end of the day.

Who really are the aggressors? Is Serbia the only aggressor? Obviously that is not the case. There are many other aggressors and no one is really clean. Should we rule out lifting the arms embargo as irresponsible and counterproductive? Yes, I believe that we should. It has been clear throughout this debate that this would be like throwing petrol on a bonfire. Most of the weapons would probably end up in the hands of the Serbs and Croats, and not in the hands of the Muslims, because they have more hard currency, better connections and a larger critical mass of territory to use for that purpose.

The lessons of history should teach us that it is nearly always a bad idea to edge backwards into a policy in which we do not believe and have not thought through. That would be a fair description of what is happening in Washington right now, and it explains to a large extent why President Clinton is taking an inordinately long time for someone with his razor-sharp intellect to reach some sensible conclusions.

What, then, is the least bad way forward? I believe that it is to combine a policy based on our national interest —after all, this is the British House of Commons and our first responsibility is to our voters and to our people—in an area where our national interest is not greatly engaged in the outcome, disagreeable though that may be to some people, with sensible humanitarian efforts and a certain ambiguity about the use of force. I understand the points made by my right hon. Friends the Members for Bridgwater (Mr. King) and for Guildford (Mr. Howell) about maintaining ambiguity. If we do not do that, we undercut the threat of force.

That means maintaining the food and medical aid, persisting with the movement of vulnerable people which is a very useful humanitarian activity. It includes tightening sanctions to the extent that they become effectively an economic blockade on Serbia. In that context, we should exhort the Russians and even use leverage on them, now that the referendum is out of the way, to owe us one and pay us one back in return.

We have been unusually generous to President Yeltsin and to the Russian people in recent times. It is time to call in our IOU if there is any danger of the blockade of Serbia being undermined. Above all, we must resist military escalation, which I believe may mean the necessity for firm, quiet, private advice from our Prime Minister to the President.

I remind the House that about 40 years ago Clem Attlee had to go very swiftly and necessarily, at the height of the Korean war and in slightly more serious circumstances than those that we face now, to dissuade President Truman, for whom I had the highest regard, from allowing General MacArthur to use the nuclear weapon against the Chinese and North Koreans.

In retrospect, we can see that was the right decision and a timely intervention. I hope that it will not be necessary for our Prime Minister to do that in quite such a dramatic form. However, I hope that Her Majesty's Government will act as a restraining influence, because I believe that it is not self-evident that the British national interest is such that we should involve ourselves deeply in a process which would only escalate and probably end in tears, not just for the tragic peoples of Bosnia, but also ultimately for the British people themselves.

8.45 pm

Mr. Robert N. Wareing (Liverpool, West Derby): This is the nightmare debate that I have feared for two and a half years. As long ago as 1985, I addressed a meeting of the British Yugoslav Society in a Committee Room of this House and I pointed out the dangers of the over-decentralisation of that country as it was then. In April 1991, I sent a letter to the Prime Minister, who replied:

> "Under CSCE we support Yugoslavia's unity and also maintain the right of its peoples to self-determination. We thus believe that it is for all Yugoslavs to determine their country's future."

I was very concerned that we were not giving enough assistance to the federal Government at that time. We even failed to provide assistance through the know-how fund. Nevertheless, I was pleased to be able to tell the Foreign Secretary that I was glad that he had an even-handed approach to the situation in that country.

That was true in August 1991 when I first met Milosevic and Tudjman and was able to tell them that our country stood by the integrity of Yugoslavia. Unfortunately, in

[Mr. Robert N. Wareing]

January 1992 the British Government gave in to pressure from those with less sagacity than the Government—simply, I suggest, because of the opt-out on the Maastricht treaty—to the premature recognition of Croatia despite the Badinter report set up by Lord Carrington. That folly led to further folly. We then recognised Bosnia-Herzegovina. People have been talking about the Bosnians as a nation. There is no nationality of Bosnian. They are Serbs, Croats and Muslims. Even the Muslims are Serbs. They are the descendants of those who converted from the Orthodox religion to the Muslim religion during the time of the Ottoman empire.

People want to orchestrate action against the Serbs because the Serbs have committed atrocities. At least I had the guts to say to Milosevic, "Look, what are you doing in Kosovo?" I faced him and asked him that. I also faced Tudjman because the Croats are by no means innocent in all this.

Recent ceasefires have been broken by the Muslims. General Wahlgren, the Swedish commander of UNPROFOR, is reported in the *New York Times* as saying that the ceasefire was holding in Bosnia until the Muslims in Srebrenica broke it. He said that they broke it because they wanted to invoke western intervention. An article in a Los Angeles periodical, which I could produce, states that General McKenzie, the commander of the UNPROFOR forces until November 1992, said that every ceasefire that he had negotiated was broken by the Muslims. The reason he gave was that they wanted to get the west to intervene on their behalf.

There are 15,000 or 16,000 British troops in Bosnia, but the HVO—the Croat national army—has 60,000 troops there. It is not a Bosnian-Croat army. Colonel Bob Stewart was justly angry at the atrocities committed by the HVO. He said, "The HVO said 'no cameras' and I told them to get stuffed." He was right. The commander in chief of that army is the President of Croatia, President Tudjman, but that army is not the worst. The HOS troops wear Utashe arm bands and flaunt the swastika in areas around Mostar.

When I was in Geneva, the military adviser to David Owen told me that one of the biggest problems faced by the British Army was the HOS, but we still hear orchestrated campaigns about Serbian aggression. More than 60 per cent. of the land in Bosnia-Herzegovina was owned by Serbian people when the conflict started, but only 34 per cent. of the population are Serbs. Only one large town which could be described as Muslim has been taken by the Serbs—the town which controls the water supply to Banja Luka, which is a Serbian stronghold.

I have seen Bosnian Muslims at the Palic refugee camp in the north of Serbia looked after by Serbs and the International Red Cross. It is untrue to say that every Muslim is at risk. Ironically, those who are calling for military intervention in the former Yugoslavia are the same people who call for troops to be pulled out of Ireland. When an Italian plane was shot down by the Croats, people said, "Bomb the Serbs." When a French United Nations convoy was attacked by Muslims and people were killed, there was the same cry. On 26 January, the Croats launched their attack on Kriena and the cry was "Bomb the Serbs." When one of our soldiers was killed by Croat bullets, people again said, "Bomb the Serbs." The same cry was heard even when it was discovered that the attack on a bread queue in Sarajevo was by Muslims. On Friday there were television reports of Croat atrocities and on television last night we saw Muslims demanding to be allowed to search British tanks for civilians. Yet in both cases people said, "Bomb the Serbs."

My party talks about air strikes without understanding the consequences, not only for the civilian population but for humanitarian aid because the strikes would be on bridges across which that aid pours into Bosnia from Serbia. Most of the convoys come from Belgrade, across bridges such as that which I saw a few months ago. That is not a rational formulation of policy—it is giving in to an emotional spasm.

The Vance-Owen plans has often been held up as though it were sacrosanct, but in March 1992 there was another plan which all three parties agreed to sign. But then the Muslims withdrew. There are alternatives to the Vance-Owen plan. We must not become hung up on the idea that that is the only possibility on offer. Churchill once said that "jaw, jaw" was better than "war, war." Neither air strikes nor military intervention will solve the problem.

People do not think about the political consequences of intervention in Serbia. Two years ago, I spoke in the House about Vojislav Seselj. When I met Milosevic at that time I said, "The more bloodshed there is, the more this escalates and the more your position is at risk." He said, "What do you mean?" I said, "Seselj, the fascists, the chetnik radical party, the people who were responsible for the murder of 17 Croats in the area around Osijek." He said, "Oh no, they have only one or two Members of Parliament." In the election in December they won 75 of the 250 seats in the Yugoslav Parliament.

Air strikes, more military intervention or even tightening sanctions will not destroy Milosevic in favour of democratic forces. It will harness the decent Serbian people behind Seselj and people like him and war criminals. That would be piling folly upon folly. Last December I met Albanians in Kosovo who are under moderate leadership. They have legitimate complaints and need to have their human rights protected. The CSCE is there now and I was glad to hear the Foreign Secretary say that that will be strengthened. War in Bosnia will encourage extremists among the Albanians.

8.55 pm

Mr. Peter Viggers (Gosport): The hon. Member for Liverpool, West Derby (Mr. Wareing) made a powerful speech. The information that I have shows that there is little difference between the atrocities committed by all three parties to the conflict, the Serbs, the Croats and the Muslims in Bosnia. I say that on the basis of a visit there in February and some discussions. I agree that the Serbs are responsible for most of the aggression, but that does not mean that they commit the majority of the atrocities.

I heard it said today that because such atrocities are happening in the former Yugoslavia we should be ashamed to be British. That is most unfair. We should feel a sense of shame that human beings can behave in that way towards one another. They are worse than animals because animals rarely kill, other than for food. Through our soldiers we can feel a sense of pride in the courage and skill that they have dedicated to the distribution of humanitarian aid. They are under considerable threat and

exercising their skill with great determination and humour. Their presence gives us an authority as well as a responsibility to try to work out where we should go from here.

There are many demands for further action but what should it be? The imposition of the Vance-Owen peace plan is not on the cards because it is not acceptable to all those who are concerned and the number of troops that it would require is massive. If we tried to impose the plan we would require about 10 times the number of troops in Northern Ireland, which means about 250,000.

Bombing the Serbs has been suggested, but those who suggest that speak about surgical bombing strikes. Bombs can be accurately aimed but they are not always accurate, and bombing would certainly not stop the Croats and Muslims murdering each other in central Bosnia. We could stand back and allow the Muslims to be armed, but such arms would need to be delivered by air, which would be extremely hazardous, or would have to come through Serbian or Croat lines and would no doubt be intercepted because I cannot imagine that the Muslims, who are being fought by both the Serbs and the Croats, would allow the arms to get through. They would probably be confiscated en route. Hon. Members have mentioned safe havens. I shall deal with that later, but one must ask who would protect those safe havens.

Every proposed solution is unrealistic because of the nature of the terrain and the ferocity of the three factions. It is unrealistic to expect an external imposition of a military solution. My right hon. Friend the Member for Bridgewater (Mr. King) said that we should not disclose too much of our hand but should keep the Serbs and others guessing about our intentions. This debate addressed several audiences but the audiences to which we should most address ourselves are those in the United States where people are agonising about their future course of action. In any event, Americans are more likely to listen to the debate than the Serbs.

We need to point out to the Americans the dangers of more action and the vulnerability of our troops. We are entitled to say to them that our troops are within range of Serb and other gun positions. I shall not go into detail but I have seen guns that cover our positions in Bosnia. We and the French are certainly entitled to say to the Americans and others, "You are not on the ground and we are. Do nothing to make the position worse."

It is clear from visits I have paid to America that the people in the Pentagon, in NATO, in SHAPE, in SACEUR, in the executive in the US Administration, appreciate the risks and problems that might be faced in Bosnia if we now escalate the situation. but it is not clear that that is understood on the Hill among the elected representatives or among the American media.

The points raised by Warren Christopher—the points on which he would insist in any further escalation of the war in Bosnia—show, in the four conditions he laid down, that

"the goal must be clear and understandable to the American people."

Why the American people? The truth is that the American people, for their own reasons of American politics, are concerned to find a way ahead and to respond to the mass of emotion that is rightly sweeping across the world and demanding a response. He goes on to signal other points that must be fulfilled, but basically his four points are for American consumption.

If I am ruling out many ways in which the war might be escalated, do I believe that there is a possible way forward? First, sanctions could be increased to a full blockade, and we are entitled, as my hon. Friend the Member for Carshalton and Wallington (Mr. Forman) said, as members of the Group of Seven, having promised substantial aid to Russia and with Russia having cleared out of the way the referendum to confirm Yeltsin in a position of authority, to demand full, active and positive co-operation from the Russians. That is an important new point.

Secondly, in terms of humanitarian aid, it is well known that our troops are pushing their brief to, and well beyond, the limits. When the right hon. Member for Yeovil (Mr. Ashdown) demands safe havens, he must accept that in a small, local and pragmatic way, that is tending to happen in Bosnia now as the troops who are there for the distribution of humanitarian aid talk to each side and try to arrange solutions that are acceptable in local areas.

If we were to endorse and support the concept of a development of the Vance-Owen plan with different lines being drawn on the map of Bosnia and with a different geographical area being imposed on each side, it might work if it were pragmatic and local. But if that were to come from New York or some other area, it would not work. It is important to remember that our troops, who are performing well in Bosnia, are acting as a kind of dragging anchor, preventing the situation from drifting into total anarchy.

My third point has not been made before today. We in the United KIngdom have spent about £200 million so far on military force in Bosnia in assisting the distribution of humanitarian aid. All of that has gone effectively into supporting the military. Little has been offered in the way of reconstruction to former Yugoslavia. Every solution and every building block to be discussed so far has been negative, warning, in effect, "If you continue to advance, we shall bomb you," and "If you continue to advance, we shall allow arms to go through to your enemies."

We must think of more positive things to say to the people of the former Yugoslavia. Having spent £200 million on saving that country from the worst excesses of war, we and others could surely find some money to offer to the sides as an inducement—as a carrot as opposed to a stick—to come to the peace table and discuss the terms of a settlement.

We and the French are actively engaged in Bosnia. The three most effective economic nations—America, Japan and Germany—are, for their different reasons, not so engaged, but they could co-operate in a reconstruction plan. Further funds offered to the three sides through the United Nations could act as a bargaining counter and would represent a positive step forward.

I am not entirely without hope for Bosnia. The United States has been through the difficult period of the election and the new Administration is now fully engaged in discussing the issue. I am greatly impressed by the understanding in America of the problems of Bosnia. That must be fully debated so that that knowledge filters through to the American people. The Russians should now be called in to assist us. With that support and with the continued assistance of the troops on the ground, there might yet be hope for Bosnia.

9.4 pm

Ms Clare Short (Birmingham, Ladywood): What is morally right in the former Yugoslavia is also in our self-interest, and those who have pretended that the two are in conflict are profoundly wrong. Serbia is the major aggressor in the former Yugoslavia and hon. Members who pretend either that there is a civil war or that all the parties are equally guilty are making an excuse for inaction against the major aggressor and are wrongly confusing the situation.

Serbia is trying to acquire territory by force. It has invaded other states recognised by the United Nations. It is deliberately engaging in ethnic cleansing. It is systematically slaughtering minorities and terrorising them out of the area that it wants to take. There has always been a lot of rape in times of war, but Serbia has organised a new war crime; the systematic and deliberate use of rape as a weapon of ethnic cleansing to shame women, children and even men—the latter is not much talked about because of the absolute horror of male rape.

It is a pretence to claim that the Bosnian Serbs are not controlled, succoured and given all the resources that they need by the Serbian state. Serbia has already taken 30 per cent. of Croatian territory and 70 per cent. of Bosnia. The aggressor is succeeding. We know that Serbia wants more. We know that it wants to ethnically cleanse Kosovo. If we do not stop it, it will go there. We know that it wants Macedonia. Therefore, it is not a civil war.

The voices in the House that have constantly said that the situation is dangerous and that military action must be ruled out have given the green light to Serbian aggression. They have been saying "Carry on, do nothing." Anyone who has said that there can be no military intervention until all the parties have agreed is reinforcing the Serbian veto. It was the Serbs who would not go for the Vance-Owen plan—a deeply flawed plan that rewards and encourages ethnic cleansing.

Those who say that there can be no action without agreement from the Serbs, and that no military action can be taken to stop the Serbs, are telling the Serbs to carry on with their aggression, ethnic cleansing, rape and the taking of territory because we will do nothing. That, I am afraid, has been the stance of our Government. It is shameful, and also deeply dangerous to the self-interest of the British people, which the Government are not protecting.

There is no doubt that Croatia is also an aggressor—on a lesser scale but nonetheless an aggressor—engaged in a breach of international law in seeking to acquire territory by force. The aggression in which it is engaged is encouraged by the Vance-Owen plan because that would divide Bosnia into ethnic enclaves. Now Croatia wants to take those enclaves into its state. As others have said, the Vance-Owen plan is dead, and we need to learn the lesson that ethnic enclaves in Bosnia are not the way forward for peace in the former Yugoslavia. We need to protect and celebrate multi-ethnic Bosnia rather than break it down.

Bosnia is the major victim. It surprises me, but it is interesting that frequently in the media, and often in the House, there is talk of Muslim Bosnia. That is wrong; that is false. I wonder why they do it. There is no doubt that the majority of the people of Bosnia are Muslim, but Bosnia is a multi-ethnic state, and that is an important part of what is at stake in the conflict. Some 26 per cent. of Bosnian families are mixed. Muslims, Croats and Serbs intermarry and live side by side in the same families in the same cities. The Bosnian fighters, who are fighting almost without arms, with only rifles against large aggressors with major equipment, are Muslims, Serbs and Croats.

It is wrong to talk about Bosnia as if it were only a Muslim state; it is a multi-ethnic state that was recognised by the United Nations and that has all the same rights as Kuwait in international law. We are seeing it decimated, broken up and ethnically cleansed with deep war crimes, yet many hon. Members have said that we must do nothing about it.

We are seeing a war involving heavily armed forces because Serbia has most of the arms of the former Yugoslav army. Yugoslavia was a major arms supplier and trader, so to talk about the arms embargo being even-handed is a disgraceful distortion. The Serbs are using heavy artillery to slaughter women and children, because most of the men are not there to ethnically cleanse. The Serbs have no courage whatsoever. The Bosnian fighters have only rifles, yet hon. Members have repeated that, if we lifted the arms embargo, there would be more deaths. Anyone who uses that argument is looking forward to the death of Bosnia with the Bosnians being unable to fight because they have so few weapons.

An escalation would mean that the Bosnian people would have more equality and a better chance to defend themselves. That would be a less favourable option, but, if the west is unwilling to do anything, as my hon. Friend the Member for Leicester, South (Mr. Marshall) argued, that is the least we owe to Bosnia. I hope that we will do

Anyone who argues that the embargo is somehow even-handed and is preventing war is not attending to the reality of a heavily armed aggressor fighting an unarmed people, slaughtering their women and children and systematically raping women and girls in order to acquire territory by force.

I said at the beginning of my speech that stopping Serbian aggression is both morally right and in Britain's self-interest. Some enormously important and precious things are at stake, especially in the so-called new world order now that the certainties of the cold war, ugly as they may have been, have ended.

We are witnessing the absolute undermining of international law. The international community recognised Croatia as a full state in international law, the Serbs are invading and seeking to break up that state, yet nothing is being done.

We are seeing genocide which is a breach of the United Nations convention. The world learnt after Hitler's aggression that something had to be done to create international law to stop such evil war crimes as genocide, yet we are seeing it again and being told that nothing can be done.

The authority of the United Nations is being undermined. We have forces on the ground wearing United Nations helmets and operating under the United Nations flag yet the Serbian fighters are saying, "You cannot come here. You cannot bring food in here. We will not let you through." The United Nations is being belittled and humiliated and that is serious for the future of any order and decency in international law and world stability.

We are also seeing the destabilisation of Europe. If the war does not stop it is likely that it will spread to Kosovo; it is very likely that it will spread to Macedonia. If it spreads to Macedonia, and Greece and Turkey are involved, two NATO powers are potentially at war and

that is extremely dangerous. It could escalate and it could suck our young men into an horrendous war in future if we do not stop it now.

As my hon. Friend the Member for Birkenhead (Mr. Field) said, even if it does not escalate to that extent, about 2 million people have already been displaced. The number of refugees will desatabilise Europe. Germany has already taken large numbers of refugees and ugly, right-wing, fascist parties are growing in Germany because of the problem of refugees. Will we settle the conflict by allowing people to live at peace in their own countries or will there be millions of refugees with all the consequences of destabilisation flowing across Europe?

Finally, it is in our interest not to allow evil, fascist dictators, who wish to acquire territory by force and are willing to engage in genocide, to get away with it. If we cannot stop it in Serbia, there will be others.

The situation in the former Soviet Union is frightening. Petty dictators there are looking to see what the world community is doing about the conflict and will feel encouraged to take similar action. It is not a question of morality verses rationality and self-interest; it is in our interest to stop what is happening in Serbia now before it spreads, escalates and undermines any decency in international law and the authority of the United Nations.

The question is what is to be done. I agree with all those who have said that major errors have been made in the past. The way in which the states of the former Yugoslavia were recognised was wrong. It should have been made clear that recognition was dependent on the absolute undertaking not to seek to change any boundary by force and absolute protection for the human rights of minorities within those states. They should have been clearly entrenched as preconditions of recognition, but they were not.

The failure to consider limited air strikes earlier was disastrous. It was led by those who said that no troops could be risked on the ground. A generation, thinking of the Serbians as the good guys, roughly speaking, in the last war, could not see the reality of what was going on on this occasion. They were scared stiff by any possibility of troops on the ground and therefore rules out even the use of air strikes.

When the artillery and the mortars were raining down on Sarajevo—remember, on the hospital, on the buses full of orphans trying to get away—if there had been limited use of air strikes then, it might have turned back the Serbian aggression. However, errors were made and we must deal with the situation that we face now.

There are three options. We can carry on as now. Yes, sanctions can be tightened, but why were they not tightened earlier? Humanitarian aid will be increasingly difficult to deliver. We can rule out any military action. The Secretary of State may be about to do that in a few minutes. Serbian aggression will continue until the Serbs are satisfied that Bosnia will be destroyed and aggression will succeed.

Sanctions are important but they cannot work in time without something else alongside them. That is the road that we are on now. The Government talk as though they are examining other options and have plenty of time to do so. They do not. If they do not take some kind of urgent action, that will be the outcome.

The second option, the fashionable recent option, is air strikes. That is the "we have got to do something" option; the "we do not have a strategy, but it is dreadful just to let it go on; we do not want any troops on the ground, so let's bomb a few supposed supply lines and pretend that that will bring the conflict to an end" option. That is not a serious option.

When military spokesmen spoke recently at press conferences about the need for a serious strategy, they were objecting to air strikes without an underpinning strategy. Safe havens are the right way forward. I agree with the hon. Member for Gosport (Mr. Viggers) who said that the troops on the ground are almost trying to create safe havens. The politicians are failing to go for that option. The senior military commanders might not be calling for it, but the troops on the ground are virtually trying to create safe havens.

We let Srebrenica be destroyed, then the Canadians went in, then the United Nations declared it a protected area and then the British Government said that they would help to protect it. Why did we not do that earlier? The only way forward is now to declare that the United Nations will create safe havens in the major area that is left of former Bosnia. Once safe havens have been created—that means no aggression and no attempt to take territory back by force—any aggression against United Nations forces will be answered with force. That means troops on the ground and a willingness to use force to protect what remains. Then, within what remains, we could deliver humanitarian aid and wait for sanctions to work.

Of course there would then have to be a new political settlement and we must seek not to reward any aggression and changing of boundaries by force. That is the only way forward. It is the option that we are creeping towards. It is the option for which our forces on the ground are asking. It is the only one that will give us any dignity and contain the ever-spreading situation.

I plead with the Secretary of State not to rule that out and not to keep sending the message to the Serbs that Britain will never back military action. That is like saying, "Go on offending. Go on being aggressive. We will never do anything to stop you."

9.19 pm

Mr. Peter Temple-Morris (Leominster): At this late hour and in order to try to let another colleague in, my colleagues will be relieved to hear that I do not intend to make the speech that I had planned but just to say a very few words.

There has been a lot of talk about sending our troops, about our doing this, that and the other, and about United Nations authority. Commendable as all those feelings are, we are dealing overwhelmingly with Uncle Sam, with our ally, the United States of America, and the burden on President Clinton at the moment is considerable.

To give a brief example of that, we had a debate in January on Iraq, on the coalition and the enforcement of the no-fly zone. It was announced that the coalition had, in its first despatch of aircraft, sent—if I remember rightly—114 planes into action to enforce, by bombing, the no-fly zone. Of those 114 we sent six, including two tankers, and the French sent six. There were 102 American combat aircraft. One could go through the Gulf war and give even starker examples.

So when it comes to intervention anywhere and when we talk about United Nations authority, not only do we need United Nations consent and Russian approval, we

[Mr. Peter Temple-Morris]

need also American leadership, call it what we may. We need better allied participation, and we need the planned and full use of all three armed services of the countries involved.

In other words, we must permit from the outset, at least in planning, the use of ground troops. It is not practical to speak of using air power without ground forces, and I am amazed at one or two colleagues on both sides, whose views I often agree with, and particularly one or two of my hon. Friends, who have been almost wildly impractical in advocating bombing without saying what else they would do.

This is really the outcome of what I call "war by television". It is very wrong, and my hon. Friend the Member for Bexleyheath (Mr. Townsend) in an elegant speech, dealt with this very well. As has come out in the debate, one is dealing with high emotions on both sides, encouraged by the sort of part-information that one is given on television. It is the duty of all politicians not to react to that, nor to react to our own emotions in what is indeed an appalling situation but rather to approach the situation in a practical way.

All I would say to Her Majesty's Government is that, while we will do what we can in the ways that have been described, the worst scenario of all would be to be gradually sucked into anything because we refused to face

9.21 pm

Mr. Roger Godsiff (Birmingham, Small Heath): There are no easy solutions in this terrible tragedy. I certainly cannot offer any words of wisdom which might throw new light on this terrible problem, but I should like to make one or two points.

We have all heard about the terrible atrocities being carried out, and there is no doubt, despite what was said by the hon. Member for Liverpool, West Derby (Mr. Wareing), that the majority of the atrocities have been carried out by the Serbs and the Croatians and not by the Muslim communities. That is fact. It must also be pointed out that the current conflict was not precipitated by Bosnia. Bosnia did not start the break-up of Yugoslavia. That was brought about by the militant nationalism of Tudjman and Milosevic.

If it had been a question of individual republics going their own way when Yugoslavia began to fall apart, maybe the history of the past two years would have been different, but it has been conpounded and confused by Milosevic's dream of a greater Serbia. What does a greater Serbia mean? It means the annexation of parcels of land in an independent country by another country. That is what this is all about. Bosnia is an independent country and is recognised as one. It did not ask to become an independent country, nor did it ask for the break-up of Yugoslavia, but when Yugoslavia broke up Bosnia became an independent country.

Serbia is also an independent country, but Milosevic is not satisfied. His dream of a greater Serbia means that large parts of Bosnia need to be annexed and added to the Serbian state. Do we in the international community just stand by, despite all the difficulties, and watch this happen or do we try to do something?

I am not one of those who say that we should try to do something without suggesting what should be done. Let us be under no illusion, however: this is naked aggression by one state against another, made even worse by the fact that the aggressor is using not only the conventional machinery of war, but something much more insidious—it is using rape as a weapon, in order to humiliate a population.

I do not believe that anything will happen until a stalemate is reached. Serbia will be stopped only by force of one kind or another—unless, as I fear, it stops when it has attained its objectives. I understand all the difficulties involved, but if the international community—by which I mean the United Nations—cannot organise itself to take action, what right has it to deny an independent country which is under attack and being dismembered the right to obtain arms to defend itself. What right have we to do that?

That might be a valid argument if we were offering a possible way of resolving the problem or returning it to the negotiating table, but I fear that, as the weeks and months roll on, there will continue to be no action. If that is the case, can we honestly tell an independent country that it has not the right to obtain arms to defend itself? [HON. MEMBERS: "It is a civil war."] No, it is not. If it is a civil war, why has the international community imposed sanctions against Serbia? What right has it to impose sanctions against another independent country if it is not directly involved in what is going on? The international community is well aware that this is not a civil war in the traditional sense; it is naked aggression by one country against another.

The right hon. Member for Old Bexley and Sidcup (Sir E. Heath) mentioned the Spanish civil war. I am sorry that he is not in the Chamber now. He pointed out that the other European powers did not wish to become involved in that war; it should be emphasised, however, that what the Spanish republican Government were asking for above all else was the right to arm and defend themselves. The international community said, "No, we will not stop you doing that"—and we all know what the consequences were.

I have listened to the other options that have been mentioned. I have grave doubts about the success of bombing gun targets. I do not believe that there is such a thing as pinpoint bombing; in any case, what will we do when the Serbs move their gun encampments into civilian areas—next to hospitals or mosques? I also have grave doubts about whether simply aiming at the supply lines in Bosnia would solve the problem. A few days ago, George Shultz said, "If you want to break the supply lines, you bomb all the way to Belgrade." He is right: that is the only way to disrupt the supply lines.

I heard what the leader of the Liberal Democrats said about safe havens, and I sympathised with his view to some extent. I have my doubts about whether the idea will work, but it should be on the table as a possibility.

I believe that we shall halt Serbian aggression only by massive military action. That might not be what we want, but we should be under no illusion: only by massive military intervention on the ground, involving American troops and those from other countries, shall we have any chance of halting Serbian aggression. I do not think that the international community will agree, for some valid reasons, but if the international community does not take that step and is not prepared to commit itself to halting Serbian aggression, it should not deny the legitimate, multiracial Government of Bosnia the right to defend themselves.

9.30 pm

Dr. David Clark (South Shields): We have had a thoughtful debate. Twenty-two right hon. and hon. Members have participated and expressed views as diverse as those held by our own electors. Divisions have occurred, not always across the Chamber but sometimes within our parties. There have been some strange alliances and there are some strange views, but they are held with conviction.

We have heard views as diverse as those expressed by the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) and the hon. Member for Gosport (Mr. Viggers), who I think argued that there should be no military intervention in Bosnia. I contrast those with the views of my hon. Friends the Members for Sunderland, South (Mr. Mullin), for Brent, East (Mr. Livingstone) and for Bradford, West (Mr. Madden), who said that, no matter how long it takes and no matter how many troops are needed, there is a moral imperative for us to go into Bosnia.

We heard the cool logic of my right hon. Friend the Member for Copeland (Dr. Cunningham), who outlined our case, in contrast to the passion of my hon. Friends the Member for Warley, East (Mr. Faulds) and for Birmingham, Ladywood (Ms Short), who set out their views with emotion and clarity. My hon. Friends the Members for Warley, West (Mr. Spellar), for Birmingham, Small Heath (Mr. Godsiff) and for Leicester, South (Mr. Marshall) all suggested a cautious and reasoned approach, and all came to slightly different conclusions. My hon. Friend the Member for Liverpool, West Derby (Mr. Wareing) gave us an insight based on an authentic account of his experiences in the former republic of Yugoslavia and in Bosnia and Croatia.

The words of hon. Members of all parties have added to the richness of the debate. I am sure that the Government have taken note of those words and experiences. Certainly I found them very valuable.

The Foreign Secretary began the debate in a reasoned and rational manner, perhaps weakening only as he reached his peroration, when he seemed to lose his nerve. He showed a certain lack of urgency which highlights, or perhaps epitomises, the Government's attitude. We felt that he showed a certain lack of resolve at that stage as if he was retreating under smoke. He mentioned Macedonia and Kosovo. He recognises the problem down the line, but he did not mention once the best tack which he could take to stabilise the situation and which is in his power, and that is to recognise Macedonia. It is already a member of the United Nations and has a democratically elected Government.

The Minister of State, Foreign and Commonwealth Office (Mr. Douglas Hogg): By voting for the admission of Macedonia into the United Nations, we have recognised Macedonia.

Dr. Clark: I am delighted to hear that. It is an excellent point. I hope that before long we shall have accredited representatives there and that we shall do whatever we can to facilitate the financial situation. That issue has not been dealt with. At present, the citizens of that country can trade only in international currencies such as the deutschmark and the American dollar. The Government may have recognised Macedonia formally; they need to move speedily to the next step of putting into effect the apparatus of recognition. Only when that apparatus is in place can we begin to show that we support the boundaries of Macedonia and that we mean what we say. We can also support the 700 United Nations troops who are showing the determination of the United Nations towards the integrity of the state.

Although we have heard many fine words in the House today, perhaps there were more words of wisdom outside which, in a sense, sparked off this debate and shadowed it. I refer to the words of our only serving field marshal, Sir Richard Vincent. He is the chairman of NATO's military command and a former Chief of Defence Staff in the United Kingdom. In a sense, he gave us, as politicians, a timely reminder only a few days ago when he said:

"The first principle of war is . . . decide what you're trying to achieve before you go out there."

It was a timely reminder and showed a perceptive view. We have always supported the view of the primacy of political objectives in warfare. When the House first debated the deployment of British troops to Bosnia, I said:

"there must be a political resolution of the problem in Bosnia . . . The use of the military is merely a means to an end—we should never forget that objective."—[*Official Report*, 25 September 1992; Vol. 212, c. 180.]

It is important to remember that the use of the military is a means to an end.

It is right and proper to ask: what are we trying to achieve? What is the ultimate objective of our policy? I suggest that we are trying to reach the point at which the people currently living in Bosnia can live a life of some normality without the threat of rape, pillage and murder in the foreseeable future. That is what we are trying to achieve.

If we can use the military to force the warring factions to sign a peace agreement and then perhaps send in United Nations troops to ensure that that agreement is policed, that would be the first step along the path. It is useful to remind ourselves of what we are trying to achieve. As we move towards that objective, we must use other limited transitional objectives as building blocks to move closer to our ultimate objective. At present, the only United Nations objective that is backed by the use of force is the delivery of humanitarian aid.

For colleagues to argue that the flow of aid is diminishing does not serve us well. I have seen the figures for the past week—1,260 tonnes of aid were delivered by our convoys. That does not show any marked diminution of delivery.

Mr. Ashdown: I am listening carefully to the hon. Gentleman's argument. Does he realise that, because of the Croatian fighting, all of the aid is coming through not Croatia but Serbia? The hon. Gentleman referred earlier to cool logic. Will he explain the cool logic of bombing the only supply lines that are providing that humanitarian aid to Bosnia?

Dr. Clark: Perhaps I could come to that point. When there was an intervention on the right hon. Gentleman, he insisted on dealing with the point when he came to it. I will deal with the point, because it is important.

We are fortunate that we have not had to use much force. The mere presence of our armed forces, their determination and skill and the negotiating skill of the local commanders has meant that force has, by and large, not been necessary. We are now approaching the time when we must pay more attention perhaps to extending the

We may need to use military action to develop the humanitarian aid. Obviously, the military means of

[Dr. Clark]

achieving the objective are varied and many. My right hon. and learned Friend the Member for Monklands, East (Mr. Smith) has set out the views of the Labour party relating to air strikes, and my right hon. Friend the Member for Copeland repeated them earlier. They both made it clear that the action would be designed to

"bring the slaughter to an early end."

We have said repeatedly that the Labour party recognises that that entails risks for the safety of British personnel in the area.

The Government have shown that they do not have a closed mind about military action. If the Government pursue that line, they must take the necessary precautions. They must either deploy additional personnel to protect the soldiers delivering humanitarian aid or they must withdraw those soldiers. Clearly, it would be highly irresponsible to carry out air strikes without taking those precautions.

We recognise that it is not possible with one or a few strikes to do anything other than hamper the supply lines. But the aim is to show our intent and determination to the Serbs that they must sign the peace agreement. I remind the House that we are nearly there. There are three parts to the peace agreement. The Serbs have signed two. Only the map part remains to be determined. As I understood him, the Foreign Secretary made it clear this afternoon that the precise boundaries on the map were negotiable. He said that there was still room for manoeuvre on the boundaries. Only last weekend, Lord Owen offered a major development when he suggested in advance of the implementation of the plan a corridor protected by the United Nations linking the two Serb areas.

I should like to take it a stage further. My right hon. and learned Friend the Member for Monklands, East has also said that we have an inescapable moral duty to do everything within our power to end the slaughter of innocent people which we witness on a daily basis. That is why I wish to mention another type of military action which could be used to safeguard non-combatants—the establishment of safe areas. The United Nations High Commissioner for Refugees has proposed such a move. I suggest that the Government should not shut off that option from the range that they may be considering.

The Minister of State for the Armed Forces told me earlier this week that it was

"impossible in the absense of an effective peace agreement to envisage the establishment of genuine safe areas"—[*Official Report*, 27 April 1993; Vol. 223, c. *393*.]

I should be interested to know whether he was referring to the overall settlement or simply to local arrangements. If the latter is the case, I heartily agree with him. It would be difficult to establish safe havens without some form of local establishment. However, if he believes that safe havens cannot be established until after a general political settlement for the whole of Bosnia, he is being far too cautious. We have never ruled out that option.

I hope that the Secretary of State will urgently reconsider his view because the establishment of safe havens may turn out to be one of the few methods available to the United Nations to ensure the protection of non-combatants. I repeat that we believe that there may be an opportunity to establish agreed safe havens possibly for the different ethnic groups. There is an opportunity for lateral thinking there. There is an opportunity to explore some different approaches.

Clearly, the United Nations has not been best organised for military action. Yet virtually all hon. Members accept that if any military action is taken, it must be under the auspices of the United Nations.

On 8 March, the Secretary of State for Defence said that the Government would consider favourably any request from the UN to provide further military personnel. Have the Government done so?

In the longer term, a lasting and peaceful settlement of the dispute is required and the UN now needs to reconsider how to achieve that given the recent Serbian rejection of the Vance-Owen proposals. Some hon. Members believe that those proposals are dead—as dead as a dodo, as one hon. Member said. Others believe that they are still on the table for negotiation. We share the latter belief.

The international community may feel that it is right to impose the Vance-Owen proposals on Bosnia, or it may decide to try to develop some other type of plan. Has the Secretary of State any views about the earlier discussions held prior to and at the Lisbon conference in May 1992, when a map drawn up by our compatriot, Mr. Darwin, was agreed and signed by two sides of the conflict? That agreement was given a fair blessing by the Bosnian Government, only to be withdrawn later. I am merely asking a question about that agreement, but I believe that we should keep all our options open at this stage.

The Labour party firmly believes that the authority to sanction the use of force in Bosnia is the UN. The Labour party is committed, under clause 7 of its rule book, to work for the strengthening of the UN. The Opposition have argued consistently that the UN should be involved not only in the Bosnian conflict, but in many others.

We should remember that, according to the UN charter, one of the reasons, ironically, that it was founded was

"to save succeeding generations from the scourge of war".

We have seen on our television screens the ghastly effects of war in Bosnia and now is the time, in the words of that charter,

"to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women".

9.47 pm

The Secretary of State for Defence (Mr. Malcolm Rifkind): Today we have experienced the House at its most stimulating, with a series of powerful and convincing speeches from both sides of the House, expressing both sides of the argument. It was one of those rare occasions when, as each hon. Member rose, the House waited to find what he or she had to say, having no knowledge in advance, in most cases, of what that might be.

Speeches were delivered with great conviction. I listened to my hon. Friend the Member for Staffordshire, South (Mr. Cormack) put forward strongly his long-held views. I then heard my hon. Friend the Member for Bexleyheath (Mr. Townsend) put a contrary case with equal passion and conviction. There were many examples of that phenomenon.

Much of the debate has centred on the role of the United Nations. Some hon. Members have expressed understandable disappointment that it has not, so far,

been able to realise the aspirations that we would have wished to see realised. The right hon. Member for Yeovil (Mr. Ashdown) was perhaps unwise to describe the United Nations as having been humiliated and having failed in its objectives. It is not unreasonable to point out that in a significant respect the United Nations has already achieved more in Bosnia than it has achieved in any comparable crisis since its creation.

If one looks at the ghastly wars that have taken place in recent years, it is only on this occasion that the United Nations, with the tremendous contribution of British forces, along with other forces, has been able to save hundreds of thousands of lives.

One remembers that the United Nations was unable to make any useful contribution during the genocide in Cambodia under Pol Pot. Hon. Members have referred to the continuing agony and anger felt about that civil war, which has gone on for a decade, during which hundreds of thousands of people have been murdered. A tremendous number of atrocities have been committed in Cambodia, but the United Nations has been unable to make a significant contribution to saving lives.

Therefore, although it is understandable that we should be disappointed that the war has not been brought to an end, the United Nations deserves a tribute, which it is right and proper to give. It has not failed in Bosnia; it has already saved the lives of tens of thousands, possibly

I also listened to the argument that we have a special responsibility in the former Yugoslavia that does not apply in other parts of the world. I can understand that, at a political level, we in the United Kingdom clearly have a security interest in stability in Europe. However, I hope that hon. Members will not advance that argument on moral grounds when they demand at the same time that any action must be taken in the name of the United Nations. The UN can make no moral distinction between intervening in Bosnia and intervening in Angola or Cambodia—its responsibility is to the global community. Those hon. Members who called for UN intervention, but sought to imply that it must be made in Bosnia even if not elsewhere, displayed an inappropriate inconsistency.

We are all seeking to address the moral and ethical issues. I do not believe that either side of the argument has a monopoly on ethical wisdom, but sometimes the arguments are advanced as if that were so. I listened carefully to the remarks of the hon. Member for Birmingham, Ladywood (Ms Short), who called for the ending of the arms embargo. At first glance, her argument that people had a right to defend themselves and that the Bosnian Muslims had a right to self-defence seemed acceptable and reasonable. Who could possibly take exception to that view?

However, the hon. Lady knows as well as other hon. Members that, when one lifts an embargo and the international community starts supplying arms to a war of particular viciousness, one has no control. The donors of those weapons have no control over how they are used. When we are already aware that vicious atrocities have been committed by all parties in the war, it is not sufficient to say that, because most of the atrocities may have been committed by the Serbians, it is ethically acceptable to provide arms to other parties in the conflict, which may also use them for similar purposes.

Let us imagine that we, or the international community, supplied arms to the Bosnian Muslims or the Bosnian Croats for self-defence and that, one month later, a conflict such as we saw a week or so ago broke out among Croats and Muslims, with British troops in the middle of the conflict trying to sort out the mess, and British soldiers ended up being killed by those who had been provided with weapons by the international community—ostensibly for their own self-defence, not for aggressive purposes. The ethical argument cannot be made in favour of lifting the embargo when that could be the outcome which we would have on our consciences and with which we would have to live.

Ms Short: I want to make it clear that in my speech I said that I preferred the option of the United Nations taking action to halt Serbian aggression and the strategy of safe havens, but that if we did not adopt that policy, it seemed wrong to continue the arms embargo and not allow the Bosnian people to defend themselves.

Mr. Rifkind: I understand that argument, but the hon. Lady cannot avoid the consequences of the actions that she advocates. If those actions were to lead to the arms being used, not just in self-defence, but for the commission of atrocities, all of us—including the hon. Lady—would feel ashamed of the action that we had initiated.

Mr. Frank Field: Does not the Secretary of State feel slightly uncomfortable about the fact that, having been on the winning side in four elections fought on the need for a balance of terror on both sides, and on the success of that policy, he now thinks that the same strategy would not work in Bosnia?

Mr. Rifkind: The hon. Gentleman's argument is uncharacteristically illogical. It is one thing in a state of peace to ensure that a deterrent is maintained between two potential aggressors by ensuring that those who wish to defend themselves from aggression are properly armed; it is quite a different matter to start supplying arms to one side in a vicious war and believe that one is contributing to peace.

As for whether this is a civil war, let us not get into an argument about semantics. Of course it is not purely a civil war; of course there are characteristics about the war that make it similar to many civil wars. The crucial point to be borne in mind is that because the vast majority of those taking part in the actual fighting are Bosnian Serbs, Bosnian Muslims and Bosnian Croats—until a year ago, they were living in the same villages, streets and communities—we cannot treat this in exactly the same way as an invasion of one country by another.

That is why the parallels sometimes drawn with the Gulf or the Falklands, with respect to military intervention, are utterly wrong. In those cases there was a military solution if the political will existed. In both cases, the political will did exist, and the invader was eventually expelled from the country it had invaded. But no Bosnian Serb, Muslim or Croat can be expelled from Bosnia by a United Nations army or by other forces.

Mr. Cormack: Of course, many of the Muslims have indeed been expelled from their own country by the Serbs. Would my right hon. and learned Friend acknowledge —this has already been acknowledged often—that this war was started by Belgrade and is still being supplied by Belgrade? Almost daily, tanks are going from Serbia into Bosnia.

Mr. Rifkind: Yes, of course. My hon. Friend is right to say that a huge amount of unwarranted intervention by the former Republic of Yugoslavia, in the form of Serbia and Montenegro, is going on. That is why the Government support the blockade of Serbia—to force it to change its ways.

Mr. Wareing: Will the Secretary of State give way?

Mr. Rifkind: I am afraid that I do not have much longer to speak.

We always listen with great care to my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath). He called on the Government instantly to rule out all possible use of force, either now or in the future. In that respect he was unwise. I believe that we should pay considerable attention to the counsel of my right hon. Friend the Member for Bridgwater (Mr. King). It is important for several reasons to act in the way that he suggested.

First, it is important to think about the consequences of what we say and how it will be heard in Belgrade. It is important to ensure that the Serbians cannot take for granted certain forms of policy, including inaction on the part of the international community. It is also not simply the policy of the United Kingdom or of any one country that matters. If we are to influence the Serbian Government's behaviour, it is crucial that they see that the international community continues to speak with a single voice so as to put the maximum pressure on that Government and to force a change of policy.

If, at this delicate moment in the development of policy, any one Government—especially the United States, France and the United Kingdom—made unilateral statements of the sort that my right hon. Friend the Member for Old Bexley and Sidcup suggested, that would do a disservice to the cause of maintaining the maximum international pressure on the Serbian Government to achieve the policies that are vital if the fighting is to be brought to an end.

Of course I pay tribute to the sincerity with which the right hon. Member for Yeovil advances his proposals for safe havens and enclaves. No one can object in principle to the development of safe enclaves, if they are a practical proposition, but we should pay close attention to a remark by the right hon. Member for Bethnal Green and Stepney (Mr. Shore). He told the right hon. Member for Yeovil that the 150 troops in Srebrenica are there only by the consent of the Serbian forces, who allow them to enter the city.

Essentially, the right hon. Member for Yeovil must realise that a policy of safe havens can operate only when a ceasefire has been agreed or if those who urge it are prepared to use force to impose it.

Mr. Ashdown: I am grateful to the Secretary of State for giving way. He has been very generous. How does he account for the fact that a safe haven has been declared, not negotiated, by the United Nations in Zepa and Gorazde? May we take it from the Secretary of State's answer that as the UN has declared safe havens, the Government do not agree and are not prepared to support that declaration? I remind the Secretary of State that they were declared, not negotiated.

Mr. Rifkind: The UN has, of course, declared its desire to see those areas treated as safe havens to ensure the physical safety of those living there. We are having a practical discussion as to whether the use of force and

The right hon. Gentleman cannot escape from the fact that unless there is a ceasefire or the consent of the Serbian forces, unless he wishes to call for the use of force to impose a safe haven and if he wishes to call for the use of ground forces for that purpose—*[Interruption.]* The right hon. Gentleman has talked about air power. He must address himself to the fact that earlier he argued that ground forces should be used to achieve safe havens. He must appreciate the fact that without a vast increase in the number of forces on the ground, and without a commitment of the kind that would last many years and risk massive casualties, he is setting out a proposal that is impractical and unrealistic.

The Government will continue to use all the powers at our disposal to ensure a blockade of the Serbian Government and to ensure that other options are considered with the seriousness that they deserve. However, we owe it to the people of Bosnia not to bring forward proposals which are based on emotion and which are not justified by honest judgment of the practical way in which they would help the process of peace in Bosnia at the present time.

We do no service to the cause of peace by responding to arguments that are essentially based on a failure to realise the consequences that they would bring about.

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

STATUTORY INSTRUMENTS &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.).

INTERNATIONAL IMMUNITIES AND PRIVILEGES

Resolved,

That the draft Treaty on Open Skies (Privileges and Immunities) Order 1993, which was laid before this House on 24th February, be approved.—*[Mr. Robert G. Hughes.]*

NORTHERN IRELAND

Resolved,

That the draft Access to Health Records (Northern Ireland) Order 1993, which was laid before this House on 8th March, be approved.—*[Mr. Robert G. Hughes.]*

Question agreed to.

Northern Ireland Legislation (Timing)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Robert G. Hughes.]*

10 pm

Mr. David Trimble (Upper Bann): I am particularly glad to have this opportunity to return to the question of the Order in Council method of legislating for Northern Ireland. I suppose that I should describe that procedure briefly, but time is short. I refer those who may read the report of this debate—if anyone does—to the description of that procedure in the report of the Hansard Society commission on the legislative process.

Normally when we criticise the Order in Council procedure, we do so on the grounds that it is undemocratic and that it deprives this House generally, and Members who represent Northern Ireland in particular, of the opportunity of debating and proposing amendments to Northern ireland legislation. We have pressed that argument several times in the House over the years.

I want to open a different argument tonight. I want to argue that the Order in Council procedure, as well as being objectionable in democratic terms, is also inefficient. I should be able to produce evidence to show that it is inefficient and produces delay and confusion in the legislative process with regard to Northern Ireland.

When we consider legislation generally in Great Britain, we find that there is a procedure: at the beginning of the Session there is the Queen's Speech in which an announcement is made about the legislation to be introduced during that Session so that people know in advance what is going to happen. Generally, the Session sees that legislation through. Occasionally new things come forward and sometimes things are not passed in a Session. Nevertheless, there is a pattern.

There is no equivalent with regard to Northern Ireland. It is true—I acknowledge this and it has been very useful to me on this occasion—that the Secretary of State for Northern Ireland sends letters twice a year to the political parties of the Members for Northern Ireland in which he outlines the Orders in Council which may come forward in the forthcoming weeks and months. That is very useful to us, but the information does not go beyond us.

The "Weekly Information Bulletin" of the House of Commons provides a schedule of Northern Ireland legislation. That is very useful, but I am afraid that the schedule is sometimes misleading because it does not indicate the disposal of the legislation at the end of the day. It does not say whether something has been withdrawn or is continuing. When the Minister replies, will he undertake to inform the editor of the "Weekly Information Bulletin" whenever a completed order is about to issue? That would make the list much more useful to hon. Members and to other people in Northern Ireland.

I shall concentrate on the problem of delay, and deal first with negative resolution orders. There should not be problems with such orders because, as hon. Members know, they are not debated in the House. An Act for Great Britain authorises the making of an order by resolution and it should be a simple matter for the draftsman in Northern Ireland to modify the Great Britain Bill, if necessary, for any differences in the legislative history of Northern Ireland and to introduce it as the Bill goes for Royal Assent. The greatest difficulty about a negative resolution order ought to be catching an appropriate Privy Council meeting to make it.

Of the 20 Orders in Council in 1992, eight were made by negative resolution. It should have been possible to bring those eight orders into operation at the same time as the Acts that they followed, but it seems that three of those orders are not yet in operation. They are the orders dealing with competition and services, offshore safety and the prescription of medical products, and they all relate to Acts made in the same year which are themselves not yet in force.

The Northern Ireland Office managed to get it right with one of the other five orders—the Still Birth (Definition) (Northern Ireland) Order 1992 which came into operation on 1 October, the same day as the Still Birth (Definition) Act 1992. Of the other four orders, the Radioactive Material (Road Transport) Order 1992 came into operation on 12 April 1992 while the relevant Act, the Radioactive Material (Road Transport) Act 1991, came into force on 28 August 1991. The Home Loss Payments (Northern Ireland) Order 1992 came into operation on 5 August 1992 and the corresponding sections of the Planning and Compensation Act 1991—that is, sections 68 and 69—came into force on 25 September 1991. The Social Security (Mortgage Interest Payments) (Northern Ireland) Order came into operation on 11 June 1992 while the corresponding Act came into force on 16 March 1992. The Firearms (Amendment) (Northern Ireland) Order came into operation on 16 September and the corresponding Act on 16 March.

Respectively, those four orders had delays of nine, 11, three and six months, but it should have been simple to get them spot on. It may be said that it does not make much difference. Is it important that an order to vary the duration of a firearms certificate is available in Northern Ireland six months after the legislation applies in England? In some cases it does make a difference. If enabling mortgage interest to be paid directly to lenders was good, why should it be avaialble in Northern Ireland three months after it was available everywhere else? For 11 months people in Northern Ireland whose homes may have been compulsorily acquired could have received lower compensation by not benefiting during that period from the tenfold increase in the maximum home loss payments. Is that right? That deals with negative resolution orders.

Affirmative orders are subject to substantial delays, the worst of which occurred with the Children (Northern Ireland) Order. In the list that we received from the Secretary of State it was said that the purpose of that order was,

"to revise, harmonise and bring together the private and public law affecting children in a civil code along the lines of the Children Act 1989."

That order has been on the Secretary of State's list since April 1991. At that time, it was described under the heading of proposals intended to be published before the end of the 1990-91 Session. In the letter of November 1991 it was under the heading of proposals intended to be published before the Easter recess and it was under the same heading in January 1992 and January 1993, although they were three different Easter recesses.

It is now four years since the passing of the equivalent English Act and 12 years since the Black report which reviewed the whole area. My hon. Friend the Member for

[Mr. David Trimble]

Belfast, South (Rev. Martin Smyth) told me that when he first came to the House he pressed for a children Bill to be introduced. We have constantly pressed the matter but there has been a great delay. We are four years behind the Great Britain legislation. The Minister may say in defence that the Government have had difficulties fine-tuning the legislation for Northern Ireland and that they are still consulting various people. If they are, they are consulting secretly, because there has been no consultation with political parties and no local political input or discussion. Against that background, one must ask whether there is any effective ministerial push.

Another bad case relates to environmental protection. There was legislation for Great Britain in 1990 and a useful Select Committee report pressed for something to be done. There was reference in November 1991 to an integrated pollution control and control of air pollution measure, but that disappeared from the lists. In recent lists there has been reference to litter, with an instrument

"to replicate for Northern Ireland the provisions of the Environmental Protection Act 1990 which relate to litter."

It has been cut down from the full scope of the 1990 Act to that small bit, but three years later we still do not have it.

Another example with an environmental element concerns agriculture. In the April 1991 list there was reference to the Agriculture (Miscellaneous Provisions) Order and we were told that that was

"to extend and rationalise existing legislation, for example, to ensure a reasonable balance of interests between the agriculture industry and the maintenance of rural areas in general."

There was a sort of conservation element there. It was listed for publication before the end of the 1990-91 session, but it disappeared from view. In 1993, the lists again refer to that order, but it is now described as being

"to replicate for Northern Ireland the provisions of section 17 of the Agriculture Act 1986 by requiring the Minister to take into account certain matters such as conservation; to allow grants for the purpose of encouraging rural development".

The purpose seems to have changed by going back to an Act of 1986, for which we do not have an equivalent in Northern Ireland. Again, there was a delay of seven years.

In some cases there is confusion as well as delay, certainly in regard to road traffic. The Road Traffic (Amendment) Order was mentioned in lists published between November 1990 and January 1991. That was replaced by the Road Traffic (Offenders) Order in the 1991 list, and that stayed until January 1992. Then we had what was described as a "Roads Proposal" published in October 1992 in relation to a roads measure, apparently for a different purpose from the other two provisions. That introduced into Northern Ireland provisions enacted for Great Britain relating to roads and street works. In other words, as I say, there is confusion as well as delay.

It is even worse when we consider criminal justice. There was reference to a Criminal Justice (Fines and Penalties) Order in the lists from November 1991 right through to January 1992. That referred to

"replicating some of the provisions in the English Criminal Justice Act 1988."

But that has not come forward. In the January 1993 list we had another instrument, the Criminal Justice (Children's Evidence, etc.) Order which was,

"to replicate for Northern Ireland the provisions of the Criminal Justice Act 1991."

On the April 1993 list those two disappeared and we had instead a single Criminal Justice Order which seemed to include the purposes of the other two. But that has not yet been published. Instead, we have had a big consultation paper published entitled "Crime in the Community", covering the purpose of one of those measures, and we are left to wonder what will happen, for it will be months before the consultation is completed.

I am glad that the Minister of State is to reply to the debate because when I think of criminal justice provisions I am reminded of the old Army adage about order, counter-order and disorder. It seems that in the criminal justice sphere we are now in the disorder situation. There is delay because we are referring to Great Britain Acts of 1991 not being introduced in Northern Ireland, and there is confusion throughout the system. Clearly, the system is not operating efficiently.

I could give other examples, but I shall not go on because I am anxious to give the Minister ample time in which to respond. The few examples that I have given show that there are delays and that in some important areas there are serious delays. There is also confusion and failure to give the public adequate information about the operation of the legislative process as it affects Northern Ireland.

I appreciate that the Minister may not be able to respond to all the detailed examples that I have given, but I particularly ask him to explain the cause of the present state of affairs. The Order in Council procedure is truncated. In relation to negative resolution orders, it should be easy to produce them on time. The procedure with affirmative resolution orders may take somewhat longer. But why does it take so long?

It seems to take longer to produce legislation for Northern Ireland by the truncated Order in Council procedure than it takes to produce legislation for England by proper Bills. Why that delay? Does it arise in the Northern Ireland Departments from which instructions are issued to the legislative draftsman's office? Does the delay occur in the draftsman's office, in the drafting and sorting out procedure? Does it arise in the Minister's office because policy decisions are involved from time to time?

Some of my hon. Friends suggest that the recent inter-party talks absorb so much interest and time of Northern Ireland Office Ministers that that might be the cause of the delay. I doubt whether that is the cause, because although I have given examples from 1992 I could give many others relating to other periods.

I asked a former colleague the other day whether he knew the cause. Without revealing the office in which the conversation took place, he told me that he was in a Government office not so long ago and mentioned the matter and asked whether there was a problem. The people to whom he addressed the question laughed but would not reveal anything further. I am glad to know that some civil servants observe the Official Secrets Act in that respect, if no other.

Whatever the cause might be, responsibility must lie with the Ministers in the Northern Ireland Office, because they have presided over that inefficient system. I shall not repeat to the Minister the comments that I made the other Monday night, which seemed to have some effect. There is a case to answer and a need for solutions, not just in terms of sorting out the Order in Council procedure, but in terms of the legislative process generally.

I referred earlier to the report of the Hansard Society commission on the legislative process. Paragraph 363 refers briefly to the evidence that it received from Members of Parliament from Northern Ireland and other regions of the United Kingdom. It said:

"We hope that their special problems will be considered sympathetically—especially the case for returning to legislating for Northern Ireland by Acts rather than by Orders".

The case for so doing is irrefutable.

To show how easily it can be done, let us examine the home loss payments order made in 1992, which followed two sections of the Planning and Compensation Act 1991. The Minister will see that the Act covers two different jurisdictions—England and Wales, and Scotland. For Scotland, it has to deal with a different legislative history and a different legislative background and to introduce different sections. Parts of the Act deal with England and parts deal with Scotland. It would have been easy to include within the Act further sections dealing with Northern Ireland; there would then not have been a nine-month delay in introducing the increase in home loss payments for people in Northern Ireland. That is an obvious course to follow.

It would also help to solve the problem if there were proper scrutiny of the Northern Ireland Office. The fact that it is the only Department of State not subject to scrutiny must inevitably encourage people, or make it easier for them, to take it easy. I suspect that that is what happens with the Northern Ireland legislative process.

10.12 pm

The Minister of State, Northern Ireland Office (Mr. Michael Mates): The hon. Member for Upper Bann (Mr. Trimble) has long made clear his own dissatisfaction, and that of his party, with the present arrangements for legislating for Northern Ireland. His choice of subject for this debate therefore comes as no surprise, but I welcome the opportunity to explain how we see the situation and why, contrary to some of his assertions, it is wrong to blame the present method of legislating for Northern Ireland for any lengthy delays in introducing, where appropriate, legislation for Northern Ireland on similar lines to that already enacted for the rest of the United Kingdom.

My right hon. and learned Friend the Secretary of State has said before now that the present system for legislation is not entirely satisfactory. To that extent, we would not quarrel with the hon. Gentleman. That system arises from the present constitutional arrangements for dealing with Northern Ireland's affairs. Those arrangements will continue unless and until it proves possible to reach agreement on new political institutions for Northern Ireland.

However, if and when new institutions can be agreed upon—it is to that end that my right hon. and learned Friend is seeking to promote a new round of political talks—then those institutions will doubtless assume responsibility for many issues involving the need for legislation. They, rather than Westminster Ministers, will undoubtedly take control of a range of matters and be able to set their own legislative programme in those areas. That should lessen the need for so much of Northern Ireland's legislation to be dealt with in this Parliament, and remove the grounds for many or most of the complaints that he has voiced.

However, in the absence of new political institutions, we will need to continue with present legislative arrangements. These take account of, indeed arise from, the fact that, until the introduction of direct rule, Northern Ireland had a Legislature and Executive of its own and therefore had its own body of legislation. It has been the policy of successive Governments to seek to return legislative and executive powers to locally elected representatives as part of an overall political settlement if a suitable basis for this can be found.

To that end, we have been anxious to preserve a separate body of powers for ready transfer to any new political institutions. The present arrangements, whereby legislation for Northern Ireland, other than in the so-called excepted field, is generally made by Order in Council under the Northern Ireland Act 1974, has seemed the best way of preserving such a body of powers.

The use of the Order in Council procedure has, of course, its limitations. As hon. Members of the hon. Gentleman's party do not hesitate, rightly, to point out at frequent intervals, such orders are unamendable once laid in draft before Parliament. It is for this reason that the practice of publishing proposals for draft orders in Council has been adopted. Such proposals are circulated to Northern Ireland Members and to the Northern Ireland spokesmen of the major political parties in Great Britain and to other interested bodies in Northern Ireland.

The hon. Gentleman's point about the information on Northern Ireland legislation provided in the House of Commons weekly bulletin is a matter for the House. If it is felt that the extra information that the hon. Gentleman has mentioned should be included, the Northern Ireland Office would be happy to provide any assistance that it can. However, it is not a matter for us.

The process of consultation and the frequent need to adapt to local circumstances provisions originally prepared for Great Britain inevitably mean that Northern Ireland legislation is made some time after that in Great Britain. But I am sure that it is necessary in the interests both of getting legislation technically right and of giving Northern Ireland Members and other representatives of opinion in Northern Ireland the opportunity to coment on legislative proposals before they are set in the concrete of a draft Order in Council.

Of course some legislation for Northern Ireland intended to follow Great Britain policy closely has been introduced up to several years after the Great Britain legislation, and the hon. Member for Upper Bann has given us some examples. The reasons are various and include the need to give priority to some legislation over other and the inevitable limitations caused by finite resources among others.

I should, however, remind the House that social security and financial provisions, for example, and other legislation which could have a direct financial effect on citizens in Northern Ireland is virtually always implemented at the same time as the relevant Great Britain legislation. Indeed, the negative resolution procedure for making Northern Ireland Orders in Council provides a ready means for achieving speedy implementation of such so-called parity legislation or when it is otherwise appropriate.

On the other hand, delays may occur because some powers may simply not be required in Northern Ireland as

[Mr. Michael Mates]

early as equivalent powers are needed in Great Britain. The recent financial provisions order to which the hon. Gentleman alluded is a case in point.

On occasion, too, there may also be advantage to be gained by having the opportunity to see how Great Britain legislation works out in practice before proceeding to introduce equivalent law for Northern Ireland. Furthermore, the different social mores of people in Northern Ireland from those in Great Britain have in the past been grounds for either delaying or indeed not implementing Northern Ireland legislation equivalent to Great Britain legislation.

So when talking about the timing of Northern Ireland legislation and delays in producing it, the House will recognise that there are normally perfectly good reasons for such so-called delays, including the need to take proper account of the different legislative and administrative history of Northern Ireland. It is therefore not unreasonable for the preparation even of legislation which does follow Great Britain legislation in its broad principles to take a little time.

That is not to say that there have not been and, in the nature of things, will not be occasions when it takes longer than is strictly necessary for legislation to be made. We are continually looking at ways of minimising the time it takes to produce necessary legislation without of course resorting to cutting corners when it comes to appropriate consultation.

Despite the complaint of delays which we have heard from the hon. Member for Upper Bann, my right hon. and learned Friend the Secretary of State and his predecessor have managed to maintain a steady programme of legislation for Northern Ireland, running at an average of about 20 Orders in Council a year. As those orders are the equivalent of Parliamentary Bills, that is a pretty good record.

We are not complacent about legislation for Northern Ireland. We recognise that the present legislative system is not perfect. To make the point again for the best emphasis that I can manage, we want that unsatisfactory situation to end as soon as possible. But it is up to the hon. Gentleman's colleagues and friends and members of the political institutions of Northern Ireland to get together and agree upon a different and better way forward.

When they can so agree collectively upon a way forward for the better government of Northern Ireland, but at any rate governed by people with a direct representational interest there and much more local knowledge than we can ever have however hard we might work at it, the convenient way to return that power to whatever assembly, body—call it what one will—that is set up for Northern Ireland would be with a body of coherent and non-contradictory legislation. That is why we use the process whereby we build upon the corpus of legislation that existed before we had, perforce, to take it away through direct rule.

That is our wish and that is why, while acknowledging that the local elections have yet to be concluded, my right hon. and learned Friend the Secretary of State for Northern Ireland will be working as hard as he can in the coming months to get people of good will together to decide how we can put an end to the anomaly. We are not satisfied with the system, but, for the reasons I have given, it is desirable and necessary to continue in this less than perfect way. If one were to follow the hon. Gentleman's suggestion and try to legislate here under the British system, we would be creating anomalies, differences and variations which would then have to be put right.

Northern Ireland must have a coherent and consecutive corpus of law so that, if and when the day comes, which the hon. Gentleman says that he wishes for, when he will take some part in his own assembly in his own part of the United Kingdom—*[Interruption.]* He would, hopefully, want an assembly in his part of the United Kingdom with directly elected representatives, and he will want that to work. One reason why we keep this less than perfect system with the affirmative and negative resolutions is that no Government of any party have acknowledged or want to acknowledge that that day cannot come. Until it comes, we are compelled to retain the present system.

Mr. Trimble: The argument that the Minister has elaborated during the past few minutes is a bad one., There is no separate Northern Ireland statute book. Over the years, Northern Ireland has been legislated for by five different Parliaments. Before the Northern Ireland Parliament was created in 1920, this House enacted a separate corpus of legislation for Northern Ireland. There is no need to keep the Order in Council procedure to achieve that. Enacting legislation in the proper way will not change the corpus of Northern Ireland legislation in the way that the Minister says.

Mr. Mates: The hon. Gentleman is right in saying that there is no separate statute book, but, since the days of the Act that he mentioned, there is a consecutive logical body of law which is not contradictory and which does not have the thousands of anomalies that would arise if we transferred the British legislation straight across. The same applies to Scotland. There is a different body of law there. It is maintained sometimes by Bill and sometimes by order, and sometimes, for perfectly good reasons, Scotland does not follow England and Wales. Those are decisions that we have to take.

As I have explained, it is desirable and necessary to legislate separately for Northern Ireland on those matters which it is hoped to return to the control of new political institutions in due course, not least because this facilitates the preservation of a separate body of powers for any such new institutions.

Question put and agreed to.

Adjourned accordingly at twenty-eight minutes past Ten o'clock.

House of Commons

Friday 30 April 1993

PRAYERS

[MADAM SPEAKER *in the Chair*]

Orders of the Day

Sexual Offences Bill

Not amended (in the Standing Committee), considered.

Clause 1

ABOLITION OF PRESUMPTION OF SEXUAL INCAPACITY

9.34 am

Mr. Harry Cohen (Leyton): I beg to move amendment No. 1, in page 1, line 6, leave out "(whether natural or unnatural)".

I congratulate the hon. Member for Harlow (Mr. Hayes) on successfully steering the Bill through Second Reading and Committee. Indeed, it jumped the queue for private Members' Bills and, after today's debate, it may be considered in the other place. The Bill has not been considered as closely as it should have been; it has slipped through and there is scope for closer scrutiny of it.

The Bill's intention is correct. In law, children under 10 are incapable of committing a crime and, under common law, youngsters under 14 are incapable of sexual intercourse. In reality, that clearly is not true. Girls under 14 give birth and we heard recently about an assault by a 13-year-old on a teacher; more frequently we hear about children sexually assaulting other children. The Bill rightly recognises that such offences can occur and that the common law should apply to them.

The short title of the Bill is significant. It proposes to

"Abolish the presumption of criminal law that a boy under the age of 14 is incapable of sexual intercourse."

That refers to sexual intercourse, yet clause 1 refers to

"The presumption of criminal law that a boy under the age of 14 is incapable of sexual intercourse (whether natural or unnatural)".

The words "natural or unnatural" are the subject of my amendment and the hon. Member for Harlow owes the House an explanation. The words must be considered in the context of sexual intercourse—penetration. The assumption must be that heterosexual sex is natural, and gay sex—homosexual sex—is unnatural.

Mr. Jerry Hayes (Harlow) *indicated dissent.*

Mr. Cohen: The hon. Gentleman shakes his head, but he owes the House an explanation. The clause applies only to sexual intercourse. It is insulting to the millions of homosexuals who practise gay sex to have that practice described as "unnatural". Millions of people around the world will find it insulting because "natural" and "unnatural" are the wrong terms to use; they are much too wide. When I suggested that the hon. Gentleman was using the term "unnatural" to describe homosexual sex, he shook his head. Perhaps he can list what he means by the terms "natural" and "unnatural", especially "unnatural" if he does not mean it to be applied to gay sex. The House could then consider each of the hon. Gentleman's suggestions in turn. As the Bill stands, the term "unnatural" has too wide a scope.

I hesitate to say that it is a habit of the Conservatives, but it is part of their political approach that they tend to do it more——

Lady Olga Maitland (Sutton and Cheam): Do what?

Mr. Cohen: They regard things as "natural" or "unnatural". I am talking about the terms, not whether they practise gay sex more, although that is perhaps what the hon. Lady thought. It is part of their political approach to use the terms "natural" and "unnatural", but such use is inappropriate.

Such usage allows a generous leap to be made: from talking about unnatural practices, which presumably means unnatural intercourse, one is soon talking about their being practised by unnatural people. That involves only a short leap, and there is a danger that judges could interpret the Bill in that way.

Males could be considered the more aggressive gender, in an historical context and perhaps also today in view of current crimes. There is and has been a great deal of rape, but is it to be considered natural because men carry it out? That is a dangerous argument. We legislate against rape not because it is unnatural but because it is socially unacceptable behaviour and we want to protect women from it. The use of the terms "natural" and "unnatural" is wrong in this context because they could be used to argue that such aggressive behaviour is natural. The hon. Gentleman is confusing the terms with acceptable and unacceptable behaviour, and that is my main beef with him. He should remove from clause 1 the four words in brackets.

We should remember that the Bill is about children. As the House will know, experts believe that the great majority of children go through a phase of homosexual behaviour of one form or another. It is usually an experimental or mild form, and the children often grow up heterosexual.

Mr. Piers Merchant (Beckenham): Will the hon. Gentleman give way?

Mr. Cohen: I shall in a moment. However, it is wrong that children should be branded as practising unnatural behaviour.

Mr. Merchant: A number of things that the hon. Gentleman has said have puzzled me, and I am not sure that I have followed the drift of his argument. I cannot let him get away with his last assertion. Recent studies have shown that the proportion of men who have been involved in homosexual activity is very small. Some of the latest figures suggest that that applies to between only 1 and 5 per cent., so how on earth can the hon. Gentleman say that the majority of people have been involved in homosexual activity?

Mr. Cohen: Different experts have different views. Studies have shown that children go through a homosexual phase, but I said that it was a mild form and part of experimenting with sexuality generally.

9.45 am

Lady Olga Maitland: Could the hon. Gentleman provide evidence that the majority of young people indulge in homosexual activity? What are the sources and cases that he can cite to support such a sweeping statement?

Mr. Cohen: I do not think that I said it was the majority, but I leave it to the experts to argue about that. The hon. Lady is coming close to saying that children do not experiment with sexuality, but they do. Any schoolteacher or anyone who works with children will tell her that children experiment with different forms of sexuality. One of my objections to the Bill is that they would be branded as unnatural if they did not conform to the hon. Gentleman's idea.

Lady Olga Maitland: Has the hon. Gentleman had any meetings or discussions with teachers on this issue?

Mr. Cohen: I have met teachers to discuss all sorts of issues. Many teachers have told me that they favour sex education in schools precisely because of children's experimentation. As I have said many time before, I am shocked that some Conservatives Members often block sex education for dogmatic reasons. If they had their way and if sex education in schools were stopped, there would be no information at all.

Mr. Nigel Evans (Ribble Valley): Has the hon. Gentleman seen the new draft circular on sex education issued by the Department for Education? If he had, he would not have made that statement.

Mr. Cohen: That circular was issued only after considerable pressure had been applied. Before the recess, I made a speech in the House, adding to that pressure. The circular was greeted with howls of protest, not from Labour Members but from the Conservative lobby opposed to sex education. The Conservatives' objections were quoted in the press, so the hon. Gentleman should be talking to his colleagues.

Lady Olga Maitland: Does the hon. Gentleman agree that the advice being proferred by the Government became controversial only when a Minister was asked on "The World at One" whether the Government would consider making condoms available in schools? It had nothing to do with the advice in the circular.

Madam Deputy Speaker (Dame Janet Fookes): Order. Before the debate continues, I must point out that we are debating an amendment, not a wider issue, which this threatens to become.

Mr. Cohen: I have no desire to make it a wider issue. As I am always helpful to Conservative Members, I have been trying to respond to their points.

Mr. James Couchman (Gillingham): I do not seek to challenge your advice, Madam Deputy Speaker——

Madam Deputy Speaker: I am glad to hear it.

Mr. Couchman: I am always obedient in these matters. I seek your advice, Madam Deputy Speaker. The Bill was given a Second Reading on the nod and there was only 20 minutes of debate in Committee. A number of us have considerable worries about the Bill. Is it your preferred option that we should reserve the expression of those worries for a lengthy Third Reading debate or will you be fairly tolerant with our casting our comments reasonably widely during our debate on the two groups of amendments?

Madam Deputy Speaker: I am concerned only with relevance. How long that may take is not for me to judge.

Mr. Cohen: I always try to abide by your rulings, Madam Deputy Speaker. I do not seek to prolong the debate and I am trying to keep to the amendment. The intervention by the hon. Member for Sutton and Cheam (Lady Olga Maitland) may have extended the debate a little, but my initial comments related purely to the amendment and to my wish to remove the words "whether natural or unnatural". Again, I call on the hon. Member for Harlow to say exactly what he means by those words. I believe that he has confused those terms with the concept of socially acceptable or socially unacceptable behaviour. That is what worries me most. I am worried about how judges or others will interpret the terms when dealing with children. Children may be branded as practising unnatural behaviour and I do not believe that that is right. I shall say more about the other implications when I speak to anmendment No. 2.

I am the promoter of a similar Bill, the Sexual Offences (Amendment) Bill, which is far more extensive than this Bill. It deals especially with the issue of rape. My Bill would make male rape a specific criminal offence for the first time. It would do that simply by changing the definition of the victim from "woman" to "person" and it would thus allow men to be considered in law to be the victims of rape.

In this Bill, we are talking about young boys, for example, practising what the hon. Member for Harlow calls "unnatural" acts. Despite his shaking his head earlier, my great suspicion is that he is really referring to homosexual acts. The Bill, as its short title shows, is about sexual intercourse. It will be interesting to hear him describe to what other unnatural acts the Bill refers. Boys, like men, may be involved in male rape. Perhaps that is one of the offences to which the hon. Gentleman is referring.

Male rape is not a specific crime at present and I believe that it should be. There is an assumption that only women can be raped, which simply is not true. Men and young boys could well become the victims of rape. The police record the number of offences of indecent assault against men, and those numbers have increased. In London, they have doubled over the past 10 years. It is a serious problem which should be addressed. The Metropolitan police to whom I have spoken believe that more than nine out of 10 cases are not reported because the victims fear that they may be criminalised, that they may be branded homosexual, or that the police will take no action because the offence of male rape does not exist. It is necessary to make male rape a crime. That gap in the law remains under this Bill.

This is the age of bringing legislation to bear on sexual offences, such as child abuse, so legislation on male rape should be introduced. The mere fact that the subject is brought out into the open—this is part of what the hon. Member for Harlow is attempting to do by recognising that such offences can be committed between the ages of 10 and 14—means that there will be more openness about reporting such offences and that action can then be taken. I shall ask the hon. Gentleman more questions on that when I speak to amendment No. 2. I hope that there will

be more openness about male rape as well. I believe that the hon. Gentleman is wrong in using the words "natural or unnatural". I shall be most interested to hear what he has to say about that. I still believe that those words should be removed from the Bill.

Lady Olga Maitland: I warmly congratulate my hon. Friend the Member for Harlow (Mr. Hayes) on having the imagination and alertness to recognise that there has been a serious anomaly on the issue. An attempt to put the anomalies right is long overdue. To date, it has been deemed physically impossible for a child under the age of 14 to commit an act of rape. Instead, the charge has been sexual assault.

The hon. Member for Leyton (Mr. Cohen) seeks to withdraw the words "whether natural or unnatural". He seemed to say that some believe that only natural sexual intercourse—in other words, between a boy and a girl—is acceptable and that it is unfair to suggest that sexual intercourse between two boys or two men is unnatural. We are really saying that sexual activity by force by a young boy against another person, whether a boy or a girl, should be included in the Bill. The Bill is not an attempt to be positively unfair to people who have indulged in homosexual activity.

It is important to say that we are not going down the route of homosexual bashing. There is nothing like that whatever. It is extremely important to point out that we are not trying to put homosexuals into a separate category. However, we are well aware that clarification is needed in the Bill. It would be iniquitous to concentrate only on heterosexual sex by force, without taking into account homosexual sex or other practices that may later be elucidated.

Mr. Cohen: Is the hon. Lady saying that homosexual sex is unnatural in terms of the Bill?

Lady Olga Maitland: Yes, I am saying that homosexual activity is unnatural. My reason for saying that is simple. The vast majority of human beings on this earth are heterosexual with only a very small minority of people who are born with a natural instinct for homosexual activity. That does not make it the norm, and I am talking about the norm.

Mr. Cohen: So is the hon. Lady saying that hon. Members, including Conservative Members, who practise homosexual activities, are practising unnatural activities?

10 am

Lady Olga Maitland: Yes. As far as I am concerned, it does not matter who is or is not indulging in such activities; I think that they are unnatural. I do not want to go in for name calling or identifying of the individuals concerned. We are simply reflecting on the state of natural human beings today. It is important to clarify in the Bill exactly what we mean by rape and to make it clear that we are referring to all the different circumstances.

The unnatural element causes concern not least because, as a result of the tremendous amount of gay publicity on the television and in the press, young children are getting the idea that homosexuality is something with which they should experiment. I find that very worrying. It is worrying, too, that some teachers in some schools believe that they need to promote homosexual activity and heterosexual activity as being of equal value. Given that that belief seems to be on the increase, it is all the more important that we should clarify in the Bill the fact that unnatural sex is included.

The hon. Member for Leyton seems to be suggesting that we are being unfairly hostile to unnatural sex. Should not we consider for a moment the victims of sexual assault —particularly assault that involves unnatural sex? The victim could be an adult, but is more likely to be another child, who may be emotionally and physically crippled for life as a result of the experience. A case in my constituency comes back to me with appalling clarity. A thoroughly normal, decent family could not understand why their little boy aged five had been unable to control his bowels for a number of years. The mother eventually noticed physical marks on the child's body, particularly around his anus, and managed, through careful questioning and by seeking advice and counselling, to discover that that child had been repeatedly raped by another boy over a period of years.

It is tremendously important that the child who perpetrated that offence—a school kid of about 13—should be brought to court under the new law and made responsible for his behaviour. At the moment, that child is no doubt running wild in a playground; he may be catching other children, taking them into cars and doing them appalling damage. The mental and physical effects are felt not only by the child who is the victim but by the family which makes it all the more tragic. Therefore, it is essential that we make it absolutely clear that unnatural behaviour, by which we mean homosexual behaviour, is included in the Bill.

I hope that the Bill will be given a fair wind. In a wider context, it is important that children should be educated about sexual responsibility and behaviour. Teachers must not positively encourage homosexual behaviour as if it were the accepted norm; in fact only a very small minority of people engage in it. It worries me that chidlren are encouraged in this way against their natural instincts.

Our whole case rests on the fact that it is possible for rape to be committed by a boy on another boy. That must be made clear in the Bill. I congratulate my hon. Friend on introducing the Bill.

Mr. Bowen Wells (Hertford and Stortford): The clause worries me considerably. It seems to me obvious that, if we pass the Bill, it makes little difference whether we include or omit the words "whether natural or unnatural". If they are left out, the clause will read:

> "The presumption of the criminal law that a boy under the age of fourteen is incapable of sexual intercourse is hereby abolished."

Presumably that will then mean all forms of sexual intercourse. The words "whether natural or unnatural" neither add anything to the Bill nor take anything away from it. Their excision would make no difference to the meaning of the Bill or to any other matter about which we need to be concerned this morning. I therefore support the amendment tabled by the hon. Member for Leyton (Mr. Cohen). I do not see any need to mention what form of sexual intercourse is implied or intended and I do not think that we need discuss what is natural or unnatural sexual intercourse.

The Bill provides that boys under the age of 14 who commit sexual acts can be charged under the criminal law. I am not certain that that is wise. As the hon. Member for Leyton said, sexuality starts from birth. That is my experience and is the experience of all the professionals.

[Mr. Bowen Wells]

Sexuality is a gradually learnt matter about which we should be honest and straightforward and which should be discussed, especially at home. Incidentally, the form that sex education in schools takes needs to be examined carefully. Sex education should be treated very sensitively and ought to include teaching about the emotional content that should go with the whole experience of sexuality. The absence of any emotional content from such learning is a serious mistake.

It seems to me that we are not talking about rape. Most of the debate this morning has been about forced sexual intercourse, which is abhorrent at any age. In my view, however, the Bill would make it a criminal offence for any sexual intercourse to take place between children of whatever sex. I do not believe that the criminal law is the right way to treat such matters. I feel that we should adopt a much more sympathetic attitude to such activities among children—one which does not criminalise them and stigmatise them for life. We need counselling and thoughtful intervention and we need very carefully thought out procedures.

Mr. Jerry Hayes (Harlow): Before my hon. Friend proceeds any further along that line, I remind him that the Bill is all about rape; it is about penetrative sex. It does not deal with consensual sex between teenagers of whatever gender or orientation, which must always be a matter for the sympathetic discretion of the prosecuting authorities. There is no way that, in reasonable consensual circumstances, the prosecuting authorities will prosecute young men under the age of 21 for homosexuality or any other similar offence. The Bill is specifically about rape.

Mr. Wells: I am grateful for that explanation, and I hope that it will be noted carefully if the Bill reaches the statute book and if any action is taken in a court of law. I do not believe that that is what the Bill says. It may be what my hon. Friend the Member for Harlow (Mr. Hayes) intends, but it is not what the Bill says.

Mr. Alun Michael (Cardiff, South and Penarth): I am grateful to the hon. Gentleman for giving way because I believe that there is an air of puzzlement about the debate. The Bill does not force on us all the interpretations and ramifications in respect of the law that have been suggested. It simply ends a nonsense; it removes a legal myth.

The common-sense interpretation is that which is being placed on the Bill by my hon. Friend the Member for Leyton (Mr. Cohen) and that is why he moved his simple amendment. There is a certain amount of common sense and sympathy in relation to the removal of those words. However, we must consider what that will do to the way in which the Bill is interpreted in relation to other Acts, which may be unsatisfactory but which are already on the statute book.

It would be sensible if the House tried to ensure that we did not frustrate the intention, upon which we are all united, of ending this nonsense. I hope that we will not simply apply common sense because the law does not always work in a common-sense way, as I am sure the hon. Member for Hertford and Stortford (Mr. Wells) would agree. We must be very careful to ensure that we do not do something that we do not intend to do in respect of the Bill.

Mr. Wells: I could not agree more with the hon. Gentleman. We must be very careful indeed about the ramifications. On the surface, this is a very sensible piece of proposed legislation. We all know that children are capable of penetrative sex, as my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) described. Therefore, we should, in common sense, change the position.

However, what are the ramifications? There is a law which forbids sexual intercourse below the age of 16. Many hon. Members and members of the public believe that that age of consent should be lowered. However, if we combine that with this Bill, if sexual intercourse is entered into freely—and is not rape—it becomes a criminal offence for which both parties could be taken to a court of law.

Mr. Hayes: I hesitate to interrupt my hon. Friend and I am grateful to him for giving way to me again. The Bill is about the presumption of capacity. In other words, it does not matter whether the act of penetrative sex has taken place; the child is presumed in law, if he is under the age of 14, to be incapable of that act. I believe that that is manifest nonsense, and that is the anomaly and absurdity which the Bill seeks to redress.

Mr. Wells: It is, of course, absurd in common sense and human experience. However, it seems to me that the law has the effect of protecting boys under the age of 14 from being accused of a criminal offence for taking part in consensual sex between the sexes.

Mr. Hayes: I disagree with my hon. Friend because the law allows for a prosecution of a lesser offence of indecent assault. As was said in Committee, and has been said elsewhere, it is ridiculous that a young man under the age of 14 who has committed a physical act of rape cannot be charged with the offence of rape. He can be charged only with indecent assault. That does not reflect the gravity of the offence.

Mr. Wells: I am not even certain of that. Although I find abhorrent the whole concept of rape and any kind of force involved in the sexual act between any partners, none the less, the act of rape in those circumstances, and at the ages about which we are concerned, is something which I am not certain we should criminalise. Would we put someone who has committed that act in prison or in a place of restraint? Is that the kind of law that we want imposed on the children of this country? I honestly do not think that we should do that.

Lady Olga Maitland *rose*——

Madam Deputy Speaker: Order. Before the hon. Member for Sutton and Cheam (Lady Olga Maitland) makes her intervention, may I point out that the debate is now broadening out once more. We must return to the amendment.

Lady Olga Maitland: It is important that I reply quickly to the point about whether the offence can be committed by these young people and whether it would be right and appropriate to lock them up. Children have committed rape. I visited a secure unit this week and saw a 14-year-old boy who had committed a rape, although he was obviously charged with sexual assault. He was in that secure unit because he needed psychological and psychiatric help. That was the best place for him to receive it.

10.15 am

Mr. Wells: I will return to the narrow point about the amendment after I have replied briefly to my hon. Friend the Member for Sutton and Cheam.

Of course, boys under the age of 14 are capable of rape: I know that that is the case. However, I question whether such sexual intercourse, natural or unnatural, should become a criminal offence. Is that the right way to deal with it?

Sexual intercourse, whether natural or unnatural, should not be included. All sexual intercourse, particularly if it is narrowly defined in respect of rape, should be included in the Bill. However, I am not sure whether criminalising it is the right way to treat such cases. There should be psychiatric treatment, counselling and restraint. However, it should not be criminal.

Mr. Merchant: I congratulate my hon. Friend the Member for Harlow (Mr. Hayes) on introducing the Bill, which will correct an anomaly in the present law which has clearly been seen to be having a major effect on society, the legal system and the maintenance of law and order.

I agreed with the hon. Member for Cardiff, South and Penarth (Mr. Michael) when he said that on some occasions we must be blind to common sense so far as the law is concerned. As he represents an Opposition party, I am tempted to say that he perhaps experiences being blind to common sense rather frequently. However, when we consider definitions in law, it is clear that at times the use of phrases appears somewhat contradictory, simply because legalistic matters are phrased in rather anachronistic language.

I have been goaded into intervening in the debate by some of the remarks of the hon. Member for Leyton (Mr. Cohen). I fear that the amendment, which I accept is well intentioned, might frustrate the intention of the Bill. I should hate to see that happen and that is why I want to answer some of his points.

The purpose of the Bill is clear. So long as its drafting is in harmony with the law as it is drafted in other areas in respect of these matters, we should be content with that and aim to support the greater objective of ensuring the Bill a safe passage.

The Bill deals with matters that have changed over the years. In that respect, I refer to the age of maturity and the capacity to rape which is linked with that. There is little doubt that the age of maturity has changed over the years for many reasons, primarily because of the healthier way in which our children are brought up these days. As a consequence, a law that may have been perfectly satisfactory some time ago, has now ceased to be so. Apparent anomalies are occurring which result in young men—which is what they are—performing acts that the laws says that they are unable to perform. Adjusting the law to enable prosecutions to take place when they clearly should take place is an important tidying-up measure which must be welcomed. Therefore, in a sense, the Bill aims to abolish an archaic presumption and must be phrased in the way in which the existing law is phrased when dealing with these matters. The phrase "natural or unnatural" falls into that set of definitions.

I was interested to hear the hon. Member for Leyton. He always deploys his arguments in a unique way, and I enjoy listening to them. I know that he was speaking from the heart on this matter and feels strongly about it. However, I still feel that he is missing the point. We must consider what the phrase "natural or unnatural" means. As I see it, it does not simply refer to heterosexual or homosexual sex: it refers to sexual acts that the law has seen over the centuries as either natural or unnatural. That does not necessarily put a subjective judgment of what is right or wrong on the practices that the phrase seeks to describe; it is merely a legalistic phrase which is well accepted in the law and appears in all sorts of other laws dealing with this subject. It is a form of archaic prose, but it is well understood and well defined in legalistic terms. That is significant in a law such as this, because the law must be precise.

When a law is being defined and interpreted in a host of different cases, those who are intepreting it must know precisely what the words mean. The words in the Bill are well defined in terms of the law. They should not be read as a common man or a man in the street might read them: they should be read through the eyes of lawyers—and that applies a totally different analysis and definition.

Mr. Wells: I am sure that my hon. Friend will agree that the law is a stranger to common sense. I wonder whether he could help the House by telling us where the phrase "natural or unnatural" occurs in other laws that deal with this subject.

Mr. Merchant: I cannot give my hon. Friend chapter and verse. All I can say is that the phrase "natural or unnatural" owes its origin in legalistic terms to the middle ages. It is present in a series of legal judgments and laws that were cast in the middle ages. Since then, the phrase has been well used in the law courts.

Mr. Hayes: The phrase comes from section 44 of the Sexual Offences Act 1956.

Mr. Merchant: I am grateful to my hon. Friend for filling in a gap in the knowledge of the law that has eluded me recently. I am sure that he will agree that the phrase does not exist solely in the Act. Nor was it invented solely in those terms.

I run the risk of moving too far away from my specific subject, which is that the phrase "natural or unnatural" should be interpreted from the legal point of view. The phrase is used in the courts and understood by lawyers, and it should not be intepreted—as my hon. Friend the Member for Hertford and Stortford (Mr. Wells) was doing persuasively, but inaccurately, in this context—through the eyes of the ordinary man in the street. In other words, it is not meant to condem people as unnatural people, which is what he said. Nor is it meant to be used in a scientific sense, literally meaning what nature intended. Instead, it is used to describe different forms of activity in a shorthand legalistic phrase and in a way which is understood by lawyers and the courts.

I conclude—because I do not want to detain the House—by saying that the hon. Member for Leyton has allowed himself to become overexcited by clause 1 and has perhaps created an unnecessary debate. To omit the words "natural or unnatural" would leave the Bill more or less intact. However, we would run the risk of allowing it to run into difficulty in practical application because of the technical language used. If the hon. Gentleman is prepared to compromise and accept that the words will not be emblazoned on buildings outside and upset people in the street or cause people to change their behaviour, but are

[Mr. Merchant]

technical words to ensure that the Bill achieves its objective —an objective with which I am sure he would not disagree —they should be welcomed, and we should not make too much over three words.

Mr. Hayes: I thank my hon. Friend the Member for Beckenham (Mr. Merchant) for his common-sense approach to the matter—I wholeheartedly agree with him. I also thank my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) who gave us a sensitive rendition of some of the difficulties. I am not sure whether I am grateful to my hon. Friend the Member for Hertford and Stortford (Mr. Wells), but he is a dear and personal friend. I am grateful to him, and he can buy me a large drink later.

I pay tribute to the hon. Member for Leyton (Mr. Cohen). He is a tireless campaigner for human rights in all sorts of areas. I agree with much of what he said. The purpose of the legislation is to clear up an anomaly, an absurdity. The law must be 100 per cent. clear. The word "unnatural" is an anachronism which goes back to section 44 of the Sexual Offences Act 1956. It is not a word which I especially welcome in legislation. However, if it is not in the Bill, it makes nonsense of the legislation.

My hon. Friend the Minister will listen most carefully to what has been said today. If he chooses at some stage in later legislation to have a careful look at section 44, I should be the first to welcome it. Hon. Members should not think for a moment that I am homophobic. I sit on the Committee chaired by my right hon. Friend the Member for Westminster, North (Sir J. Wheeler) which specifically examines discriminatory laws and suggests to the Government how such laws can be changed, so this is not an attack on the gay community, and should not be seen as such.

Mr. Wells: I wonder whether my hon. Friend could explain his arguments. He is saying that he needs the words "natural and unnatural" in the Bill to make it consonant or work with other legislation on this subject. If, as my hon. Friend the Member for Beckenham (Mr. Merchant) said, that is archaic and comes from the middle ages, or presumably from Shakespearean language, why should we continue to use these archaic legal jargons in shorthand? Why should we not be straightforward in our legislation and make it abundantly clear to the ordinary people in the street? We should not have wretched lawyers, who are paid immense fees, interpreting the law and therefore making it so much more expensive. Let us be straightforward. Let us not have "natural and unnatural" in the Bill.

Mr. Hayes: As usual, my hon. Friend is absolutely right: let us be straightforward. This is not the legislation in which we can change the anachronism. The difficulty is the interpretation by judges in other places. Judges will look at section 44 of the Sexual Offences Act 1956 for the definition of "penetrative sex". If my hon. Friend wants that straightforwardness, the 1956 Act should be changed, not the Bill. We need clarity in the law. I entirely agree with the hon. Member for Leyton when he said that this is not the time and the place to get the clarity that we want.

I did not want before lunch to get into other areas of unnatural sex, but the hon. Gentleman rightly wanted a further definition. Of course, the definition spreads much wider than anal intercourse: it also involves animals and bestiality. Perhaps there are all sorts of changes that my hon. Friend the Minister may wish to examine at another time—this is not the time and the place to discuss them —whereby there can be clear definitions of "anal intercourse", "vaginal intercourse" and "intercourse with an animal". I submit that this is not the time and the place.

I ask the hon. Member for Leyton to listen carefully to what has been said today. The House is not unsympathetic to the argument put by the hon. Gentleman, who talked a lot of common sense; perhaps it is time for a review. I ask him to remember that the Bill is designed to clear up an anomaly, an absurdity, in the law. We are talking about penetrative sex and, despite what my hon. Friend the Member for Hertford and Stortford said, we are not talking about offences that would criminalise people, because those offences have been criminalised already. We are talking about an offence that properly reflects the gravity of the act. I ask the hon. Member for Leyton to withdraw his amendment.

10.30 am

Mr. Michael: It is clear that the amendment would improve the language of the Bill so that ordinary people could understand it better, but it would damage it by retaining the assumption of incapacity in relation to such things as bestiality and other forms of intercourse. The problem is that the Bill clears up one anomaly in the law —it disposes of one piece of nonsense—while leaving plenty of other anomalies and anachronisms to be tackled by the House at a later stage.

It is dangerous for the House to try to do too much, particularly under a private Member's Bill. To delete the three words "natural or unnatural" from the Bill would not do what my hon. Friend the Member for Leyton sensibly seeks to achieve. If a new definition replaced those words, it might meet my hon. Friend's aim, but that in itself would pose a danger, because new words are always open to interpretation by the courts. In any event, that alternative is not available to us. Perhaps that can be considered in another place at the appropriate time. If we introduced a new and wider definition, we might fail to achieve what the House intended.

For that reason, I encourage my hon. Friend, whose argument was taken seriously by hon. Members on both sides of the House, not to frustrate the intention of this simple piece of legislation by pressing his amendment.

The Minister of State, Home Office (Mr. Michael Jack): I endorse the wise advice from the hon. Member for Cardiff, South and Penarth (Mr. Michael) to the hon. Member for Leyton (Mr. Cohen).

My hon. Friend the Member for Harlow (Mr. Hayes) gave a correct interpretation of the way in which the Bill is drafted when he referred to section 44 of the Sexual Offences Act 1956. All pieces of legislation borrow from previous legislation to ensure consistency. The Bill has done the same in order that the legal world is in no doubt, according to current definitions, as to its exact intent.

My hon. Friend the Member for Hertford and Stortford (Mr. Wells) spoke at length about the problem of definition. All of us who are not lawyers understand his argument about the need for clarity. The abolition of the presumption that young men under 14 are incapable of intercourse, however, was considered as part of the final report of the Criminal Law Revision Committee, which reported in 1984 on this matter.

Although that committee felt that the issue of presumption was a key part of its recommendations, the question of definition did not form part of its substantive decision to recommend that the abolition of presumption should be subject to a parallel change. My hon. Friend the Member for Harlow has followed the committee's recommendations carefully when drafting the Bill. As a result, I urge the hon. Member for Leyton to withdraw his amendment.

Mr. Wells: I am grateful to my hon. Friend for his explanation of the curious wording in the Bill. Does he agree that accepting recommendations from the Criminal Law Revision Committee is a hazardous business, especially when we consider the effect of the amendments introduced under the Criminal Justice Act 1991 in magistrates courts and others? It is unwise simply to accept recommendations from such a committee. I urge my hon. Friend to reconsider his acceptance of its recommendations.

Mr. Jack: I shall not trespass into issues connected with the Criminal Justice Act 1991, much as many hon. Members may want me to do so. No one disagreed with the recommendations of that particular report, which were widely considered. That committee would be the first to admit that not all its recommendations meet with such approval. With that in mind, I urge the hon. Member for Leyton, as other hon. Members have done, to withdraw his amendment.

Mr. Cohen: I note what has been said, but I have great sympathy with the hon. Member for Hertford and Stortford (Mr. Wells) who said that we should legislate clearly and mean what we say and say what we mean. We should amend section 44 of the Sexual Offences Act 1956.

I note what my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) said about the possibility of this matter being considered in another place. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Cohen: I beg to move amendment No. 2, in page 1, leave out lines 9 and 10 and insert—

'(2) This Act shall come into force on such date as the Secretary of State may by order made by statutory instrument appoint.'.

Madam Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 3 in page 1, clause 2, leave out lines 9 and 10.

No. 4, in page 1, clause 2, leave out line 11.

Mr. Cohen: The amendment would give the Home Office time to consider the implications of the Bill and whether any follow-up measures are necessary.

The hon. Member for Hertford and Stortford (Mr. Wells) was right to ask whether the criminal law was the right means to deal with this matter and spoke about the need for counselling. We should remember that we are dealing with children between the ages of 10 and 14 and that counselling is needed for the victim and the perpetrator. The Home Office should consider such implications rather than just let the Bill go through.

We must consider whether the Bill will tilt power more towards the police as opposed to youth agencies, social services and social workers. Is the Bill more about punishment than reform and help? Branding young people as criminals has a disproportionate effect on them, as we know from the high rate of suicide among young people in prison. Such a label will affect children in later life. There is a lot of hysteria about youth crime but we should not be caught up in it. We should consider the matter seriously.

The Bill will come into force two months after its enactment, but time should be given to consider its implications and definitions. We must consider whether other changes can sensibly be made to this part of the law.

Lady Olga Maitland: Once the Bill is enacted, it should come into force right away. I do not believe that there is any necessity to wait two months. The public will expect us to get on with it. Why should young offenders be allowed to get away with such awful crimes? They are awful and serious crimes. Why should the perpetrators be allowed to get away with them for another two months?

There is growing public awareness of the scale of the crimes among young people. Parliament would open itself to ridicule if it were not seen to deal with the problem straight away. If it were seen to hesitate, it could make the public wonder how serious Parliament was about the issue. A difficult position could arise. What would happen if there were a horrible attack within the two months period which received saturation press coverage—such as the tragic case of little James Bulger? Would not Parliament look stupid if it were crippled by its own Act and could not take action immediately?

There is much concern about tackling the issues in the public domain. There is a feeling that young people are too precocious and believe that they can get away with their actions because society has created a climate in which all forms of violent sex are permitted. The Bill is an excellent way for the Government to be seen to take direct action and respond immediately.

The Bill is not an attempt to be hostile; we are not trying to pick on naughty or mischievous children. There is no danger of such children being brought to court by mistake. We must ensure that the prosecution has to prove that the accused boy clearly understands that what he did was seriously wrong. There is no excuse for any sexual offence. Such offences are not caused by material deprivation; tragically, the perpetrators of such crimes seem to come from broken homes where there has been a moral breakdown rather than a material breakdown. Society would now support the idea of taking a stiffer approach.

Mr. Wells: Can my hon. Friend give any evidence to support her assertion that such activity is particularly prevalent among children who come from broken homes? I believe that it takes place at all levels of society and is carried out by those from all sorts of homes.

Lady Olga Maitland: Yes, the activity happens at all levels of society, but there is evidence—I cannot cite examples now as I do not have the sources to hand—to show that those from broken homes, where there are no benchmarks of social and sexual behaviour and a sort of "anything goes" attitude, display a prevalence for a violent approach to sex because the children do not receive parental guidance. Tragically, the perpetrators of violent sex are often young people who have themselves been sexually abused.

Mr. Merchant: I can assist my hon. Friend by assuring her that all the recent studies on sexual abuse of children have shown that it is much more prevalent when the

[Mr. Merchant]

parents have been abused. That fact cross feeds into sexual offences. There is a clear, identifiable current running through the cases. I am not denying that it happens elsewhere, but the majority of cases display those characteristics. I hope that my hon. Friend agrees that the Bill will help to identify those involved in the problem at an earlier age, which must be in the interests of all those concerned—victims and offenders.

Lady Olga Maitland *rose——*

Madam Deputy Speaker: Before the hon. Lady continues, I should remind her that this is not a Third Reading debate. We are considering specific amendments, and the discussion must relate to them more closely.

10.45 am

Lady Olga Maitland: I thank you, Madam Deputy Speaker, for that guidance. The comments made by my hon. Friend the Member for Beckenham (Mr. Merchant) are appropriate because we are trying to analyse why it is crucial to legislate now. My hon. Friend rightly said that it was important to analyse why the cases occur. I totally support his view that the children who have been abused often have parents who have been abused. I remember another tragic case that came before me in which the mother had been abused and her parents had been abused. It was a family of abuse in which a culture of violence had grown up which the children took on.

It is important that the Bill should be given a swift passage, not merely through its parliamentary procedure, but into law. The cases that have come to light are worrying. In 1989, 287 boys were cautioned for indecent assault on females—rape, which means penetrative sex. Proceedings went ahead in another 37 cases; 25 of the defendants were found guilty.

Earlier in the debate there was discussion about indecent assault on males—homosexual acts. The related figures are that in 1989 proceedings went ahead in three cases and all the defendants were found guilty. Some 29 males were cautioned. I agree with the school of thought that such offences are not on the same scale as those involving heterosexual sex, but they must be taken into account.

I am not straying wide of the mark, Madam Deputy Speaker, but trying to emphasise the urgency of the matter. The figures rose in 1990. There were 47 proceedings involving sexual assaults—which we should now call rape—on females, and 26 of the defendants were found guilty. However, a much higher number were cautioned: 245. There were four proceedings which went ahead involving males assaulting males, and two defendants were found guilty. It is important to note that there was a considerable increase in the number of those cautioned, which rose to 44.

The latest figures for 1991 show the urgency of the issue. In 1991, 46 young men faced proceedings for indecent assault on females—rape—of which 23 were found guilty; and, overall, 225 were cautioned. There were three proceedings which went ahead involving indecent assaults on males—male rape—and two defendants were found guilty. There were 43 cautions. Therefore, the figures are going up, not down. We cannot afford to allow any time to elapse.

When we consider some of the cases that have come to light, we realise how urgent the matter is. In 1990, Sir William Shelton, a former very respected Member of the House, introduced a private Member's Bill which included a clause to abolish the presumption, but the Bill was talked out at its Report stage because hon. Members opposed another clause referring to kerb crawling. That was a pity, because important issues were at stake.

In the Second Reading debate on the Bill, the then Home Office Minister, now the Secretary of State for Education, made some observations. He pointed out the importance of realising the serious nature of what is going on, citing the case of a four-year-old victim who was handicapped and epileptic—raped by a boy next door aged 13. Another case concerned a victim who was only five; and in another, the victim, aged 10, was gang raped while visiting friends. Some 13-year-old boys dragged her upstairs and raped her. Finally, there was the sickening case of a multiple attack on a married women in her late 20s, a mother of three, by schoolboy rapists, all of whom were under 14 years old. And let us not forget the recent case of the schoolteacher who was violently attacked by a schoolboy.

For all those reasons, I do not think that there is any time to waste.

Mr. Anthony Coombs (Wyre Forest): I hear what my hon. Friend says, but she tends to miss the point about what is missing from the Bill. If this Bill were passed, many of the 225 cases of indecent assault on females dealt with in 1991-92 would have been re-categorised in the courts as rape, and no additional penalties would have been available as a result. I would expect that none of the 46 people who were proceeded against in the courts as a result of those acts of rape would have been given a custodial sentence—and most people in Britain would find that horrendous.

Lady Olga Maitland: I could not agree more with my hon. Friend. Unfortunately, the courts dealing with children in these cases often pass the responsibility for them back to the social services and local authorities. The latter can decide whether to put a child into a children's home or whether to recommend that the child goes to a secure unit. Local authorities should make far greater use of secure units, the more so since I know that they have enormous facilities in those units. That would help the child, who is clearly the victim of his own illness, and society, because people would then know that something was being done.

Mr. Nigel Evans: We are talking about rape, which is an horrendous act. Does my hon. Friend agree that, when the legislation covering juvenile offences comes before this Chamber, it should take account of children aged 14 and below who commit rape and who may therefore be properly punished? As has been pointed out, the law does not allow for that at present.

Madam Deputy Speaker: Order. We must be careful; we are going wide of the amendments, which relate mainly to the timing of the operation.

Lady Olga Maitland: The timing of the operation is what my hon. Friend is talking about—hence the urgency of his remarks. He is quite right to say that much more attention should be given to the sentences that children serve.

I believe that it is urgent that we implement this measure. Society will support it; indeed, society believes that we have been too lax for too long. Now is the time to put that right.

Mr. Wells: The more I hear about the Bill, the less I like it. It is clear to me that we need time for reflection before it is put into effect. In particular, we need to think about the Bill's ramifications and its effect on other laws relating to juvenile sentencing of the children who, if the Bill is passed, will be accused of criminal acts and then "punished" for them. That is a serious thing to do to children.

The point that I have been trying to make has not yet been answered. In my layman's reading of the Bill, it seems to apply to all sexual offences, not just to rape. Lawyers may be able to interpret it as applying only to rape, but it says that it is about sexual offences: to a layman, that means all sexual offences. I am sure that lawyers, using medieval and arcane arguments, will be able to claim that the Bill covers only rape, even though that is not what it says. If they say that, I shall have to accept it. The fact remains, however, that none of the horrific cases or the increase in the number of such cases adduced by my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) would have been affected by the enactment of the Bill. The only result will be the criminalisation of under-age sex, and there will be no proper provision for the children involved and no attempt to correct their behaviour so that they can grow into well-balanced adults who are unlikely to undertake such activities again. The Home Office will have to think these matters through carefully and sensitively.

In recent years, the Home Office has all too often taken precipitate action on recommendations made to it by the great and the good. We have not benefited from that, and at times the law has been made to look an ass.

Mr. Couchman: I share my hon. Friend's concern that we should not take precipitate action on the Bill or enact it without due care and attention. We have indeed passed some dreadful laws on the spur of the moment, such as those affecting dangerous dogs and football supporters, among others. I am, however, worried about my hon. Friend's thinking about whether it is right to punish people under 14 years of age. My hon. Friend the Member for Harlow (Mr. Hayes) has said time and again that the Bill is about the crime of rape—penetrative sex—not about minor experimentation. It is about serious crime, and serious crime must be seen to be punished.

One of the great weaknesses of the Bill—I hope to say more about this in a lengthy contribution on Third Reading—is that it provides no more deterrence or punishment than current law already provides for.

Madam Deputy Speaker: Order. Before the hon. Member for Hertford and Stortford (Mr. Wells) continues, I must caution the House that we are getting off the point again. This group of amendments concerns when the Act shall come into force, but the arguments that I hear are more about whether we should pass the Bill at all.

Mr. Wells: My argument is that we should be careful about implementing the Bill within two months of enactment. I agree with the hon. Member for Leyton (Mr. Cohen), who wants some time to elapse in which Ministers can reflect and take advice before implementation, to make sure that the Bill has no unexpected side effects on other laws or other ways of treating people who will be considered to offend under the Act.

Mr Hayes: My hon. Friend has asked a question, and although I am a member of the Bar and have practised as such for many years, I will give him an answer in simple, laymen's terms. Crime is like baking a cake; before we can make a cake one has to have the necessary ingredients. The ingredients for the crime of rape are that there has to be sexual intercourse. The definition of sexual intercourse is full penetrative sex. The Bill therefore tidies up the anomaly surrounding one of the ingredients of the offence —sexual intercourse. Without the one, the other cannot exist.

Mr. Wells: All hon. Members are capable of reading clause 1 which states:

> "The presumption of criminal law that a boy under the age of fourteen is incapable of sexual intercourse (whether natural or unnatural) is hereby abolished."

Sexual intercourse is not rape; it is an enjoyable affair between two consenting people, usually male and female. If it were rape, we should be guilty of it every hour of the day and night. *[Interruption.]* That is what the Bill says and the lawyers who abound among us have not refuted that.

11 am

I am trying to speak exactly in line with the amendment which I commend to the House because it gives time for reflection. This is over-hasty legislation which we shall regret. My hon. Friend the Member for Gillingham (Mr. Couchman) spoke about punishment and the intent of the Bill. Punishment for sexual offences, especially those involving young people, deserves careful investigation and thought. If offenders are placed in social services homes, their predilection to engage in violent sex or sex of all kinds will be encouraged.

Criminalising such activities by the young would enhance and reinforce their attraction. The House must decide what to do with such people so that they will grow into well-balanced, non-violent people who will make a constructive contribution to the life of the country.

Mr. Michael: There was some disgraceful trivialisation in parts of the speech by the hon. Member for Hertford and Stortford (Mr. Wells). The Bill is so simple and contains such common-sense improvements that I am surprised that we are taking so long over it. I am tempted to the unworthy thought that the sudden interest by Conservative Members in the minutiae of the likely effect of the Bill might have something to do with their opposition to the Medicines Information Bill, which seeks to protect ordinary people and end secrecy in the pharmaceutical industry about the development and sale of drugs. That Bill should be debated this morning.

Mr. Couchman: On a point of order, Madam Deputy Speaker. Is it in order for the hon. Gentleman to impugn the integrity of Conservative Members who are interested in an important if brief Bill? It is the very brevity of the Bill which worries some of us.

Madam Deputy Speaker: It would be unduly sensitive to pay too much attention to such remarks. I hope that hon. Members will keep to the point.

Mr. Michael: I think that the hon. Gentleman doth protest too much. I have said all that needs to be said on the Bill and I note the embarrassment of Conservative Members.

The hon. Member for Sutton and Cheam (Lady Olga Maitland) called for a sense of urgency. I agree, because it is wrong that the anomaly in the law was not put right by the Government years ago. Now that we have the opportunity to put it right, thanks to the hon. Member for Harlow (Mr. Hayes), we should take it seriously and make sure that we get the legislation right.

We should not rush. I am opposed to retrospective legislation and have opposed it when it has been introduced by the Government. That bad practice is contained in one of the amendments in the group, and we should not go down that road. The issues raised by my hon. Friend the Member for Leyton (Mr. Cohen) are important. There is a need for counselling and preventive work and we must recognise the serious problems and tackle the type of cases about which the hon. Member for Sutton and Cheam spoke. However, the problems are not triggered by the Bill; nor is the need for counselling and prevention, because that exists now. The problem is that the task is given to voluntary organisations in the social work sector and statutory bodies which are stretched past sensible limits, bearing in mind the seriousness of the issues.

My hon. Friend the Member for Makerfield (Mr. McCartney), who is with me on the Front Bench this morning, and other colleagues in Labour's health and social services team are very concerned about these issues, which we take seriously. I hope that the Minister will acknowledge the nature of the problem that my hon. Friend the Member for Leyton has highlighted. I also hope that the Minister will undertake to speak to his right hon. Friends in the Health Department and in Departments dealing with social services and local government to try to ensure an improvement in the help and counselling that are available for victims and offenders, so that they may be prevented from further ruining their lives and creating more victims.

We should not try to do too much with the Bill and I hope that there is no suggestion of delaying its implementation until all the facilities are in place, because I suspect that we would have to wait rather longer than we would be happy about. I ask my hon. Friend the Member for Leyton not to press his amendment because it would place in the hands of the Minister the power to delay the implementation of the legislation. That is what makes me uneasy about the amendment.

Mr. Nigel Evans: I have never been accused of being overly sensitive, but the accusation by the hon. Member for Cardiff South and Penarth (Mr. Michael) that hon. Members are debating this issue only because they wish to delay another Bill is scandalous. We are debating the Bill because we are deeply interested in it.

It has been said that the Bill is over-hasty, but that cannot be the case, because a similar Bill was introduced in 1990 and was talked out by the hon. Member for Brent East (Mr. Livingstone). I agree that the legislation is important and, as my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) said, it should be introduced as soon as possible. If there needs to be a delay of two months to ensure that everything is in its place and that the legislation is properly enacted, so be it, but there should be as little delay as possible.

No doubt other Bills will need to follow this one. As soon as it is enacted, we should look carefully at the Bill on juvenile offences that has been mentioned by my right hon. and learned Friend the Home Secretary. He has said that he wishes to introduce such a Bill as soon as parliamentary time allows. I hope that Opposition Members will ensure that time is made available so that that Bill can be debated as soon as possible.

Mr. Michael: The hon. Gentleman should not be so naive as to think that a statement by the Home Secretary that he wishes to bring Bills to the House quickly is as simple as meets the eye. There is a Criminal Justice Bill before the House this Session and there was one two years ago and they both missed all sorts of important matters that should have been considered by the House. A wish to present a Bill is not enough. The hon. Gentleman should not be so naive as to think that we have missed the fact that the Bill that we are considering took 20 minutes in Committee and so far has been debated here for one hour and 38 minutes.

Mr. Evans: I am neither naive nor sensitive. I look forward to the support of Opposition Members when a juvenile offences Bill comes before the House. It seems that we are considered guilty whatever we do. If we do not debate legislation, we are said to be over-hasty and failing to give it due consideration. If we do debate it, we are accused of being ponderous and attempting to talk the Bill out.

Madam Deputy Speaker: Order. There is a third point —the offence of being irrelevant.

Mr. Evans: I am not sure, Madam Deputy Speaker, who you are accusing of being irrelevant. If it is me, I stand before you guilty on that count.

As soon as the Bill can be enacted, the better—but I hope that there will be all-party support for ensuring that the right legislation is put on the statute book, so that those found guilty of rape—which is deemed an extremely serious offence in this country—are dealt with properly.

Mr. Hayes: I have known the hon. Member for Cardiff, South and Penarth (Mr. Michael) far too long to be the slightest bit upset by him. As one of the few people—apart from you, Madam Deputy Speaker—who regularly sees the hon. Gentleman with hardly any clothes on, nothing surprises me. In case there is any misunderstanding, I shall explain that that happens in the gymnasium.

In case my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) has not decided to withdraw her amendment, perhaps I may persuade her to do so. It is a general principle that a statute—particularly one dealing with criminal offences—affects only factual situations arising during the period of its operation. My hon. Friend's amendment goes against that principle by allowing the statute to be retrospective.

The fact that the Bill would not be retrospective does not mean that young boys who commit sexual offences covered by it would not be brought before the courts—although it is true that most of the offences of which they could be convicted would be indecent assault. I am not

persuaded that it would be in the best interests of justice to do as my hon. Friend suggests, and I ask her to withdraw her amendment at the appropriate time.

Madam Deputy Speaker: Order. An amendment that has not been moved cannot be withdrawn. Only one amendment is moved at a time.

Mr. Hayes: I sympathise with the amendments of my hon. Friend the Member for Sutton and Cheam and of the hon. Member for Leyton (Mr. Cohen). The hon. Gentleman is saying, "Hang on for a moment. We do not want to rush things. There are many other matters to be considered. Sentencing is not being dealt with at this stage and other legislation must be taken into account." My hon. Friend the Member for Sutton and Cheam is saying, "This is a very serious offence and those guilty of it should be dealt with straight away." I understand both points of view, but the matter must be put into perspective.

The offences in question are most serious. Figures for the five years from 1987 to 1991 show that nearly 215 boys aged between 10 and 13 were prosecuted for indecent assault on a female, and 1,260 were cautioned. Over the same period, 21 offenders were proceeded against for an indecent assault on a male and 187 were cautioned. In some of those cases—one cannot say precisely how many—there will have been penetration, and a charge of indecent assault would have been viewed by the victims as something of a euphemism.

Mr. Wells: On a point of order, Madam Deputy Speaker. Will you clarify which amendment is under consideration? My understanding is that we are debating only amendment No. 2, in the name of the hon. Member for Leyton (Mr. Cohen), which states:

"This Act shall come into force on such date as the Secretary of State may by order made by statutory instrument appoint."

Is that correct?

Madam Deputy Speaker: What the hon. Gentleman says is correct but not complete. Two other amendments which have a slightly different import are under consideration.

11.15 am

Mr. Hayes: I am dealing with all the amendments in the most even-handed way that I can. As you said, Madam Deputy Speaker, the three amendments are grouped.

My hon. Friends the Members for Sutton and Cheam and for Wyre Forest (Mr. Coombs) argue that the offence must be placed on the statute book as quickly as possible because something must be done. Something is being done. It is not as though the young people who commit such offences cannot be dealt with by the police and the courts—they can. The argument behind the Bill is that those offenders are being dealt with in an absurd fashion—that the crime of which they are convicted does not reflect the gravity of the actual offence.

I ask my hon. Friends to remember also that the police and the courts are under a tremendous burden in dealing with the legislation that the House pumps out like a sausage machine with great regularity. As Opposition Members pointed out, some of it is not as good and accurate as we would like. It would be only right and proper to give the authorities two months to understand precisely the purpose of the legislation. That is not a great length of time—particularly as the young people concerned, although mercifully there will not be many of them, must be dealt with by the police.

I acknowledge also the point made by the hon. Member for Leyton, which was similar to that of my hon. Friend the Member for Wyre Forest. The Bill does not address sentencing because we must wait for my right hon. and learned Friend the Home Secretary to bring other legislation before the House. It would be wrong to delay clear and simple legislation such as the Bill on account of the sentencing aspect, when we know that will be appropriately dealt with at the correct time.

Mr. Anthony Coombs: We hope so.

Mr. Hayes: We all hope that will be so, and it will be for hon. Members on both sides of the House to rectify many of the mistakes for which we must all share responsibility. After all, we voted for the legislation.

Mr. Wells: I am grateful to my hon. Friend for allowing me to intervene during the middle of his peroration. He has not yet answered my point as to why he claims that the Bill refers only to rape and not to any other form of sexual intercourse.

Madam Deputy Speaker: Order. It would not be appropriate to deal with that point under this set of amendments.

Mr. Hayes: I am guided by you in these matters, Madam Deputy Speaker. I should love to debate that point with my hon. Friend. Given the number of interventions he made, perhaps he owes me a very large lunch today, and we could discuss the matter then.

I ask the hon. Member for Leyton to consider withdrawing his amendment in the interests of speed.

Mr. Cohen: I intend to withdraw my amendment, but I shall briefly make a couple of points. The hon. Members for Sutton and Cheam (Lady Olga Maitland) and for Ribble Valley (Mr. Evans) attacked my hon. Friend the Member for Brent, East (Mr. Livingstone) for talking out a Bill in the last Parliament, but that Bill addressed a completely different issue. It sought to deal with kerb-crawling and to create more offences of prostitution, which my hon. Friend opposed. It did not concern itself with children, as does the Bill now before us.

I share many of the concerns expressed by the hon. Member for Hertford and Stortford (Mr. Wells), who made several genuine points. The hon. Member for Sutton and Cheam also made a good point when she said that children who abuse were often abused themselves, as were their parents. That makes the case for counselling and help, yet the hon. Lady did not argue that point. She spoke only of locking up young offenders in secure units. More attention should be given to providing counselling and other help.

Lady Olga Maitland: Of course children who come from families with a history of abuse and who themselves commit offences of abuse against others need counselling, but where children are accused of rape—we are trying to define that—they should receive the appropriate sentence. At that age, I hope that they will also receive counselling.

Mr. Cohen: I have made my point. The point has also been made that it will not be sufficient just to pass the Bill. Implications will automatically flow from it. The Minister

[Mr. Cohen]

cannot just wash his hands of it and say that after it is passed he will not have to worry about any of the implications. Having made my point, however, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Order for Third Reading read.

11.20 am

Mr. Hayes: I beg to move, That the Bill be now read the Third time.

The hon. Member for Cardiff, South and Penarth (Mr. Michael) suggested, from a sedentary position, that these proceedings are a filibuster. May I say both to him and to the hon. Member for Durham, North (Mr. Radice), who has introduced some very important legislation which I sincerely hope will be considered by the House today, that when the Sexual Offences Bill came before the House on Second Reading it went through on the nod, simply because of lack of time. Therefore, it is important to have a full debate now. This is not a trivial piece of legislation. It deals with juvenile crime.

Mr. Giles Radice (Durham, North): I do not, of course, accuse the hon. Gentleman of anything, but he appears to have something of a guilty conscience. As far as I know, he broadly supports my Bill—but perhaps he wants virtue, though not just yet. It is true that there was no Second Reading debate, but I understand that in Committee the proceedings were so controversial that they went through in 20 minutes.

Mr. Hayes: The difficulty is that those who serve on Committees are not always willing participants, whereas those who come along on Friday mornings—when many Members believe that they should be with their families or their constituents—feel strongly that they should have the right to be heard.

Mr. Michael: Will the hon. Gentleman give way?

Mr. Hayes: Yes, but then I must press on.

Mr. Michael: I am sure that the hon. Gentleman wishes to press on, but I should like to clear him of any guilt relating to this matter. His contributions to the debate this morning have been very restrained, despite the fact that some of his hon. Friends have sought to widen the debate way beyond the limits of the Bill. However, the Second Reading went through on the nod and the Committee stage took 20 minutes. The Bill has had its Report stage this morning, and all of a sudden, when we arrived at Third Reading, a large number of hon. Members wandered into the Chamber and jumped up, thus indicating that they wanted to speak. That looks to me like a filibuster and an attempt to talk out the Bill that my hon. Friend the Member for Durham, North (Mr. Radice) has introduced in an effort to protect the British public. That is a disgrace.

Madam Deputy Speaker: Order. I have made the point before to the hon. Member for Harlow (Mr. Hayes) that we must stick to the point. If hon. Members want to speak on Third Reading, they are entitled to do so, but I suggest that that is exactly what they do.

Mr. Harry Greenway (Ealing, North): On a point of order, Madam Deputy Speaker. I think that I am the only person who has come late to the debate. [HON. MEMBERS: "No."] Whether I am or not, I have strong reasons for being late. I am very interested in the Bill and wish to speak on Third Reading. It is not right for hon. Members to be pressurised in this way and to be denied their entitlement to speak on Third Reading. I am glad to note, Madam Deputy Speaker, that you are protecting us.

Mr. Hayes: I am grateful to you, Madam Speaker, for your ruling. I am delighted to say that the Bill has the full support of the Opposition Front Bench, as well as the support of the Liberal Democrats.

Ms Liz Lynne (Rochdale): The hon. Gentleman says that the Bill has the full support of the official Opposition and the Liberal Democrats. I agree. Therefore, I cannot understand why it is taking so long.

Mr. Hayes: If the hon. Lady had been here longer, she might understand. She has been here for only about 10 minutes.

Ms Lynne: I understand that the Committee stage took 20 minutes and that there has been no opposition to the Bill whatsoever. Therefore, I reiterate my point: I do not understand why it is taking so long.

Mr. Hayes: Perhaps the prolonged absence of the hon. Lady and the fact that she had nothing to say was because she was convinced by the arguments.

It may help if I deal with the policy background. The Bill implements a recommendation of the Criminal Law Revision Committee in its 1984 report on sexual offences, that the presumption of incapacity in law of boys between the ages of 10 and 13 should be abolished. That recommendation was included in a private Member's Bill in 1990 on sexual offences which received all-round support.

The offences covered include all crimes that involve an offender's capacity to penetrate the vagina or anus, rape, buggery, or attempts to commit these offences, unlawful sexual intercourse with a girl under 13 or 16, unlawful sexual intercourse with a person suffering from a mental disorder or defect, or any other sexual offence involving penetration. May I point out to my hon. Friend the Member for Hertford and Stortford (Mr. Wells) that we are not criminalising consensual sex between teenagers, whether it be homosexual sex or heterosexual sex, or sex with animals.

Earlier I gave the figures for the past five years. Between 1987 and 1991 they show that nearly 215 boys, aged between 10 and 13, were prosecuted for indecent assault on females and that 1,260 were cautioned. Over the same period, 21 were proceeded against for indecent assault on males, and 187 were cautioned. In some of those cases, though we cannot say precisely how many, there will have been penetration. A charge of indecent assault will have seemed to the victims to have been quite outrageous. These offences cause real distress to the victims. That distress may be compounded if they then find that their attackers cannot be convicted of the right offence. That adds insult to injury.

Some hon. Members may ask what is the point of being convicted of the right offence if those convicted are not

then subjected to custody. That point was made properly by my hon. Friend the Member for Wyre Forest (Mr. Coombs).

Mr. Michael: On a point of order, Madam Deputy Speaker. Is it in order for briefing meetings for the filibuster to take place within the Chamber?

Madam Deputy Speaker: The Chair has no knowledge of those matters.

Mr. Hayes: Some people may ask what is the point of young people being convicted of the right offence if they are not then subjected to custody. My hon. Friend the Member for Wyre Forest has made it clear, as have many of us on this side of the House, that we await with great interest what my right hon. and learned Friend the Home Secretary presents to us on the Floor of the House at some future time.

Section 53 of the Children and Young Persons Act 1933, which gives courts powers to order the long-term detention of juveniles convicted of grave crimes, applies, in the case of those under 14, to the offences of murder and manslaughter, something which I hope will interest the hon. Member for Leyton (Mr. Cohen) and my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland). Intensive community-based supervision has proved to be an effective way of responding to children of this age who commit serious offences. When removal from home is necessary, local authorities have powers under the Children Act 1989 to take care proceedings. When children in the care of local authorities need to be contained, a placement can be made in secure accommodation, provided that the criteria under the Children Act are met.

I understand that my right hon. and learned Friend the Home Secretary is working on proposals for a new sentence to provide education and training in a secure setting for juveniles who persistently offend. That will be welcomed not just in the House but throughout the country. I understand that my right hon. and learned Friend is also considering the adequacy of the scope of detention under section 53.

Some people may ask whether this legislation will penalise children unfairly. I believe that there is absolutely no risk of naughty or mischievous children being brought erroneously before the courts. The prosecution will have to prove that the accused understood that what he did was seriously wrong.

There is no need for the Bill to extend to Scotland since the common law has never recognised a presumption of incapacity, and Northern Ireland is a matter for my right hon. Friend the Secretary of State.

The Bill is simple, straightforward, clear and absolutely necessary. It is necessary for the young women who have been raped, taunted and have gone to hell and back only to find their attackers facing the ridiculous charge of indecent assault when they know that a wicked offence of rape has taken place. I commend the Bill to the House.

11.30 am

Lady Olga Maitland: I warmly congratulate my hon. Friend the Member for Harlow (Mr. Hayes) on introducing the Bill—it certainly is not before time.

It is insulting to be accused by the Opposition of filibustering because I have had a long-standing interest in the subject. I was not invited to be a member of the Standing Committee, but I wish that I had been. If I had, I would have made my speech then.

I am very concerned. I am a mother of three children and have brought them up to understand good sexual matters.

Mr. Ian McCartney (Makerfield): I take what the hon. Lady is saying with a pinch of salt. She had a choice of being a member of the Standing Committee that considered the Medicines Information Bill or the one that considered the Sexual Offences Bill, in which she says she is interested. She chose to be a member of the Committee that considered the Medicines Information Bill, which she attempted unsuccessfully to filibuster. She has turned up this morning——

Madam Deputy Speaker: Order. That is not relevant to what we are debating.

Lady Olga Maitland: I trust that the hon. Gentleman will withdraw his remarks about me. I will stick to the main point because I am concerned about this matter.

Children need to be taught sexual manners. The tragedy of today is that they have been polluted by television, the press and society's attitude of take it, grab it and have it at any price.

Mr. Harry Greenway: My hon. Friend is making an important point, but it must be placed in the context of education. I have dealt with these matters over many years, and I do not think that it is easy to teach children sexual manners. They should be taught that sex should take place in a loving relationship.

Lady Olga Maitland: I thank my hon. Friend. I was coming to that point.

I have consistently said for a long time that sexual manners are a moral responsibility. The Bill addresses an extremely serious offence and children who commit it should not think they can get away with it because they will be charged with the minor offence of sexual assault. Young people who forcefully commit penetrative sexual offences should understand that society will not tolerate it.

We should also be paying much greater attention to the victims. As my hon. Friend the Member for Harlow said, those victims have been through the personal agony of rape—that is what it is—and to have it dismissed as a seemingly more minor offence makes the agony worse. Victims are often young people—sometimes younger than their assailant. They and their families need a tremendous amount of counselling and support. Everyone should understand that rape is rape and that it cannot be described as another offence such as sexual assault.

11.34 am

Mr. Anthony Coombs: I do not want to detain the House long because, despite what Opposition Front-Bench spokesmen have said, I am interested in the Bill and have some sympathy with it, but there are important matters to be discussed.

My attitude is somewhat equivocal. I congratulate my hon. Friend the Member for Harlow (Mr. Hayes) on introducing the Bill, which is a sensible measure and should have been on the statute book long ago, but it is primarily, though not totally, a cosmetic measure and will

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not do anything to right the wrongs by ensuring adequate punishment and counselling for those who are guilty of heinous crimes.

As long ago as 1984, the Criminal Law Revision Committee said that a Bill was necessary. Sir William Shelton introduced a Bill, which, sadly, was talked out by an Opposition Member. Speaking on the Second Reading of that Bill, the then Home Office Minister, the present Secretary of State for Education, said:

"the law is adding to the injury of a vicious rape or a brutal act of sexual assault the insult that it did not happen."—[*Official Report*, 11 May 1990; Vol. 167, c. 608.]

That is why the Bill is so important. If the Government feel that the penalty for rape should be life imprisonment —the penalty has increased under this Government—the Bill should reflect that, especially as much of the case law on the capacity of a young person to commit rape comes from the 19th century. The latest case that I have been able to find is 1921. With greater nutrition, the sexual activity of children under 14 has greatly increased; hence the need for the Bill.

I understand that if a woman is raped by somebody under 14, she does not benefit from the same anonymity as if it were categorised as rape. Women will now benefit from that anonymity, which must be a step forward. The Bill will remove the anomaly whereby somebody under 14 can be convicted of aiding and abetting rape, but cannot be guilty of the full offence.

I appreciate hon. Members' concern for young people who commit this kind of appalling crime, but, as my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) said, let us not forget the victims. Irrespective of whether a rapist is under 14 or not, the psychological trauma for women will be quite enormous and therefore the punishment should fit the crime.

Sadly, the Bill allows the conviction to fit the crime but says nothing about the punishment. I understand my hon. Friend the Member for Harlow wishing to await the Home Secretary's deliberations—possibly redeliberations—but the punishment regime for young offenders is inadequate. The Bill should have addressed that, but we may have an opportunity to discuss the matter in 10 days' time in an Adjournment debate on juvenile crime that I have been able to secure.

If the Bill is enacted, the court will have to be convinced that anyone who is convicted, first, committed the act, secondly, knew that what they were doing was wrong and, thirdly, had the mental maturity to realise the consequences of their action. We are not talking only about people who may have been too immature to appreciate the consequences of such an appalling crime but about people who should be punished because they knew perfectly well, as an adult would, what the consequences would be.

I agree with my hon. Friend the Member for Teignbridge (Mr. Nicholls) who said in Committee:

"For too long, the idea that containment is a necessary part of a custodial sentence has been put to one side."—[*Official Report, Standing Committee F*, 17 February 1993; c. 4.]

We have talked too often about rehabilitation and talked too little about retribution and the deterrence of potential offenders. I understand what my hon. Friend the Member for Harlow (Mr. Hayes) said about section 53 of the Children and Young Persons Act 1933 and the Children Act 1989 in terms of the custodial sentence available for those under 14 years of age who commit the appalling crimes that we are now discussing, but I believe that, in the main, the regime of punishment for the under-14s is feeble.

My hon. Friend the Member for Sutton and Cheam mentioned the figures for such crimes. In England and Wales, of 757 instances of indecent assault on a female by males under the age of 14—admittedly not all of which were cases of rape—only five offenders were restrained in custody, although some may have received supervision orders. Despite the psychological damage that they had caused, only five offenders were restrained to prevent them from repeating their offence and in order to protect women.

The problem has been significantly exacerbated by the Criminal Justice Act 1991 which effectively abolished detention in youth offender institutions for people under 15. That was a massively retrograde step and one which I hope the Home Secretary will very soon put right. I shall not delay the House by outlining what I saw when I recently visited my local youth attendance centre, which was used in five cases in 1991 to deal with people who had indecently assaulted females, but I believe that the menu of punishments available for juveniles is not good enough in terms of counselling or rigorous enough in terms of punishment, deterrence or society's retribution for the appalling crimes of which many of these youngsters are found guilty.

It is small wonder that, in relation to the same Criminal Justice Act, the Home Affairs Select Committee recently said:

"The age limitations by the Criminal Justice Act 1991 on the use of secure accommodation should be the subject of research to determine the risks borne by the public by the apparent inability to control the activities of the hard-core persistent juvenile offenders under the age of 15."

I hope that when the Home Secretary publishes his proposals for secure accommodation for young offenders, he will not confine them to persistent offenders but will also deal with young people who may not have persistently offended but who have nevertheless been found guilty of crimes such as rape which most of us deplore.

It is crucial that we deal with the type of situation reported in *The Guardian* on 3 January last year. An Old Bailey judge ordered a 14-year-old boy who had raped a girl of the same age to be detained for 34 months. The judge said that the case

"draws attention to the fact that legislation currently not only fetters but sometimes prevents juvenile courts from depriving young people of their liberty"

in cases involving such heinous crime.

I know that I am talking about what is not in the Bill rather than what is in the Bill, but if we did not deal with these issues we should be talking about only a part of what is a difficult problem. I give a cautious half welcome to this half measure and look forward with great interest to the proposals to be made by the Home Secretary and his colleagues, which I hope will be better in terms of juvenile punishment.

11.44 pm

Mr. Coachman: I am glad to have caught your eye, Madam Deputy Speaker, during the Third Reading debate. I am slightly affronted by some of the comments made by members of Labour's Front Bench——

Mr. McCartney: He is paid by Pfizer.

Mr. Couchman: It is unusual for an hon. Member who is on his feet to raise a point of order, but I wish to draw attention to the insinuation of the hon. Member for Makerfield (Mr. McCartney). It is quite deplorable and does not help us to make progress to the very important Bill on which I wish to speak at length after we have debated this Bill.

Madam Deputy Speaker: Order. I did not hear what I gather must have been a sedentary observation, but hon. Members know my views on sedentary observations. They will also know my views on matters which are not germane to the matter under discussion. I want to hear no more of it from anyone.

Mr. McCartney *rose——*

Madam Deputy Speaker: Order. Sit down. I said that I wanted to hear no more.

Mr. Couchman: I do indeed wish to speak on the Medicines Information Bill which follows and I have tabled several important amendments to it. I have taken an interest in that Bill right from the word go, and I regret that it does not command a complete morning's debate for its Report and Third Reading because it deserves that. I am affronted by the insinuation that has been made.

It has been pointed out that the Sexual Offences Bill received its Second Reading on the nod—I think that was the description. I feel obliged to say that that is no doubt because it was second, third or even fourth on the Order Paper on that day. If it had not received a Second Reading on the nod, it would not have received a Second Reading at all because time would have run out and there would have been no opportunity to discuss it. That is regrettable, because I acknowledge that the speech that I am about to make is a Second Reading speech. I would have opposed the Bill on Second Reading had I had the opportunity to do so.

Madam Deputy Speaker: Order. Unfortunately, time has moved on, and the hon. Gentleman must make a Third Reading speech.

Mr. Couchman: I take your point, Madam Deputy Speaker, but I have contained myself during the wide-ranging discussion on the two groups of amendments.

As has been said exhaustively, the purpose of the Bill is to abolish the presumption in the current criminal law that a boy under 14 is incapable of sexual intercourse defined as penetration, whether natural or unnatural. It is presumed in common law that a boy aged between 10 and 13 is physically incapable of an offence that involves penetration and cannot therefore be charged with rape, but only with the less serious crime of indecent assault.

The Bill would amend the law to allow a boy between the ages of 10 and 13 to be charged with the appropriate offence if he commits any unlawful sexual act involving penetration. It seeks only to change the definition of the offence under which a 10 to 13-year-old juvenile male can be charged. It does not seek to make any provision for punishment of the new offence, and that is one of its great weaknesses. Although it may be seen as providing greater equity and justice in law for the victims—we have heard a great deal about that from my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) and others—it does not provide any greater deterrents. I am especially worried by some of the comments made by my hon. Friend the Member for Hertford and Stortford (Mr. Wells). He seemed to underestimate the seriousness of the offences that we have to consider.

There will be no distinction in the punishment available between the existing crime of indecent assault and the new crime of rape by juveniles. There was no debate on Second Reading and only 20 minutes' discussion in Committee. No amendments were moved in Committee and there were only three speakers, including the Minister. I regret that the Bill has had rather less discussion and consideration than it merits. It is a major step in terms of seeking to criminalise, as my hon. Friend the Member for Hertford and Stortford put it, certain offences committed by 10 to 13-year-olds.

I am especially concerned that the Bill is deficient in two major respects. It does not seek to define the exact nature of the new crime in terms that can be proven in court. It fails to provide new punitive measures for the crime that would deter potential offenders and treat adequately those convicted.

Definition is at the heart of the Bill. Numerous examples are available to show that sexual offences are very difficult to prove, as has been mentioned by my hon. Friends the Members for Wyre Forest (Mr. Coombs) and for Sutton and Cheam. "Rape: from recording to conviction", the Home Office research and planning unit paper No. 71, gave the results of a three-month study in 1985 which concluded that cases of rape or attempted rape recorded by the police have only a one in four chance of resulting in a conviction. According to the study, only between one tenth and one quarter of women suffering rape report the crime to the police.

The university of North London has conducted more recent research which suggests that the conviction rate has fallen below the 1985 average, despite changes in the criminal justice system. Of 114 cases of rape or attempted rape reported to north London police stations, only 15 reached the Crown court and only four resulted in prison terms. A further 11 cases were sent to court as indecent assault charges. As one of the researchers concluded: "corroboration is very often difficult in rape cases."

It is worth mentioning again the timely example of the recent case of a Southwark school teacher who was allegedly raped by a 13-year-old while a 14-year-old held her down. The teaching unions were reported as saying that they believed that this was the first reported case of a suspected rape by a pupil on a teacher in a British school. It now appears highly likely that the case will not be pursued because there is insufficient forensic evidence to support the claim by the victim.

Mr. Harry Greenway: I draw my hon. Friend's attention to the fact that the Bill may assist in dealing with this problem: many young lady teachers are intimidated, sexually and in other ways, by boys under the age of 14. It is vital that those teachers are given better support and a better defence, and the Bill will begin to do that. Does my hon. Friend agree?

Mr. Couchman: I agree entirely. I am certainly not against the principle of the Bill. I am concerned that the Bill does not provide the right answer to the problem that my hon. Friend highlights. The Southwark example shows just how difficult it would be to prove a case against 10 to 13-year-olds who have previously been deemed incapable in law of rape or similar offences. It also calls into question

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the claim that simply changing the definition of such offences would comfort or compensate the victim by providing greater equity under the law.

My second reservation concerns penalties, treatment and deterrents.

Mr. Barry Porter (Wirral, South): I have been trying hard to follow my hon. Friend's argument. As I understand it, he is saying that a new crime has been invented. That is not the case under the Bill. The crime —rape—remains the same. If the presumption about boys of 10 to 14 is abolished, people who could not otherwise be charged can be charged. No new crime is involved.

The reason I came into the Chamber today is an unusual one for a Member of Parliament. I came to listen to the arguments being deployed by my hon. Friend the Member for Harlow (Mr. Hayes), who has now left the Chamber. It would help if people were not accused of using Friday mornings to get rid of later Bills——

Mr. McCartney: The hon. Gentleman does it regularly.

Mr. Porter: I seek your protection, Madam Deputy Speaker, from such sedentary interventions. I——

Madam Deputy Speaker: Order. I have made it plain that I deplore seated interventions. However, if the hon. Gentleman had followed my other precept, that interventions should be short, he would already have sat down.

Mr. Porter: I take the point, Madam Deputy Speaker. I shall act in accord with your wishes, although what is short is a matter of subjectivity.

Madam Deputy Speaker: Order. It is a matter for me.

Mr. Couchman: That was such a long intervention that I am not entirely sure what the point made by my hon. Friend the Member for Wirral, South (Mr. Porter) was. I suspect that it was to do with whether we have invented a new crime. My hon. Friend said that he came into the Chamber to listen. If he had been here from the beginning of the debate, as I have been, he would have heard a great deal of argument about the definition of rape and about the definition of sexual offences covered by the Bill. I shall try to make progress more swiftly. I hope that the matter will become clear to him.

Mr. Barry Porter: Will my hon. Friend give way?

Mr. Couchman: I must resist on this occasion.

The Bill makes no provision for the treatment and punishment of offenders under the proposed new category of offence. It will not deter juveniles from committing such offences simply by changing the definition. Under existing legislation, indecent assault is the strongest charge that can be brought against a juvenile under 14, yet even that is not recognised as a grave crime for punitive purposes. The promoter of the Bill, my hon. Friend the Member for Harlow (Mr. Hayes), acknowledged as much in Committee. He said:

"Section 53 of the Children and Young Persons Act 1933 gives the courts the power to order the long-term detention of juveniles convicted of grave crimes."—[*Official Report, Standing Committee F*, 17 February 1993; c. 4.]

My hon. Friend has confirmed that point only this morning. The same problem applies to those under 14 who are charged with murder or with manslaughter, and no one doubts the severity or gravity of those crimes. Hon. Members do not underestimate the gravity of the crime of rape. That is what we are talking about and that is what the Bill is about.

We should look to the judiciary for comment. In an article in *The Times* on 9 March, Justice Cohen, a designated rape judge, said in reference to the Bill:

"It is to be hoped that it will soon become law because a change is long overdue and that consideration will be given to review the powers of the courts to deal adequately with young offenders charged with this offence."

The treatment is inadequate and no remedies are set out in the Bill. It seeks merely to abolish the presumption that a 10 to 13-year-old is incapable of the offence.

Judge Cohen then said:

"The new government proposals to set up service training centres for young offenders between the ages of 12-15 will not apply to young rapists unless they are persistent offenders."

If a young 13-year-old commits one rape, he is unlikely to come into the category in which the Government's proposals will hold sway. What will happen to youngsters between the ages of 10 and 12? They will not be covered by the proposed service training centres.

The judge concluded:

"There is still no adequate way of dealing with young rapists, especially those under 15. It may be that the time has arrived to rethink our policy of dealing with young sex offenders in order both to help and to punish the offender himself and to deter him and others from offending in this way."

No one disagrees that a change in the law is overdue and should be made soon. However, it would be extremely premature to create a new category of juvenile offences before we have even found adequate ways in which to treat existing categories of offenders.

Furthermore, a definitional change without the necessary provisions for treatment and punishment could undermine the whole purpose of the Bill and provide yet more evidence for the cynics who regard the law as an ass. It would also place judges in an impossible position in sentencing such juvenile offenders.

The whole purpose of the sentencing to which I have referred would be to deter. By itself, the name given to an offence is not a deterrent to those who might commit it. The fear of detection, coupled with the severity of the punishment, is much more likely to deter. The gravity of the charge of rape, for example, does not appear to have acted as any deterrent against adults committing such a crime. There is, however, abundant evidence of the deterrent effect on the victim and the police of the disparity between the crime and the punishment.

In a recent celebrated case, a 15-year-old boy—I accept that he would not be covered by the Bill—raped a fellow pupil for not giving him a birthday kiss. The judge decided that the boy should be placed under a three-year supervision order and should pay £500 to his——

Mr. Michael: On a point of order, Madam Deputy Speaker. As has been said several times, we are on Third Reading, but we seem to be hearing about issues that have nothing to do with the Bill and are even now hearing about a case involving someone outside the age range dealt with in the Bill. We have been told several times that Conservative Members are not filibustering, but there is a temptation to think that that is what is happening.

Madam Deputy Speaker: I have been listening with attention and I agree that the debate is becoming rather

wide, even for a Third Reading debate. I hope that the hon. Member for Gillingham (Mr. Couchman) will bear that in mind in his further remarks.

Mr. Couchman: I have nearly finished, Madam Deputy Speaker. It is worth mentioning that, although the case of the 15-year-old is outside the scope of the Bill, that boy was only a little older than the children that we are considering criminalising under the Bill. I am talking about deterrence, and it is beyond peradventure that the deterrent effect of the sentence passed on that 15-year-old was insufficient. I am glad to say that the case has been reviewed and that a more severe sentence has been imposed. The lack of adequate penalties for such crimes will certainly not assist in deterring potential criminals, but it will certainly deter victims from plucking up the courage to report such crimes and will also deter the police from encouraging the victims to prosecute.

If it is true that young people are more impressionable and can be influenced at an early age, the deterrent factor becomes critical. In dealing with juvenile crime, which the Bill seeks to do, there can be no benefit in altering the legal terminology—which distinction even the courts have difficulty in understanding, let alone a 10-year-old—yet making absolutely no distinction in terms of the severity of the sentence.

No one doubts that the purpose of the Bill should be supported. However, it is both premature and defective in several major respects. First, it seeks to redefine the category of sexual offences which can be committed by boys under 14 without providing measures to deal with these new offences. Secondly, the practical definition of such offences is even more difficult to apply with 10 to 13-year-olds than in dealing with current categories of juvenile offenders. Thirdly, the Bill does not provide any measures to deter or treat those who commit the new category of offences.

The Bill is premature and could be damaging in its present form, providing theory without substance. In my estimation, the Bill has had inadequate time for debate both on Second Reading and in Committee. If it achieves its Third Reading in a few minutes' time, it will go to the other place, where perhaps a judicial mind will be brought to bear on it. It may return to the House for the final day on private Members' Bills on 2 July in a rather better form than the form in which it will leave this place today.

12.4 pm

Mr. Nigel Evans: I am grateful for the opportunity to speak on Third Reading and to congratulate my hon. Friend the Member for Harlow (Mr. Hayes) on introducing the Bill. The profile of law and order has certainly been raised recently. Only last week I attended a public meeting on the subject in one of the smaller villages in my constituency which was attended by more than 120 people. I was presented with a petition carrying more than 1,000 signatures—a great number for a local petition. Public awareness has been heightened and I know that many members of the public will wish the House to do something about the anomaly that we have been discussing.

The Bill is important to the morale of the public, the police, those who work in the courts and the victims, whose interests it is extremely important to remember. I do not believe that the victims of rape care how old the perpetrator is. Why should they? We need to talk a little more and care a little more about the victims of crime such as rape, and that is what we are doing today. Their lives have been destroyed at the hands of vicious and callous individuals.

In many cases, those who commit the sickest of crimes know exactly what they are doing and must be held entirely responsible for their actions. There can be no mitigating factors. That is why I welcome the Bill, which will rectify the anomaly in the legal system whereby those under the age of 14 are considered incapable of intercourse and therefore incapable of rape. The hon. Member for Cardiff, South and Penarth (Mr. Michael) called it a legal myth, and that is exactly what it is. Young people under the age of 14 are very capable of achieving intercourse. The BMA's figures suggest that 2·5 per cent. of youngsters aged 12 or even younger have had a sexual encounter. It is important to remember that.

We cannot draw a line in the sand and state specifically when a person is old enough to achieve penetration. It varies widely from individual to individual. Therefore, in cases of rape, the crime should be judged on the facts: did it happen or did it not happen—was the victim raped or was the victim not raped? The age of the assailant should have no bearing on the issue. How can we tell the victim of rape that those responsible for the crime cannot be tried for the crime that they committed, only for a lesser offence? Have the victims not suffered enough already? Are we to deny them even more of their dignity?

On Second Reading of the Sexual Offences Bill in 1990, the then Minister of State, Home Office, said:

> "Any hon. Member who has received, as we have received in the Home Office, letters from the parents of a violated child who has gone through the most awful physical pain and, as hon. Members have said, who may suffer persistent mental trauma for many years, will know the pain and the consternation that they feel".—[*Official Report*, 16 February 1990; Vol. 167, c. 608.]

We must pay regard to that.

What kind of message are we sending to those who believe that the law lacks common sense by denying that a 12 or 13-year-old can commit rape? Not acknowledging the seriousness of the crime is tantamount to condoning it. Those responsible may be free to live their lives never understanding the true ramifications of their ghastly crime. Society can no longer afford to set that example. Rape is rape. It is not sexual assault but the most vicious form of degradation known to mankind.

I contacted the Lancashire constabulary to find out how many cases had occurred in my area. The constabulary's figures showed that, in 1992, there were 25 cases of sexual offences committed by males ages 14 or under, two at the age of nine, two at the age of 11, five at the age of 12 and four at the age of 13. Those statistics are extremely important. As my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) has already said, the national figures in relation to the sexual offences about which we are concerned today and which we are trying to correct are quite ghastly.

I have several reflections on how we can give the crime the full recognition in the eyes of the law that it deserves. As my hon. Friends the Members for Wyre Forest (Mr. Coombs), for Sutton and Cheam and for Gillingham (Mr. Couchman) have said, we are simply considering the conviction and not the punishment that must follow the conviction. I hope that hon. Members will regard the Bill as a paving measure along the road to something which must follow—punishment for those convicted of rape.

[Mr. Nigel Evans]

Under our current legal system, someone under the age of 14 convicted of any crime other than murder cannot be dealt with effectively by the courts. When the Bill reaches the statute book, as I sincerely hope it will, it will still not enable the courts to award harsher punishments than are available now for the lesser offence of sexual assault.

I was comforted by the comments of my hon. Friend the Member for Harlow about counselling and how the social services can take some offenders into care and secure accommodation. That must be right. However, I look forward to the day when we have legislation to allow the courts to punish properly those who are convicted of rape, irrespective of age. That must be absolutely right.

At the moment, section 53 does not allow the courts to do that and that must be changed as soon as possible. I am aware that the House is clogged with legislation at the moment, but time must be found soon to allow the House to discuss that important legislation which needs to come before the House.

There are wider issues involved in the debate. There is no doubt that the youth of today are maturing faster than at any time in the past. That has been brought about by social pressures and expectations which perhaps did not exist 40 or 50 years ago. Therefore, the Bill must not be seen in splendid isolation.

There must be far more parental guidance in future. I have great reservations about the break-up of the moral fabric of many households. I am concerned about the fact that there are far more family break-ups and more single parents today. However, that does not absolve parents from their responsibility to their children. They should give them as much guidance as possible in all manner of things.

Like my hon. Friend the Member for Sutton and Cheam, I recognise the impact of television in the home. Television is all pervasive. When we switch it on, we can see all manner of things at all times, particularly now that we have satellite television. I am delighted that the Government have acted against Red Hot Television and that they have been successful so far.

We must also bear in mind that videos are available in the home. They also have an impact on people of all ages. Part of the problem is that, in houses where there is no moral guidance for youngsters of 10, 11 or 12 years of age, they can switch on a television set and can see shocking pictures. If moral guidance from parents is lacking, what is a 10, 11 or 12-year-old to make of what he or she sees on the television? Action must be taken quickly to ensure that we clean up many of the programmes which are transmitted.

Madam Deputy Speaker: Order. The hon. Gentleman is pushing his luck. May we now return to the substance of the Bill?

Mr. Evans: We are saying that people under the age of 14 are capable of rape, and I have been referring to the moral guidance that such people require. I have dealt with the home and I am extremely grateful for the latitude that you have shown, Madam Deputy Speaker.

I believe that it is important that those who are capable of committing the act of rape should receive guidance in the form of sex education in schools. I was therefore delighted to learn that the new draft circular has been published and sent to schools pointing out that sex education should be taught with a moral framework in relation to family guidance. My hon. Friend the Member for Ealing, North (Mr. Greenway) made that point.

I believe that schools have a role to play to ensure that we do not send our youngsters on to the streets where they lack moral guidance from their families——

Madam Deputy Speaker: Order. The same strictures apply now as applied a moment ago. If we are talking about the education system, surely the capacity to deal with the subject in hand is an important mark of educational attainment.

Mr. Evans: I am obviously guided by you, Madam Deputy Speaker.

In supporting the Bill, I welcome the fact that it will receive its Third Reading and will, I hope, reach the statute book very soon. My constituents are concerned about all forms of crime, whether it be crime to property or to persons. They want the courts to be given the power properly to convict someone between the ages of 10 and 14 who has committed rape for the crime that person has committed and not for a lesser offence. In the not-too-distant future, legislation will, I hope, be introduced to allow the courts to punish properly people who have been convicted of that terrible crime.

12.16 pm

Mr. Harry Greenway: I will be brief——.

Mr. Michael: I should think so.

Mr. Greenway: I do not think that that kind of remark is called for. It does not help the House to address an extremely serious matter. I wonder whether the hon. Member for Cardiff, South and Penarth (Mr. Michael) really cares about the issue at all. He seems to want to dismiss any discussion of the subject for whatever reason.

Mr. Michael: Will the hon. Gentleman give way?

Mr. Greenway: No, I will not. I do not believe that sedentary interventions of that kind are called for. However, you have given a ruling on that, Madam Deputy Speaker, and I will not pursue the matter.

I have been present in the Chamber throughout the Third Reading debate——

Mr. McCartney: The hon. Gentleman was not here earlier.

Madam Deputy Speaker: Order. I do not wish to reprimand the hon. Member for Makerfield (Mr. McCartney) unduly. However, I have already said that I deplore seated interventions. I do not expect to have any more, particularly from the Front Benches.

Mr. Greenway: Thank you, Madam Deputy Speaker. I explained why I was not present earlier. I will be speedy as I recognise the importance of the next Bill to come before the House. However, the Bill that we are considering now could not be more important at a time when there is serious violence, some of which is sexual, among young people.

I congratulate my hon. Friend the Member for Harlow (Mr. Hayes) on introducing the Bill. It is good that we have been able to discuss it this morning. It sets before the nation a very important issue.

I have a reservation which I want to mention, but on which I will not dwell. I believe that there is a chance that the Bill could lead to a lower age of consent than 16. If my right hon. Friend the Member for Harlow considers that, he might understand how I reach that conclusion. If he does not, I could discuss it with him some time.

I believe that lowering the age of consent would be regrettable. I hope that my hon. Friend the Minister will bear that in mind as he considers the ramifications of the Bill when it becomes an Act. The criminal law for rape will be applied to those under 14 as a result of the Bill. My hon. Friend the Member for Harlow rightly said that, to be convicted, a boy will need to have understood that what he did was seriously wrong. It is sad that there are boys who do not understand that the sexual offence of rape is rape when they commit it. Of course, that is another matter. Any court or body that deals with such an individual will take careful account of the mental development of the child. That important matter is covered in the Bill.

The Bill will have a serious impact on schools, and that must be welcomed. That aspect has been mentioned and I will develop it. As my hon. Friend the Member for Ribble Valley (Mr. Evans) said, a large number of children of all ages, including young children, watch explicit sex on television and, as a result, feel moved to try it. Children are under peer pressure at school and feel that they need to succeed, and that may lead to boys being forceful with girls, or even young female teachers. There have been sexual assaults and worse on young teachers. Young children are driven to that by what they see on television and peer group pressure. We need to take careful account of that in law, because children below the age of 14 are affected.

Family doctors or doctors dealing with schools know that children are maturing much earlier. I heard only this week of an 11-year-old boy who is pronounced to have the physical maturity of a fully grown man, although he lacks the mental maturity of a man. He was described as having strong sexual impulses and urges. He has had to be disciplined at school for pulling up girls' skirts and attacking them physically in some way. There has been a danger of his doing more than simply pulling up dresses —he was seen to pull down a girl's pants. That is seriously bad behaviour. In the school involved, it was certainly thought that the boy was likely to be worked up to the point of wanting to have sexual intercourse with the girl involved, because it had happened on a number of occasions with the same girl. That girl will be more protected as a result of the Bill and its provisions, and that is extremely important.

It is more serious to say that boys aged 14 and under can have sexual passions for teachers, rather than simply for other girls. They can attack female teachers in the same way as the boy whom I described attacked a girl of his own age. The matter is becoming more serious in some schools in which discipline has declined. To the Government's credit, they are tackling that sort of indiscipline. The matter needs to be addressed, and my hon. Friend's Bill will help greatly.

The age of puberty is unquestionably coming down all the time—happily, in one sense, because children are better fed and have better welfare. They grow more quickly and they grow bigger and stronger. However, the mental maturity of children is not keeping pace with the more rapid physical maturity that I have described. That is a problem, because children under the age of 14 rarely have the maturity to control the strong sexual urges that I have described. They need to control those urges. That applies to children not only in schools but in youth clubs and elsewhere.

Children under the age of 14—I was about to use the word extraordinary, but it is not—have a big sense of adventure. I hope that hon. Members will not think that I am reducing a serious matter to banality when I use that term. For boys who talk together and get together, it can be a great adventure to seek to have sex with girls of the same age, or girls who are older or younger. In some circumstances, boys can aid and abet each other. That sense of adventure needs to be taken into account, because it is, by definition, an irresponsible attitude on the part of the boys involved.

At the same time, boys under 14 are vulnerable to the sort of peer group pressures that I have described. In all schools, they must be told about the implications of the Bill. The knowledge that they will be liable under criminal law—as they will be—will certainly be a counter-pressure to the adventures and a support to those who are vulnerable to giving way to pressure to behave irresponsibly. Children under 14 need to be protected from themselves. The Bill will assist in that process, and it must be welcomed.

12.26 pm

Mr. Wells: I agree entirely with my hon. Friend the Member for Ribble Valley (Mr. Evans) when he described rape as the most vicious form of degradation known to mankind. It is second only to murder in the hierarchy of crimes of which mankind is capable. What is more, it leaves a damaged person—a girl or woman who must live with an appalling and vicious attack. Psychologically, it is difficult for them to recover from such attacks and enjoy normal sexual relations, as they are entitled to do.

Rape is an abhorrent crime about which we are all concerned. I congratulate my hon. Friend the Member for Harlow (Mr. Hayes) on sharing my concern about that appalling crime, even though it is committed by boys under the age of 14. For that reason, I congratulate him on introducing the Bill.

I sympathise with my hon. Friends the Members for Gillingham (Mr. Couchman) and for Wyre Forest (Mr. Coombs), in particular, and also with my hon. Friends the Members for Sutton and Cheam (Lady Olga Maitland), for Ribble Valley and for Ealing, North (Mr. Greenway) who said that the Bill will do nothing to address the increasing incidence of this crime. If my hon. Friend the Member for Harlow will forgive me, I believe that this is a case of fools rushing in where angels fear to tread.

The Bill deals with a crime with which it is difficult to come to terms socially and difficult to deal with in a court of law. It is also difficult to deal with in terms of the punishment given. How does one change such behaviour? Does one simply send a young boy to a detention centre, where he will learn about other forms of vicious crime and, in some cases, how to commit rape even more viciously?

My hon. Friend the Member for Gillingham referred to the celebrated case in Wales involving a 15 year-old boy, who was brought before the courts. The sentence he was given was thought to be inadequate and, on appeal, it was increased. What has been the effect on the victim and the boy of having that matter brought before the court in the first place, blazoning it acrosss the national press and then

[Mr. Wells]

increasing the punishment meted out to that boy? It certainly increased the humiliation and degradation experienced by the girl.

We are totally incompetent in our attempts to deal with this matter either through the law or social services. That incompetence is even revealed in our understanding of how to stop such behaviour and the provision of proper treatment for it. That is why the Bill should not have been introduced separately from a proper review of the way in which society, the law and the corrective services deal with the offence.

My hon. Friends who are lawyers and my hon. Friend the Minister, who is advised by lawyers, tell me that the Bill deals only with the issue of rape. It gets over a hurdle, because, under current criminal law, we cannot accuse a 14-year-old boy or a younger one of rape, as he is considered incapable of sexual intercourse. That may be the narrow legal interpretation, but a problem arises because it is a criminal offence to have sexual intercourse below the age of 16. Under the current law as I understand it, one cannot bring a criminal charge against a boy below the age of 14 for having unlawful sex below the age of 16, because he is deemed incapable of having sexual intercourse. As a result of the Bill, that will no longer be so. A boy under the age of 14 could be brought before the courts for having unlawful sex below the age of 16 and even below the age of 14. That is my understanding of the Bill, but its other effects are probably hidden from the House as we rush it onto the statute book.

Mr. Hayes: It is currently against the law for people under the age of 16 to have sex. Until the Bill is passed, it is not presumed that a person under the age of 16 has the capacity for intercourse, full penetration. In the highly unlikely event of a prosecution being brought under the current law, a person under the age of 14, who has had full penetrative sex, being presumed incapable of that act under existing law, would be charged with indecent assault. I accept that such a situation is highly unlikely, but, in theory, that person would still be charged with a criminal offence. The Bill, therefore, does not criminalise anyone; it deals with the charge, nothing more.

Mr. Wells: As a layman, I am grateful for that explanation from my hon. Friend, who is learned because he is a lawyer. I am not sure whether that is the effect of the law, however, although I must accept his advice and that of the Minister that that is the case. I hope that it is; if it is not, it will result in many youngsters who participate in sexual activities being brought before the courts of this country. That is not the right way to deal with such matters, as I think that my hon. Friend the Member for Harlow agrees—*[Interruption.]*

I shall bring my remarks to a close as I can hear sedentary interruptions from the Opposition spokesmen and I do not wish to delay the House. The Bill should have been produced in the context of the problem of under-age rape and sexual offences, and provided for the sensible treatment of those who commit them to enable them to grow up as responsible humans who respect others and are capable of proper and enjoyable sex in a loving and affectionate relationship.

12.37 pm

Mr. Jack: We have had an interesting and extensive debate on many of the issues covered by the Bill. I am pleased that the Bill has reached Third Reading in an unamended form, for which we should pay tribute to my hon. Friend the Member for Harlow (Mr. Hayes). I congratulate my hon. Friend on introducing the Bill and steering it through its various stages through the House. Nothing in the House is ever easy or straightforward, as today's debate has clearly illustrated.

The Government fully support the Bill, which corrects a long-standing absurdity in the law. On a note of apology, I wish that the Government had had time in their legislative timetable to introduce the Bill, but, sadly, they were unable to do so. I am delighted that my hon. Friend the Member for Harlow used his time as a private Member to introduce the legislation. Although there have been some interesting criticisms of the Bill, the general thrust of today's debate has been in support of the measure.

It is worth recording how the Bill came to be introduced, and to address one or two of the issues raised in the debate. When the subject was raised in the context of a previous private Member's Bill, it was debated thoroughly, in the round, with a number of other issues relating to sexual offences. The hon. Member for Kingston upon Hull, West (Mr. Randall), who led for the Opposition, said:

"Such a scandalous situation should not exist in modern law."—*[Official Report,* 16 February 1990; Vol. 167, c. 599.]

Those were wise and correct words, and have clearly influenced the proposition of my hon. Friend the Member for Harlow.

Both those views were supported by the Home Office Criminal Law Revision Committee, which considered the matter in considerable depth. It stated clearly:

"Under the present law . . . a boy under 14 cannot be convicted of . . . rape or any other offence of vaginal or anal intercourse because he is conclusively presumed at common law incapable of sexual intercourse. In paragraph 27 of our working paper we discussed the common law presumption and provisionally concluded that it should be abolished. All who commented on the issue agreed with us. Accordingly we now recommend that presumption be abolished."

That was a clear, unequivocal and ringing endorsement for the measures that lie at the centre of the unamended Bill.

If hon. Members have any doubt that the issue was not considered in considerable depth, they should look at paragraph 27 of the report, which states:

"If that recommendation"—

to which I referred—

"was accepted, the prosecution would, of course, have to prove as in all cases involving defendants under 14 that the boy knew that he was doing wrong."

My hon. Friend the Member for Gillingham (Mr. Couchman) mentioned that issue. He was talking about differentials of proof in terms of adult crime where, at present, the alternative might be indecent assault. Clearly, with all criminal charges different levels of proof have to be achieved. Those levels are to protect those accused of crime who may have evidence to offer to the contrary. Now, the same different sorts of proof are introduced by this proposal.

Several hon. Members supporting the Bill talked about punishment and how these sexual crimes are dealt with. I repeat what I said in the Standing Committee: we understand these concerns. My hon. Friend the Member for Ribble Valley (Mr. Evans) spoke with passion about the seriousness and nastiness of rape—he was right to use

such language. Equally, however, we have taken up the point made by other hon. Members and we are looking in the round at the scope and coverage of section 53 of the Children and Young Persons Act 1933. We understand the anxieties about the restrictions that it imposes on the courts, particularly as to the uses of custody. These matters take time to consider, but we are looking carefully at them.

What are the alternatives? My hon. Friend the Member for Hertford and Stortford (Mr. Wells) came near to teasing out some of the important issues that lie behind this subject. My hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) pertinently commented on the backgrounds from which young men accused of this nasty crime may come. She mentioned that they may themselves have been sexually or physically abused.

I should like to offer the House a reassurance. The fact that the Bill will enable a person to be charged with what he has actually done—raping someone—must mean a great deal to the victim of the offence. Under current law, the courts will be able to award a sentence of supervision, which is not an easy option. It goes to the very heart of offending behaviour. It matters not whether a person is dealt with in the community or by means of custody—the problem remains: we need to get to the reasons why he committed the act of rape, with which this measure deals. Supervision, day in day out—it can be as frequent as necessary—goes, as I say, to the heart of sexual behaviour. I have seen work in the probation service that shows what can be done to turn people away from offending behaviour.

Mr. Harry Greenway: Is my hon. Friend saying that the very fact that the boy concerned may be found guilty of an offence will have a dramatic effect on the behaviour of other boys? They must be educated to know that they can be brought to book if they commit sexual offences of the kind that the Bill would prohibit.

Mr. Jack: My hon. Friend underlines my point. A proper charge can now be brought for what someone has done, and it is a serious charge. The measure will also focus the minds of those who will be responsible for the punishment of the offender and, and even under existing law, that means that the right punishment can be devised for the crime. At least the victim, who must never be forgotten, will know that a person has been convicted of an offence. Indecent assault is a lesser charge—not the right charge for a crime as serious as rape.

Mr. Cohen: I hear what the Minister says about the Government supporting the Bill. Many hon. Members support it, too, but he must acknowledge that it deals with only one aspect of the law governing rape. That law needs reform right across the board, as the hon. Member for Hertford and Stortford (Mr. Wells) has said. Have the Government any plans to examine all the laws covering rape, including the victim compensation aspects?

Mr. Jack: I do not want to trespass beyond the boundaries of what we are discussing today. The hon. Gentleman will know of my personal commitment to, and interest in, matters connected with domestic violence, which can include rape. There is much good work to be done on that. He will also know of recent Court of Appeal judgments that deal with rape in the context of marriage. Doubtless there is more work to be done, and I acknowledge the hon. Gentleman's point.

Before I was interrupted, I was about to pick up a point made by my hon. Friend the Member for Wyre Forest (Mr. Coombs). He spoke about psychological damage to victims. The word "psychological" was appropriate and fits the point that I made about the nature of the supervision order and what can be done about offending behaviour. My hon. Friend was right to mention that and I look forward to his wider comments on juvenile crime in his Adjournment debate.

I covered the issue raised by my hon. Friend the Member for Gillingham about differential evidence. What he said emphasises the importance of this narrow Bill. My hon. Friend the Member for Ribble Valley takes a special interest in these matters and I thank him for his contribution.

The Bill is narrowly drawn, but it is important. It deals with a serious crime and enables the proper charge to be brought. As my hon. Friend the Member for Sutton and Cheam said, the offence is not imaginary but real. People are presently committing rape and, if they are below the age of 14, they can be charged only with indecent assault. The Bill deals with that matter and I whole-heartedly endorse it.

12.45 pm

Mr. Michael: I congratulate the hon. Member for Harlow (Mr. Hayes) on doing what the Government should have done. In view of the wide nature of the debate, we should remind ourselves that the Bill simply abolishes the nonsensical presumption of the criminal law that a boy under the age of 14 cannot be capable of sexual intercourse. That is the simple issue and it is surprising that there has been such a wide-ranging debate.

The Minister was generous enough to acknowledge that the Government should have undertaken this measure. There was an opportunity to do that in this year's Criminal Justice Bill. Many issues contained in current private Member's Bills could have been dealt with in that Bill, thus saving the time of the House. The Bill is important and useful and it is no fault of its promoter, the hon. Member for Harlow, that in some ways the debate has been widened and misused. It must have been frustrating for the hon. Gentleman to have to reduce his contribution because, undoubtedly, he would have liked to expand on knowledge of the subject.

I say to the hon. Member for Ealing, North (Mr. Greenway), or I would if he were still in the Chamber, that it may be in order but it harms the reputation of the House for hon. Members to wander in halfway through the morning and expect to be able to speak at length. Conservative Members widened the debate into all sorts of matters which, although important, are not germane to the Bill. I especially noted those hon. Members who sought to widen it into juvenile justice generally by using the typical Conservative approach, which is to talk tough, shout loudly and do nothing.

Crime figures published this week show that the Government have presided over an increase in crime of well over 120 per cent. In view of that, I am surprised at the cheek of Conservative Members in trying to widen the debate. However, there will be all-party support if they are serious and if next week they support such measures as the

[Mr. Michael]

Bail (Amendment) Bill and the Criminal Justice (Amendment) (No. 2) Bill, introduced by my hon. Friend the Member for Warwickshire, North (Mr. O'Brien).

If Conservative Members are serious, they will press the Government for a speed-up in the criminal justice system, especially in relation to young people, and for an increase in the resources for prevention and earlier intervention. We are paying a sort of crime tax for the Government's failure in those respects. I mention them because they have been raised in the debate, although they seem to fall outside the scope of the Bill. The debate contained about 30 minutes of illumination from each side, but otherwise swallowed time that the House could have used to debate the Medicines Information Bill. Hon. Members who have spoken at length will have to answer to their consciences and to the British people for perpetuating secrecy in the pharmaceutical industry. They know what they have done in denying protection to the British public in respect of drugs and medicines. They have done that with the collusion, if not the encouragement, of the Government Whips.

The Bill does not create perfection in law, but Labour has supported the Bill from the beginning because it puts right one specific anomaly in the law. We have not let it pass without thought, but have given the Bill the consideration that its serious subject matter deserves—although we have not sought to waste the time of the House, having recognised that the Bill encapsulates simple common sense, which I commend to the House.

Question put and agreed to.

Bill read the Third time, and passed.

Medicines Information Bill

As amended (in the Standing Committee), considered.

New Clause 3

RESTRICTIONS ON THE PROVISION OF INFORMATION

'.—(1) Where any information is made available to any person or organisation under this Act, that person or organisation must not disclose that information without the written consent of the licensing authority.

(2) A person who without reasonable excuse contravenes, or causes or allows the contravention of, subsection (1) above shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(3) Section 124 of the 1968 Act shall apply in relation to an offence under this section as it applies in relation to an offence under that Act.

(4) Where a person or organisation requests consent under subsection (1) above the licensing authority may—

(a) make a reasonable charge, not exceeding the cost of determining the request;

(b) give consent on such terms as the authority consider appropriate.'.—*[Mr. Waterson.]*

Brought up, and read the First time.

12.50 pm

Mr. Nigel Waterson (Eastbourne): I beg to move, That the clause be read a Second time.

Mr. James Couchman (Gillingham): On a point of order, Mr. Deputy Speaker. Before my hon. Friend begins his remarks, I want to declare my interest to the House as an adviser to a pharmaceutical company. Insinuating sedentary remarks have been made about that today. I make it clear to the House, particularly in respect of press reports that have appeared in recent days, that I advise Pfizer in Kent, which is a major pharmaceutical company. That is in the Register of Members' Interests. It has also been drawn to the attention of the House—and this, too, has appeared in the press—that I advise the Gin and Vodka Association of Great Britain, although that is not germane to this debate. I should like that declaration on record, so that no further sedentary insinuations will be made by members of the Labour Front Bench.

Mr. Deputy Speaker (Mr. Michael Morris): I am grateful to the hon. Gentleman.

Mr. Ian McCartney (Makerfield): Further to that point of order, Mr. Deputy Speaker. The matter to which the hon. Member for Gillingham (Mr. Couchman) referred was not only the subject of sedentary interventions but was raised officially during all stages of the Bill. I refer to the hon. Gentleman's involvement with a company that has objected to the Bill and lobbied against it, and his meetings with that company in respect of the Bill. We have raised serious objections about the hon. Gentleman's connections with the company, and his ability—as a paid adviser—to filibuster and try to destroy the Bill. It is not a question of impugning the hon. Gentleman's character—it is a fact that is the case.

Mr. Couchman *rose*——

Mr. Deputy Speaker: Order. The hon. Member for Gillingham (Mr. Couchman) declared his interest and used the appropriate method dictated by the House. The hon. Gentleman's declaration is now firmly on the record.

Mr. Waterson: New clause 3 and others, and amendments in my name, make a genuine attempt to

improve the Bill. I have no formal interest to declare in these proceedings, but, in view of the ill-tempered and ill-advised interventions, sedentary and otherwise, made by Opposition Members, I will make two points clear. I am fortunate enough to have in my constituency the northern European headquarters of Rhone-Poulenc Rorer, which is one of the most successful and innovative of the pharmaceutical giants in this country. Also, as a lawyer myself, I have an interest in good law and good legislation. I do not want this or any other Bill to leave the House with loose ends or with provisions that would be difficult if not impossible to interpret or enforce.

Mr. Giles Radice (Durham, North): Will the hon. Gentleman tell the House who drafted his new clause?

Mr. Waterson: Although I received a little research assistance, the authorship of the new clause is mine and I am delighted to commend it to the House. If the hon. Gentleman believes that it does not have the intended effect, I shall be delighted to hear from him, but I will take any credit and any blame for the wording of new clasue 3 and of my other new clauses and amendments.

I hope that new clause 3 will command the agreement of right hon. and hon. Member in all parts of the House. I believe that it is accepted, including by the hon. Member for Durham, North (Mr. Radice), that, somewhere along the line, some restriction must be placed on the information to be supplied and the circumstances in which it is to be supplied. Any legitimate debate that there may be will be about where one is to draw the line—a point which I will develop at greater length later.

The new clause would make it an offence for people who had successfully applied for information under the Act to make copies of the information without the permission of the licensing authority. It also draws in the provisions of section 124 of the Medicines Act 1968, which takes account of offences involving corporate entities. The clause makes it possible for the licensing authority to charge for copies of information, whether the authority supplies that information directly or it is supplied by a third party.

Without such a clause, the licensing authority would find it harder to offset the cost of preparing the information. If the licensing authority receives less money than it should from applicants for information, that cost will ultimately fall on the pharmaceutical industry through licence fees. It wil be part of the leitmotiv of my comments on other amendments and new clauses that that is something which I wish to try to avoid, wherever possible.

I consider the new clause to be essential if we are to ensure that applicants for information can be charged a reasonable amount for copies from any source. It is a perfectly reasonable provision. It is not out of line with the usual approach in such a situation to books and magazines, for example, where copyright applies. Therefore, I have no hesitation in commending what I hope is an uncontroversial new clause to the House.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 4

RESTRICTIONS ON THE PROVISION OF INFORMATION

'.—(1) Subject to subsection (4) below, no information shall be made available under this Act which would or might identify or lead to the identification of—

(a) any individual; or

(b) the place at which any test involving the administration of a medicinal product to an animal has been carried out.

(2) Subject to subsection (4) below, the licensing authority shall not make any information available under this Act if they consider that to do so would—

(a) involve the disclosure of a formula, process, device or invention of commercial value; or

(b) make it more difficult for the holder of a product licence in respect of a product to which the information relates to compete with other persons; or

(c) impair the ability of the licensing authority thereafter to obtain similar information;

but no information contained in or accompanying an application for a product licence shall be withheld on the ground that paragraph (a) or (b) above applies unless it is designated under subsection (3) below.

(3) An application for a product licence under section 16 of the 1968 Act shall designate the information contained in or accompanying the application to which, in the opinion of the applicant, subsection (2) (a) or (b) above applies.

(4) Nothing in this section shall prevent the making available under this Act of information which has been published in the United Kingdom.

(5) Where the licensing authority consider that this section requires them to refuse any request under this Act, they shall so inform the person making the request.'.—*[Mr. Waterson.]*

Brought up, and read the First time.

Mr. Waterson: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to consider the following amendments: No. 21, in clause 1, page 1, line 6, at end insert—

'"animal" has the same meaning as in the 1968 Act;'.

No. 8, in clause 4, page 4, leave out lines 6 to 37.

Mr. Waterson: This is a more substantial proposed change to the Bill, and I shall speak at greater length on the intent and proposed effect of the new clause. I have moved the new clause because I am not happy about the proposed protection for commercial information and for individuals under clause 4, as drafted. My philosophy, as I have already said, is to keep any extra burden on the pharmaceutical industry to the minimum.

One of the first things that the new clause does is to prevent information from being revealed about any individual. That seems to me to be eminently fair and sensible. For some reason, the Bill, as drafted, allows individuals to be identified if they have given permission. I do not see why that is necessary. Information of the kind with which the Bill deals should not mean that individuals can be identified.

I see no point in people wandering throughout the country knocking on doors and demanding the signature of someone who might have taken part in a clinical trial, simply in order that their name can be made public. In both this and other contexts, the problem in this country is keeping people's names out of publication rather than inventing new ways of identifying them. My new clause will ensure that individuals are protected from identification.

As to the provision relating to experiments on animals, I hope that its reasoning is reasonably predictable. I refer to subsection (1)(b) which refers to

"the place at which any test involving the administration of a medicinal product to an animal has been carried out."

In recent years, there have been examples of the activities of animal rights activists who have caused destruction to property, particularly to property where they believe that

[Mr. Waterson]

experiments on animals of a certain kind are being carried out. That is another reasonable safeguard to include in the Bill.

Mr. Radice: Has the hon. Gentleman had the opportunity to look at amendment No. 104 which, after consultation with the industry, deals with precisely the question that he has just raised?

Mr. Waterson: New clause 4 offers clearer protection of commercial information than the original clause. In a sense, the principle is already accepted in the Bill. I do not believe, with the greatest respect, that the hon. Member for Durham, North has placed sufficient importance on the need to protect commercial information. The original clause 4, which contained a requirement for all safety and efficacy information to be published, was evidence of that. The hon. Member was forced to withdraw the clause in the face of universal condemnation from the pharmaceutical industry.

1 pm

Mr. Radice: That is a somewhat churlish way of putting it. I dropped the clause. I was not forced to do so; I offered to do it.

Mr. Waterson: I should not like to be thought of as being churlish, so I am happy to accept the hon. Gentleman's explanation.

There is no doubt that the Association of the British Pharmaceutical Industry is opposed to the underlying purpose of the Bill. It argues that it would lead to commercially valuable information being disclosed. It claims that companies will seek licences in Europe, not Britain, as the new Europewide licensing system comes in under the single market, thus denying the NHS access to approved medicine.

Ms Liz Lynne (Rochdale): The hon. Gentleman said that the British pharmaceutical industry opposed the Bill. As the hon. Member for Durham, North (Mr. Radice) has already said, discussions were held with the British pharmaceutical industry, after which clauses 4 and 5 were deleted. The hon. Member for Durham, North has already mentioned amendments Nos. 104 and 105, which propose the same as the new clause. Glaxo was telephoned this morning and asked whether it opposed the Bill. It said that its position had not changed. We were led to believe that, as long as we withdrew clauses 4 and 5, the British pharmaceutical industry would be happy with the Bill. The suggestion of the hon. Member for Eastbourne (Mr. Waterson) that the industry is totally opposed to the Bill is slightly misleading. The industry does not seem to know whether it is for or against the Bill: it says one thing to myself and the hon. Member for Durham, North and another to Ministers.

Mr. Waterson: I am grateful for that lengthy intervention. The point that I think I just made was that the association opposed the underlying principle of the Bill. I was careful to use the phrase, "underlying principle". There is nothing wrong in the association holding discussions on detail with Opposition Members, as it has throughout the passage of the Bill, as a damage-limitation exercise, but no Opposition Member is in a position to say that the pharmaceutical industry or the association favours the Bill, or at least the underlying principle. What the association has done quite properly —this is the way things are in the real world—is hold discussions with hon. Members, particularly the hon. Member for Durham, North, in which, no doubt, it attempted better to inform the hon. Gentleman and to persuade him of the damage of some of the Bill's provisions. In some of the discussions, its arguments prevailed, in others perhaps not.

Mr. Roger Knapman (Stroud): Has not the ABPI said that it is in favour, in general terms, of providing better information on medicines to doctors and patients—a view which we all share? In February, it said that the Bill is not needed because of the amount of information that is already available. It also said that the Bill presents a threat to the continued viability of the United Kingdom pharmaceutical industry. Surely that is the reality of the ABPI's approach, which is perfectly clear.

Mr. Waterson: My hon. Friend puts the point succinctly. The association has two basic answers to the hon. Member for Rochdale (Ms Lynne). The first is that a great deal of information is currently available from the industry about particular drugs. The second is what I call the level playing field problem, which I shall develop in much more detail in a moment. We are talking about multinational companies that operate worldwide, and especially Europewide. Their supreme difficulty with the Bill is that it may put them at a competitive disadvantage in this country.

Mr. Richard Spring (Bury St. Edmonds): One of the points that has come to light in my discussions with representatives of the pharmaceutical industry is the fact that there are negotiations for a European Communitywide licensing authority and until that comes about, pharmaceutical companies operating here believe that the move would be unilateral and to their disadvantage.

Mr. Waterson: I am grateful for my hon. Friend's intervention. I shall develop that issue later, but I now wish to continue what I was saying before the hon. Member for Rochdale intervened.

The association has argued that the Bill would be a "charter for foreign copyists" of drugs and for counterfeiters which, as we know, pose a threat to this industry and to many others.

Mr. Couchman: I did not intervene when my hon. Friend was moving new clause 3 which deals with the passing on of information. Even with the penalties prescribed under new clause 3, the passing on of information causes only a comparatively minor fear to companies if they have considerable commercial interest in getting hold of information that would be available under the Bill.

Mr. Waterson: I believe that during the second world war a poster appeared at times saying, "Loose talk costs lives". In this case, loose talk could cost jobs and money. In high-tech industries, and especially in the pharmaceutical industry, information is power and money, and many people have an interest in getting their hands on information and on formulas for new developments or prospects of new developments. Companies can rise or fall on the fortunes of a particular new product.

Mr. McCartney: Will the hon. Gentleman give way?

Mr. Waterson: No, I shall not give way now, because I must make some progress. I may allow the hon. Gentleman to intervene later.

I was trying to conclude my point that the industry itself has warned that future investment could go elsewhere in Europe, thus damaging job prospects in this country. As we know, Britain has a £1·2 billion trade surplus in pharmaceuticals.

The concerns of the pharceutical industry were noted in particular by the Under-Secretary of State for Health, my hon. Friend the Member for Bolton, West (Mr. Sackville) on Second Reading. He said:

"The Government are committed to making more information available."

Despite some of the things that the hon. Member for Durham, North has said inside and outside the House, I believe that that basic principle still stands. The Minister continued:

"It must be acknowledged, however, that the pharmaceutical industry sends an enormous amount of commercially sensitive data to the licensing authority. This has been protected by the requirements of the Medicines Act and by the common law presumption that confidentiality would be maintained. Information on medicinal products is potentially highly sensitive commercially and there is a risk that without adequate safeguards the provision of public information could be seriously abused.

The pharmaceutical industry is concerned about the commercial sensitivity of the data that it provides and about the additional burden that the Bill could place on it and the extent to which it would be taking the United Kingdom out of line with other member states. This is a particular crucial issue at a time when new EC licensing systems are in the process of being agreed".—[*Official Report*, 15 January 1993; Vol. 216, c. 1225.]

Mr. McCartney: The hon. Gentleman says that the Bill would be a dangerous precedent for United Kingdom companies. Although Glaxo used the American Freedom of Information Act to obtain information about Smith Kline Beecham, one of the foremost companies in the world, that company has not been affected. The Medicines Control Agency and the Ministry of Agriculture, Fisheries and Food, the Government's own bodies, have used the American Freedom of Information Act to look into companies such as Fisons. Pfizer, a company which the hon. Member for Gillingham (Mr. Couchman) is paid to represent here, has also used the legislation to seek information about Glaxo, a British company. No one suggests that Pfizer's action has led to a deterioration in Glaxo's financial or trading position either here or in the United States.

Mr. Deputy Speaker: Mr. Waterstone.

Mr. Waterson: If I may say so, Mr. Deputy Speaker, it is Waterson, not Waterstone. Unfortunately, I am not the owner of a chain of bookshops. There we are, we cannot have everything in this life.

I am not here to defend the working of the United States Freedom of Information Act, although it is worth a debate in itself.

Mr. McCartney: Answer the question.

Mr. Waterson: I will answer the question. There are serious flaws in the Act's workings. It is primarily directed at information generated by Government agencies in the United States, so it does not assist the hon. Gentleman's argument. The examples the hon. Gentleman give show that there is a great hunger among commercial organisations in pharmaceuticals to get their hands on information about their competitors and rivals. That is the position I seek to address in the new clause.

Mr. Spring: Does my hon. Friend agree that in the United States, it is perfectly possible by Government order —by presidential decree—to prevent information from being made available by pharmaceutical industries to protect their commercial interests? That is exactly what happens in practice.

Mr. Waterson: I am grateful for that intervention.

Mr. Bowen Wells (Hertford and Stortford): Is not it true that under the United States Freedom of Information Act, the information required is, as my hon. Friend has said, information generated by Government agencies? The Act does not oblige the Government to make public details of medicinal products submitted by pharmaceutical companies. The Bill's proposals for British law are entirely different from the Freedom of Information Act in the United States.

Mr. Waterson: I am grateful for that intervention. On the basis that that is the correct position, it is an effective answer.

Ms Lynne: My information leads me to believe that the intervention by the hon. Member for Hertford and Stortford (Mr. Wells) was entirely wrong. The United States legislation is very similar to the Bill.

Mr. Waterson: I hope that I shall be forgiven for pressing on. My hon. Friend the Minister may wish to arbitrate on the point later.

The pharmaceutical industry is important to this country and that is why we must get the Bill absolutely right—hence the debate today. It has been said more than once that there are 90,000 jobs in the United Kingdom that are dependent on the pharmaceutical industry. I have already mentioned Rhone-Poulenc Rorer which is the largest private employer in Eastbourne and very pleased we are to have it there. I mentioned the £1·2 billion trade surplus.

We all know the difficulties involved in developing new products. The pharmaceutical industry is a highly competitive, high-tech industry. It can take up to 12 years to develop, to finalise and to test the safety of a new drug, at a cost of up to £150 million. There are particular difficulties, in which I have been involved, if a patent lasts only for 20 years. That leaves a short time for the commercial exploitation of the product and a short time in which to recoup the enormous investment in research and development.

Some £550 million worth of capital investment was made by the industry in 1990. It has about £3 billion worth of exports, making it the second largest contributor to our balance of payments. About £1 billion is invested in research and development, which represents a staggering 10 per cent. of all British manufacturing investment in research and development as a whole. In short, the pharmaceuticals industry is a major British success story.

I have already referred to the European dimension, which was touched on by the Minister on Second Reading. Let me quote from the remarks of the hon. Member for Durham, North in Committee:

[Mr. Waterson]

"everybody accepts that there will be a European directive which will lay down rules for openness across the European Community . . . all its details have not yet been finalised."

The hon. Gentleman conceded that the Bill would be in advance of legislation in one or two other EC countries. He went on:

"Why not lead other EC countries on the issue of openness?"—[*Official Report, Standing Committee C*, 24 February 1993, c. 33.]

I do not believe that those quotations are in any sense out of context.

That is a legitimate and respectable point of view, but it is not the point of view which I take. I think that I am right in saying that, with the exception of Denmark, we would be the only EC country to take the bold step envisaged in the Bill unilaterally. The result would be that we would be out in front of our EC competitors, and perhaps the hon. Member for Durham, North still thinks that that is something to be applauded. I do not believe that it would be good news for the British pharmaceutical industry.

1.15 pm

Mr. Couchman: Does my hon. Friend agree that to saddle the British industry with a burden with which our European competitors are not saddled will prejudice Britain's chances as a site for the location of new manufacturing?

Mr. Radice: That is a total red herring.

Mr. Couchman: Perhaps you would protect me against sedentary interventions, Mr. Deputy Speaker.

That will predicate against British locations for new manufacturing operations by the pharmaceutical industry, and it is manufacturing which produces the trade balance surplus that is so important to us. There is at present a huge overcapacity of manufacturing capacity in Europe. There will be a rationalisation, and we should do nothing to prejudice our position.

Mr. Waterson: I could not agree more. Manufacturing not only produces the trade surplus; it also produces jobs in constituencies such as mine. My hon. Friend the Member for Gillingham (Mr. Couchman) is absolutely right to refer to the overall problem of overcapacity in Europe. Coupled with that, the companies involved are almost invariably true multinationals, which move backwards and forwards across frontiers with considerable ease. Some of them have plants all over Europe or even all over the world.

Mr. Radice: Exactly.

Mr. Waterson: The hon. Gentleman says, "Exactly." It seems that we start from the same premise but reach diametrically opposed conclusions. My conclusion is that, there is an ever-present danger that, if we do anything to rock the boat—to give other countries in Europe any kind of competitive edge in pharmaceuticals—the companies will vote with their feet or with their investment.

Mr. Spring: May I refer to one of myths surrounding this subject? Although there is a Freedom of Information Act in Denmark, its application is nothing like what is proposed in the Bill. The commercial sensitivity provisions are restrictive in Denmark to protect the pharmaceuticals industry there. It is not true that it is open season for information in Denmark, although—uniquely in the EC—that country has a Freedom of Information Act.

Mr. Waterson: Let me continue on the subject of the European dimension. The expression "a level playing field" is an overused Euro-analogy, but it has some relevance in this connection.

My right hon. Friend the Prime Minister has gone to great lengths to negotiate an opt-out for this country on the social chapter. That means that companies in this and other sectors, like tourism which is also important for my constituency, will not be saddled with yet another layer of bureaucracy and associated costs. That will assist them to compete with other firms in the European Community. I should like to believe that this Government's initiative on deregulation has begun to infect all member states and that we are seeing a major turnround in the approach to bureaucracy and over-regulation.

I believe that the Bill would unilaterally impose a requirement on this country which would increase regulation and costs to industry. In some respects, it could negate the benefits of the opt-out on the social chapter for pharmaceutical companies.

The Government are in the business of maintaining and enhancing the competitive edge of British companies in Europe. That does not mean that we are not committed to the European ideal. However, we want to see our companies do well in terms of selling our products in the Community and also in terms of attracting inward investment from the Community and from further afield from countries such as Japan and the United States.

To return to what the pharmaceutical industry is saying now, I am sure that the hon. Member for Durham, North saw the letter to the *British Medical Journal* in March which states that there is no need for the Bill. Mr. John Griffin of the Association of the British Pharmaceutical Industry argued in the letter that it is the licensing agencies, and not the drug companies, which have been responsible for the secrecy surrounding licensing decisions. He said that EC directive 92/27/EEC, which is supported by the pharmaceutical industry,

"will require all European licensing agencies to provide . . . 'a summary basis of approval' on granting a licence for a new medicine."

At least one of my hon. Friends has said that a vast array of information is already available through the industry. The association claims that the objective of the hon. Member for Durham, North of providing more and better information to patients will be met by the publication by the industry next year of a compendium of user-friendly patient information leaflets covering more than 1,000 products.

Mr. Radice: Mr. Griffin wrote that letter before the Committee stage of the Bill. To that extent, it is out of date and he was kind enough to let me apologise for the fact that the letter in the BMJ took the unamended version of the Bill as its basis.

Mr. Waterson: I am grateful for that. I should have called Mr. Griffin "Dr. Griffin" and I apologise for that. I look forward to a letter in the BMJ from Dr. Griffin taking a diametrically different view of the Bill.

We are stepping into a very difficult area when we pass this kind of legislation. The high-tech development of intellectual property is a very delicate area. If the Bill is not

absolutely right—and that is what we are here to ensure today—there will be a real danger that properly patented rights, in which a particular company may have invested millions of pounds, could be rendered worthless.

Subsection (2)(a) is the heart of the new clause. It refers to

"the disclosure of a formula, process, device or invention of commercial value;".

That is the nub of the clause and it is an important issue. It is designed to protect information of sensitive commercial value because there is a perceived danger of abuse and commercial exploitation by competitors.

If the Bill were to reach the statute book in its present form, why should companies make product licence applications to the United Kingdom Medicines Control Agency? Who will bear the costs of the provisions in the Bill if not the pharmaceutical industry? Is it right to place extra burdens on a successful and competitive international business of this kind?

We badly need a good, constructive, on-going dialogue with the pharmaceutical industry. We have a major bone of contention as part of the Government's efforts to control the ever-escalating NHS drugs bill. We have a bone of contention in the shape of the proposed extension of the limited list. Of course, there are arguments on both sides, but it can have a crucial effect on employment in certain parts of the United Kingdom. Perhaps on another occasion I shall have more to say to my hon. Friend the Minister on that topic——

Mr. Couchman: I should have something to say as well.

Mr. Waterson: —despite the encouragement otherwise of my hon. Friend the Member for Gillingham.

I shall add some additional points of explanation, which I hope will be fairly obvious, with regard to the wording of the new clause. First, the Bill does not seem to appreciate the basic point that information submitted by companies to help with the licensing process does not belong to the Government. As I explained earlier, it is simply held by the Government on a privileged and confidential basis to help them to make good decisions —and the right decisions—about the licensing of medicines.

Precisely because it is company information, it is entirely right and appropriate that companies should be involved in the process of making it available to the public. Companies should retain some element of control over the dissemination of information, so in new clause 4 I place the onus on them to designate what information in the license applications is commercially sensitive. That reflects the procedure in the United States under the Freedom of Information Act where a presidential order requires agencies to ask companies to identify information that should not be released. I do not know whether the hon. Member for Makerfield (Mr. McCarthy) wishes to intervene to disagree with that.

Mr. McCartney: I shall make my own speech in my own time, thank you.

Mr. Waterson: I thought I would give the hon. Member the opportunity.

Mr. Radice: I shall say something about the Americans later.

Mr. Deputy Speaker: Order.

Mr. Waterson: The clause also makes it clear that final decisions about what information should be disclosed will rest with Ministers. We should not create a whole new area of expenditure on legal costs by allowing interminable challenges and appeals in the courts. I say that as a lawyer. At the end of the day, we pay Ministers to make decisions. When companies have said what information should or should not be made public, it is entirely appropriate that the final decision should be taken by Ministers.

I have included a provision that information should not be protected if it has already been published in the United Kingdom. It would be ludicrous if the Bill prevented Ministers from disclosing information, even if it had been published in full in a national newspaper.

New clause 4 is a genuine attempt to improve the Bill and to make it more workable and more reasonable. Above all, it will protect the sort of unwanted and unintentional damage that could be done by the Bill. I commend the new clause to the House and hope that I have explained its intention.

Mr. Radice: Mr. Morris, Mr. Deputy Speaker—I apologise for calling you Mr. Morris; it is too much of the European Communities (Amendment) Bill. New clause 4 goes to the heart of the debate between the Government, those who support the Bill—they are in the majority, especially on a free vote—and the industry because it raises the issue of confidentiality and commercial secrets. They are legitimate concerns of the industry which we have been trying to meet and deal with throughout the passage of the Bill.

Let us look at new clause 4 against the background of our deletion of clauses 4 and 5 in Committee. Clause 4 is fairly tightly defined and excludes all legitimate areas of commercial secrets and, taking into account my amendments Nos. 104 and 105, the new clause is unnecessary.

The Bill has considerable all-party support—it was sponsored by hon. Members from all parties—and it could not have got through the Committee without the support of Conservative Members. There were certain moments in Committee when the only Conservative Member who voted against a specific amendment or clause was the Minister. It was rightly thought that I tried to meet most of the legitimate concerns expressed. I have studied the Division records and I know that the majority of Conservative Members came out in support for the Bill. I accept that the hon. Member for Beckenham (Mr. Merchant) may have abstained on most votes, but he gave us his support on one occasion. The hon. Member for Sutton and Cheam (Lady Olga Maitland) certainly gave the Bill valuable and useful support throughout the Committee. I wish to make it clear, therefore, that the Bill would not have reached the House today without the support of Conservative Members. It is an all-party Bill, with all-party support.

1.30 pm

I made it clear on Second Reading, which was unopposed, that I should be happy to talk to representatives of the industry about any of its concerns. Before and after the Committee stage, I met representatives of the British Pharma Group, the Association of the British Pharmaceutical Industry, Upjohns, Schwering and the National Office of Animal Health—NOAH. I have

taken a constructive and responsible attitude throughout the passage of the Bill and I do not believe that anyone could pretend otherwise.

I know that the briefing that has been supplied by the Government to hon. Members, which I was fortunate to glance at, claims that the American Pharmaceutical Manufacturers Association expressed its opposition to the Bill in a letter to the Secretary of State for Health, which is quoted in that briefing. That letter was written before the Committee stage and its attack was based on clauses 4 and 5, which have now been deleted. I do not want that argument to be used against the Bill in its present form.

Hon. Members should note that since the Committee stage a number of people have come out in support of the Bill, including Sir William Asscher, the distinguished former chairman of the Committee on the Safety of Medicines, which advises the licensing authority. NOAH, which speaks for the veterinary medicines industry, has also placed on record its support for the Bill, as amended.

It is true that the British Pharma Group has displayed considerable ambivalence to the Bill. It said that it could live with clauses 2 and 3 if the original clauses 4 and 5 were deleted. Now that that has happened, however, it is still doubtful about the Bill. It believes that we should wait for European legislation—it wants to be virtuous, but not yet, Lord. The same is probably true of the ABPI. It accepts that there must be legislation along the lines of the Bill, but not just yet. Why should those organisations be frightened of it?

There has been much talk about the United States. We were fortunate enough to have a representative of the Food and Drug Administration at a meeting yesterday in the House of Commons in support of the Bill. It was clear, first, that our model was the same as theirs. It was also clear that the American industry has gained considerable advances, not in finding out rivals' commercial secrets—an old canard—but in discovering factors such as adverse drug reactions and how the summary basis of approval should be approached. Such information is extremely useful. I am stating what the FDA representative said yesterday.

Lady Olga Maitland (Sutton and Cheam): The idea seems to be that, in the United States, the Freedom of Information Act is the great panacea for all problems and grants freedom to all. However, the United States Government can refuse to disclose information that would harm the privacy of an individual or the proprietary interests of a business. Such provision goes much wider than mere trade secrets. They can release information generated through Government agencies.

Mr. Radice: They release the summary basis of approval, which is the main aim of my Bill. In some respects, they reveal more than we do. They reveal the raw material of the adverse drug reactions, whereas we are merely suggesting that we should reveal a summary, and we have talked to the industry about that. Therefore, the American model is in advance of the model proposed in the Bill.

Mr. Spring: Surely the hon. Gentleman is aware that the FDA has a relationship with individual drug companies, and the onus is on the drug companies to decide what information they should supply and on what basis they should protect their own commercial interests. The onus is on the pharmaceutical companies to decide which information they regard as important for their own commercial survival. With respect, the hon. Gentleman is not accurately representing the relationship between the FDA and private pharmaceutical companies.

Mr. Radice: I do not think that the hon. Gentleman is aware of the tightly defined list, both with the FDA and in the Bill, of matters that can be revealed. It does not cover commercial interests, which are specifically excluded under clause 4. I suggest that one or two hon. Members may not be sufficiently familiar with the Bill. I do not blame them for that, as they were not present in Committee and may have been alerted to the contents of the Bill only recently.

Mr. Waterson: I was not a member of the Standing Committee that considered the Bill as I was engaged in discussing a major piece of legislation in another Standing Committee, but I have carefully read the Committee proceedings. That was not an arduous task as the Committee sat only twice and on each occasion rose well before 1 pm. Therefore, I feel that I know as much about the Committee stage as any of the members of the Committee.

Mr. Radice: I am glad that the hon. Member read our deliberations——

Mr. McCartney: There was agreement.

Mr. Radice: As my hon. Friend said, there was considerable agreement—with the exception of the Minister—in Committee, which was the good thing about it.

Mr. Wells: Will the hon. Gentleman tell the House exactly how many Conservative Members supported the Bill? As I understand the Bill, only one of our number supported it, and it seems to be slightly misleading to say that the Bill has all-party support.

Mr. Radice: As the hon. Gentleman knows, Standing Committees must have a Conservative majority. I had the support of the majority of the Conservatives on the Committee for the clauses that were amended—I did not have the Minister's support, however, or the support of the hon. Member for Beckenham who, as a Parliamentary Private Secretary, had to abstain. The hon. Members for Bournemouth, East (Mr. Atkinson) and for Holland with Boston (Sir R. Body) supported me. True, the hon. Member for Gillingham (Mr. Couchman) had a prior engagement in the United States. The hon. Member for Sutton and Cheam supported us. I was surprised that even the hon. Member for Hendon, South (Mr. Marshall) started to support us towards the end—perhaps he has been told to. The hon. Members for Taunton (Mr. Nicholson) and for Havant (Mr. Willetts) supported us, too. It can be seen that I invited quite a lot of distinguished Conservative Members to serve on the Committee. The Bill's promoter does not, of course, do the selecting, but he has to suggest names. I suggested those names, with the results that I have described. I hope therefore that no one will say that the Bill does not have considerable support.

Mr. Piers Merchant (Beckenham): I do not want to pursue the point too far, but I feel that the hon. Gentleman is glossing over the degree of the differences between us. He is in danger of muddling two separate arguments—one about the principle, the other about the practical applications of the Bill. Although there is widespread

support for and agreement with the principle and objective of the Bill, there have been many disagreements about certain aspects of the Bill—hence the amendments in Committee and on Report. To try to give the impression that everyone supports everything in the Bill is somewhat disingenuous.

Mr. Radice: I note the hon. Gentleman's comments, and I think that he will retain his position as a PPS having made them.

I do not want to be accused of filibustering on my own bill, so I conclude by dealing with two issues, before I turn to the Government's position. I have with me a letter written and signed this morning by Mr. Bangemann, who was asked by the chairman of the European Parliament's committee on the environment for a view on how the Bill fits in with European legislation. The letter states:

"I would like to confirm that under the existing Community directives, an assessment report written in view of granting a marketing authorition, and reasons for such decisions, may be disclosed by the competent national authority who established the report, provided it does not contain commercially confidential information.

Such a possibility of disclosure is not affected by the proposal to introduce a decentralised marketing authorisation system (amendment of directive 75/319. SYN 310).

Furthermore, it would be consistent with the Community's policy on transparency since there is already unanimous agreement in council on the proposed regulation for the centralised authorisation (SYN 300), which states, in its Article 12 &4:

'4. Upon request from any interested person, the Agency shall make available the evaluation report of the medicinal product by the Committee for proprietary medicinal products and the reasons for its opinion in favour granting authorization, after deletion of any information of a commercially confidential nature'."

The Bill is in line with what is happening in Europe.

The British industry, with no hard evidence for saying so, claims that in some curious way it will be labouring under a great disadvantage in Europe if we have an open licensing system in this country. That ignores the fact that under the decentralised system, before any product is licensed in this country, it will have to go through our own licensing processes. It is not just a question of accepting on the nod whatever comes from other licensing authorities in the European Community. For example, it is open to our licensing authority to challenge what has been licensed in another country, and we can also make public the basis on which licences have been granted in other countries. That is never said by those who use the European argument, so let us not hear so much of that argument. The Government say that they want to be at the heart of Europe, so it is about time that they took a lead on something in Europe. They could do that on this issue.

That brings me to the Government's position. One of the features of the debate has been the Government's change of heart. Before Second Reading, they said that they would give the Bill a fair wind. On Second Reading, the Minister said that he was in favour of the Bill's principle, that he was against unnecessary secrecy and that there were objections to section 118 of the Medicines Act 1968. However, in Committee I realised, as did all hon. Members, that there had been a change of heart. The Minister who is responsible for promoting open government, the right hon. Member for Bristol, West (Mr. Waldegrave) had clearly lost the argument.

1.45 pm

The Department of Health is the sponsoring Department for the drugs industry, and it is also in charge of the nation's health and is responsible for looking after patients. There is a possible contradiction there because at times conflicts can arise. At any rate, that Department has other fish to fry, and they were mentioned in the debate. They are the issues of cost and the limited list.

It looks as though the Government, to get the industry's support, decided to change their position on my Bill and the idea of the licensing authority being more open. The 113 amendments are a clear attempt to wreck the Bill by talking it out. I therefore accuse the Government of double dealing over the Bill and of collusion with the industry. They are also reneging on their open government commitments. The Bill will be talked out at 2.30, but that will not be the end of the argument or the process. It will be the beginning.

Mr. Merchant: The hon. Member for Durham, North (Mr. Radice) played with my intervention a little, but I do not criticise him for doing that. However, my intervention was crucial to the debate on the Bill and the new clause. I drew a distinction between the Bill's principle and its practical application and the other effects that it might have on the pharmaceutical industry and elsewhere.

I have made it clear from the beginning that I strongly support the Bill's principle, but I have little doubt that the hon. Gentleman's final forecast will come to pass. In the fullness of time there will be legislation to alter section 118, which is clearly anachronistic and out of step with the Government's avowed intention to make information more freely available and to encourage open government. I have always been strongly wedded to both principles.

The scope, timing and detail of the Bill raise difficulties. I agree with some of what the hon. Member for Durham, North said, and I have some reservations about the new clause. It is difficult to achieve the right balance and work out exactly where the pharmaceutical industry stands. Since before Second Reading, despite playing an active role, I have received no indication of the industry's stand. Nor have I received an approach from a major pharmaceutical company based in my constituency. I find it slightly strange, but that is a matter for the company concerned. That does not help me in trying to ascertain the industry's position.

The pharmaceutical industry is important and beneficial to this country, so it is vital not to do anything that would harm it or restrict its competitiveness. I am sure that the hon. Member for Durham, North agrees.

Mr. Knapman: Would that the hon. Member for Durham, North (Mr. Radice) had adopted that view. He quoted my hon. Friend the Under-Secretary of State saying that the Government did not object to the principle of the Bill. It might have been fairer if the hon. Gentleman had quoted also the following comment by my hon. Friend the Minister. He said:

"These are difficult times for all manufacturers, and I am concerned that at a time when we are determined to reduce the burden that Government place upon industry, the Bill could increase them."

Although my hon. Friend accepted the principle, he made it perfectly clear that he had many objections on matters of detail.

Mr. Merchant: My hon. Friend emphasises the impact of the legislation on the pharmaceutical industry alongside

[Mr. Merchant]

other matters affecting it. My hon. Friend the Minister must bear the burden of those decisions. He had a difficult time doing so in Committee. On one occasion, when he seemed to be voting on his own, I felt sorry for him and therefore joined him on two occasions. The other reason, which is more important from the industry's point of view, was the Bill's impact on the industry at this time.

The industry is facing other regulations and the effects of national and European bureaucracy. The hon. Member for Durham, North seemed almost to be scoffing at the agreements that must be reached on the limited list. He seemed to suggest at least that that should not influence the Bill. Right hon. and hon. Members are practical men and realise that all aspects of Government policy will work together, have an impact on each other, and affect the industry. The industry should not be expected to bear too heavy a burden in one go at this time.

The burdens are many. They include controls on labelling and quality that are much more rigid than in most other industries. There is the impact of European legislation. My hon. Friend the Member for Eastbourne (Mr. Waterson) said what would happen if the social chapter were adopted. I referred to the limited list. All are aspects of intervention in an industry that is and must remain competitive in world terms. It is important to take those factors into account, and I make no apology for doing so—and my hon. Friend the Minister should do the same.

Mr. Spring: I entirely endorse my hon. Friend's point about the principle of openness, which the Government and other right hon. and hon. Members would endorse in many areas. However, can one imagine the French Government allowing their pharmaceutical industry to be disadvantaged in any way? We are seeing the potential for an EEC-wide licensing authority. That will be the moment, on a pan-European basis, for greater openness. If it were to happen unilaterally, it would be costly and difficult for the pharmaceutical industry, employment, our trade balance, and other considerations that are so serious for the future of the industry and of employment in this country.

Mr. Merchant: The future of EEC regulation in this specific area should be added to my list. The negotiations and discussions that will have to be carried out in advance of the regulation coming into effect are crucial and should not be obscured by the House of Commons making decisions that will have a deleterious impact.

Mr. Knapman: I am not surprised that the hon. Member for Durham, North (Mr. Radice) is about the only hon. Member who cannot wait for Dr. Bangemann to bring forward proposals in this respect.

Mr. Merchant: I hope that the hon. Member for Durham, North does not have an unhealthy relationship with Dr. Bangemann.

Mr. Radice: It is not a question of having an unhealthy relationship with Dr. Bangemann. However, he is the Commissioner for the industries involved. He may be a figure of fun to some Conservative Members, but, if one is concerned about finding out what is going on in the European Community, it is only sensible to talk to his office and his department and then to talk to the European Parliament.

Mr. Merchant: Yes. I thought that that, in a sense, was what we were arguing about. I hasten to add that I was inferring only an unhealthy intellectual relationship with Dr. Bangemann. I agree entirely with the hon. Gentleman that it is sensible to discuss these matters with Dr. Bangeman, his office and others, but that, surely, is an argument for proceeding with some caution with the Bill. I do not want to overdo the point. I merely say that it is an element which we should take into account in our discussion of the Bill.

I am concerned about the reference in subsection (1) (b) to animal testing, a very contentious issue upon which I have strong feelings. It is a matter of great concern throughout the country. We have to be careful about being unduly restrictive regarding the amount of information that, rightly, should come into the public domain. In the vast majority of cases, the place at which testing is carried out will be known anyway. That information is widely disseminated and is reasonably easily found out by the pressure groups involved. I see nothing wrong in that.

Mr. Waterson: I appreciate the strength of my hon. Friend's views, but does he agree that revelation of the place where experiments or tests are carried out has nothing to do with the contents of this Bill? That may be a matter for another Bill, but it does not legitimately come within the scope of this Bill.

Mr. Merchant: That is precisely why I question this provision. I do not understand why it has been included in new clause 4.

Mr. Couchman: That point has been made consistently to me throughout the proceedings on the Bill. Both the location of establishments where animal testing takes place and, particularly, the names of the people involved in the testing are matters that the industry regards as being of the highest importance. My hon. Friend knows well the major centre in his constituency where animal testing takes place. I am aware of others where it takes place. The attentions of the animal liberationists have given rise to the most elaborate security precautions having to be introduced in places where research should take place in a more free and happy atmosphere.

Mr. Merchant: It is also a matter of concern to the general public. I am not talking specifically about individual pressure groups. Research involving animals is an important aspect of the law to be upheld. There have been recent examples of abuse where the law was slow to enforce and to correct what should not have happened in the first place. I therefore view with some concern anything that would hinder the flow of such information, although I accept that there must be some controls on freedom of information in this area, especially on patents, competition and other trade secrets. The provison should not extend as far the new clause proposes.

2 pm

I do not want to take up much more time as I know that other hon. Members want to speak. I will conclude by referring to a point that was made about the French situation. My hon. Friend the Member for Bury St. Edmunds (Mr. Spring) rightly focused attention on France

and asked whether the French Government would allow the pharmaceutical industry to fail to compete with other European countries. Of course the French Government would not allow that. They would do all that they could to protect and encourage their industry and would bend every regulation that they could. The British Government and our laws should do likewise.

The same can be said of the United States. The United States has a Freedom of Information Act and the free flow of information and open government are well advanced, which I entirely applaud, but the United States Government are never backward in coming forward when they deem it necessary to protect their own big industries against foreign competitors—and understandably so. We must keep that in our sights, because it is in the overwhelming interests of the British people, employees in the industry and the industry itself. Economic advantages flow from the industry successfully competing in the world, so we must advance under the Bill with the principal objective of making information as free as possible. I would not wish us to step down from that high objective, but we must realise that the pure principle must, to an extent, be limited by practice. We must, therefore, limit it by our best judgment of what is in the competitive interest of our pharmaceutical industry.

The Parliamentary Under-Secretary of State for Health (Mr. Tom Sackville): I have listened with much interest and have given the Bill quite a lot of thought in the past months. I have reached a conclusion. With so much being done in Europe on the issue, it would be unhelpful for the United Kingdom to find itself with legal obligations in advance of decisions in Europe.

Ms Lynne *rose*——

Mr. Sackville: I shall press on; we are fairly short of time.

I believe that we would run a serious risk of putting the United Kingdom at a grave competitive disadvantage vis-a-vis other licensing authorities in Europe if we were to introduce legislation at this stage. This is not only the Government's view; it is shared by the pharmaceutical industry, although I admit that the picture has been muddy at different times. The industry remains unhappy with the Bill and does not want legislation until the position in Europe has been clarified and until we all know what will have to be disclosed in the new centralised and decentralised procedures. That could take a great deal of time, and I shall explain the issue further.

The future systems, as they are known, will come into force about 18 months after a decision has been taken on the siting of the European medicines evaluation agency —the EMEA—which the Government are keen to see sited in the United Kingdom. The Commission believes that a decision on siting will be taken at the Heads of Government meeting in June in Copenhagen. If that occurs, the proposals will come into force on 1 January 1995. If not, the proposals will not come into force until a later date.

The proposals are currently before the European Parliament and provide for a new regulation and directives that will bind the EC together and provide for common procedures. The United Kingdom will be a signatory to those proposals, which will probably be adopted by the Council of Ministers towards the end of this year. The proposals envisage a centralised procedure——

Ms Lynne: Have the British Government been pressing for legislation in the European Parliament to introduce more open government in respect of medicinal information?

Mr. Sackville: Yes, and I shall deal with that issue later.

The proposals envisage a centralised procedure for handling innovative and biotechnology products and a decentralised procedure for other products. The essential feature of the centralised procedure is that applications will be made centrally to the EMEA and information supplied by companies will be entrusted to the EMEA and the Commission which will make the decision on whether a licence should be granted.

When member states are asked by the EMEA to assess a company's dossier, they will do so on behalf of the EMEA. In that respect, member states will be handling data for the EMEA. The subsequent making available of that information would be for the Commission to determine. That contrasts sharply with the position of member states currently and in the new decentralised procedures where licensing information will continue to be exchanged but in which each member state will remain responsible for determining the degree of confidentiality to be afforded various pieces of information.

At present, there is no agreement whatsoever among member states on what should be disclosed to the public in the decentralised procedures and only a vague reference to the making available of the

"assessment report and the reasons for the CPMP's opinion, after deletion of any information of a commercially confidential nature"

in the centralised procedure.

There are still many details of the operation of the centralised procedure to be worked out, and that is likely to take the whole of the period between now and 1995.

Mr. Radice: Are the Government pressing for a more effective open system at the European level? I do not agree that the centralised procedure is vague. Are the Government pressing for a common open system in the decentralised licensing system?

Mr. Sackville: Yes, and I shall deal with that in a moment. Questions such as the layout, the amount of detail and the nature of the confidential information to be deleted have yet to be determined. Officials from the Medicines Control Agency and the Veterinary Medicines Directorate will, of course, play a full part in the discussions and will do so on the basis of two clear principles. The first is that the definition of confidential information must be sufficient to protect the commercial interests of the United Kingdom pharmaceutical industry. The second, which is subject to the first, is that they must press our Community partners to agree arrangements that will make available the maximum amount of information in as clear and as lucid a form as possible. I think that that answers the interventions from the hon. Members for Rochdale (Ms Lynne) and for Durham, North (Mr. Radice).

Those arrangements would apply only to licences issued by the Commission under the centralised procedure. Under the decentralised procedure, member states will remain responsible in accordance with their own national arrangements for issuing licences and for making information available. Subject to further consultation with all interested parties, it will be the Government's intention

[Mr. Sackville]

to see how far national arrangements can be modelled on those agreed as suitable for the centralised procedure. We shall be urging other member states to do likewise.

I hope the House can see, therefore, that if the United Kingdom jumped the gun and had a requirement in law to produce information with which the industry was not content, it would be reasonable to expect companies to go somewhere else first to market their products. Companies will look at what each member state is required by its laws to publish and at which would expose the least amount of their commercial interests. They would then take a commercial decision on where to place the application in the first instance, knowing that under the new decentralised procedures, that would be a passport to obtaining a similar licence from any other member state in which they chose to apply.

Mr. Radice: Will the Minister give way?

Mr. Sackville: I will press on because I do not want to be accused of talking out the Bill. Companies would choose first to obtain a licence from the member state offering the most safeguards. From the United Kingdom perspective, that would not only divert important licensing work from here, but would severely risk reducing the United Kingdom's influence on the high scientific standards that we are concerned should be applied to all licence applications in Europe.

The Government want to be helpful. We propose, therefore, that we should take up the reins in Europe and drive the debate towards more openness. We should want to look at the practical issues involved before deciding what would be beneficial and what might be harmful, but I can assure the House that the Government will wish to be at the forefront of developments. Officials in the Medicines Control Agency and the Veterinary Medicines Directorate will pursue new initiatives in Europe. Not only will they initiate discussion leading to the disclosure of meaningful evaluation reports in the centralised procedure for which the Commission will be liable, but they will pursue with the other member states the possibilities for opening up more information to the public in the decentralised procedures without jeopardising legitimate commercial interests. In particular, they will consider the shape and content of an acceptable assessment report and will also consider how more information on adverse drug reactions can be made available in a meaningful way without raising unnecessary fears in the public. In doing so, we shall build on the Medicines Control Agency's most advanced system in Europe for reporting adverse reactions —ADROIT, the adverse drug reaction on-line information tracking system—and the Veterinary Medicines Directorate's suspected adverse reactions surveillance scheme.

On all those aspects, we shall want to discuss the details with industry and with consumer interests, taking account of what has happened in the United States and other parts of the world with freedom of information provisions about which there has been some discussion today.

I have mentioned our proposals for Europe, but, of course, we have not been inactive in the United Kingdom. In health as in other areas of government, we are working hard to improve public access to information. For the first time, the public now have the right to information about the performance and plans of their local hospitals and health services, and to attend annual meetings with senior hospital managers. In our patients charter for the NHS, we have introduced a new right for patients to be given detailed information on local health services, including quality standards and maximum waiting times. For the first time, patients and their doctors have access to information that empowers them to decide where they can secure appropriate treatment most promptly. We have also created a new right for patients to receive prompt and full answers to complaints about NHS services. By increasing openess in this way, we shall maintain and build on the confidence of the public in the excellent service that the NHS provides.

With medicines, as with other aspects of health, we are continuing to increase the amount of information available to the public. For example, the "British Pharmacopoeia", which gives very detailed information about the specification, safety and quality of medicinal products, has been available publicly for some years. The Association of the British Pharmaceutical Industry publishes a compendium of data sheets. The Medicines Control Agency has been making available to doctors and pharmacists an increasing number of summaries of drug reaction data. Additionally, we have always been concerned that labels, leaflets and promotional material should be presented so that they are understandable and accurate, and do not mislead the public. That was our position even before the appearance of the recent EC directives on these issues.

2.14 pm

Where there are problems with licensed medicines, details of the problems and the outcome of analyses and investigations are published by the Medicines Control Agency three or four times a year in the publication "Current Problems". This is made available to doctors, dentists, coroners and a range of other interested parties, including "Social Audit"—one of the sponsors of the hon. Member for Durham, North (Mr. Radice). That publication is in the public domain and there is no reason why members of the public should not see it. I hope that I have shown that our commitment to more openness in government is being matched by real increases in the availability of information about medicines to the public.

What is more, it is our intention to continue to increase the amount of publicly available information about medicines. We have begun to discuss with the pharmaceutical industry a new voluntary code of practice to increase the amount of information that they give the public. That approach is consistent with our determination to ensure that companies in the United Kingdom are not weighed down by too many regulations and can compete on equal terms with foreign companies. Nevertheless, the House should rest assured that, where public safety is at risk, we will not rely on a voluntary code but will use our existing powers to inform the public of the dangers.

Mr. McCartney: The Minister suggested some months ago that he would give the Bill a fair wind. In Committee, however, and today especially, it has been wrecked on rocks put in its way by Conservative Back Benchers. Conservative Members have tabled spurious amendments and mounted spurious campaigns. Behind the scenes, they have deliberately tried to block measures to promote the

Bill. We have witnessed scurrilous attempts by the industry and its supporters in the House to undermine a Bill which would allow doctors and patients information that is available to doctors and patients in other nations—information about the safety of medicines, practical information about the way in which prescribing relates to specific patients and information relating to the efficacy of particular drugs.

Is it not interesting to reflect that if this debate were taking place in the United States, the Minister and his civil servants could give information about drugs that were produced in this country without being prosecuted, whereas in this country it is a criminal offence for a civil servant, a Minister or an hon. Member to place the same information in the public domain?

We have heard nothing about the victims. There has been no word about the consumer—the patient. We have received plenty of information about the interests of big business and the big pharmaceutical companies, which want to ensure that the British public are kept in the dark about some of their products. That same industry hypocritically——

Lady Olga Maitland: Will the hon. Gentleman give way?

Mr. McCartney: I will give way to the hon. Lady at some point.

Mr. Waterson: Will the hon. Gentleman give way?

Mr. McCartney: No. I will not.

Mr. Waterson: On a point of order, Mr. Deputy Speaker. On mature reflection, I think that my remarks are more appropriate to a point of order than to an intervention. The hon. Member for Makerfield (Mr. McCartney) has used the word "spurious" and the word "scurrilous", both in connection with a proposal that I tabled in the best possible faith, and I believe that he should be required to withdraw. As I have explained, I have no particular axe to grind; I merely want the legislation to be done properly. That is my only interest in giving up a Friday in my delightful constituency.

Mr. Deputy Speaker: The House will have heard what the hon. Member for Eastbourne (Mr. Waterson) said, but I am afraid that the words that have been used so far are parliamentary words.

Mr. McCartney: We have parliamentary words that can be used to protect our constituents from the scurrilous and scandalous activities surrounding the progress of this Bill and other Bills through the House.

It is interesting to note the companies that are involved in trying to ensure that the Bill does not reach the statute book: Glaxo; Boots; the company of the hon. Member for Gillingham (Mr. Couchman), Pfizer; ICI; Wellcome; Ciba Geigy——

Mr. Couchman: On a point of order, Mr. Deputy Speaker. It is true that I advise Pfizer and it is true that I have discussed the Bill with that company. But not one word of written information has come from it to brief me, nor has one word in any of the amendments that I have tabled in Committee or on Report come from it. I take the most extreme exception to the imputation that the hon. Member for Makerfield (Mr. McCartney) makes. It is quite wrong and he should withdraw what he has just said.

Mr. Deputy Speaker: The hon. Gentleman has placed his position on the record. The hon. Member for Makerfield (Mr. McCartney) referred to the hon. Gentleman's company. I imagine that that was a slip of the tongue.

Mr. McCartney: It was not a slip of the tongue. It was a reference to the Register of Members' Interests. I have no problems with what I said. The hon. Gentleman obviously has a problem to explain to his constituents.

The position is that Ciba Geigy, Smith Kline Beecham, Boots Pharmaceuticals, Fisons Pharmaceuticals, Lilley Research, the Government's own Medicines Control Agency and the Ministry of Agriculture, Fisheries and Food are using legislation in the United States to seek information, but that information is being denied to the public today.

Why should that happen? Why have not the hon. Member for Gillingham and those who support his views said anything about the victims? More than 100 medicines have had their licences withdrawn or suspended since 1979. They include Opren, which was withdrawn in 1982, and the tranquilliser Halcion, which it seems some people are trying to get back on to the market. However, nothing has been said about the victims of those drugs. There has been no explanation or apology.

In the face of that, hon. Members are trying to ensure that the Bill does not reach the statute book today. The Bill would, for the first time, put people in Britain, doctors and the industry on the same footing as people in the United States. Why is the British industry and its colleagues overseas so opposed to this minimal measure? Why should the industry undermine its own credibility by ensuring that the Bill does not reach the statute book today?

The Minister said that there will be measures in Europe. However, as usual with this Government, the Minister used that information not as a positive attempt to support the Bill, but as a negative reason to oppose it. The Minister was right to say that there will be a system of centralisation in Europe. However, that will be a two-tier system—centralised and decentralised. The Bill is about the decentralised part of the system.

If we are to accept the centralised part, as the Minister indicated, it is our responsibility to pass the Bill. It would be the basis for a decentralised system under the centralised arrangements which the Minister has already said that he supports. From his own mouth, the Minister has condemned his own position.

The reason for that is clear and simple. On the Conservative Back Benches there is the naked interest of the pharmaceutical companies. On the Front Bench there is a Minister who is prepared to talk tough about the way in which drug companies are ripping us off in the national health service in respect of contract prices. The Government talk tough and they do tough things to patients. They would rather increase prescription charges and deny information to patients than have an adequate arrangement about the way in which drugs are charged in relation to the national health service.

This is a clear and simple naked trade-off between the Department and the industry. The Minister will go easy on the Bill in the hope that, in the negotiations over contract prices, the drugs industry will go easy in terms of the profits that it wants to make from the national health service. That is the plain fact of the matter.

[Mr. McCartney]

The debates in Committee and on the Floor of the House today have done the House a disservice in respect of the way in which Conservative Members and their industry interests have nakedly attempted to ensure that the Bill does not reach the statute book. I suggest that they should look to their consciences and consider the victims. Those accidents would not have happened if the information had been in the public domain in the first place.

Ms Lynne: Does the hon. Gentleman agree that it is disgraceful that Conservative Members have denied us time to debate the Bill properly by filibustering in the debate on the Sexual Offences Bill? They should be ashamed of themselves. They should look to their consciences and answer to their constituents for their disgraceful behaviour.

Mr. McCartney: The hon. Lady is right. The action was deliberate. It is interesting to note that some of the Conservative Members who took part in the debate on the earlier Bill have been most vociferous in their opposition to this Bill or, at least, were rather negative about ensuring that it reaches the statute book.

The hon. Member for Eastbourne (Mr. Waterson), who moved the new clause from a constituency interest, represents one of the large drug companies.

Mr. Waterson: Will the hon. Gentleman give way?

Mr. McCartney: I promised to give way to the hon. Gentleman and I will keep that promise. I am not sure when I will give way to him—I might do that at [illegible] and a half minutes past—but I will give way.

The new clause is largely a wrecking amendment. The hon. Member for Eastbourne used arguments that were rejected on Second Reading. However, he was not in the Chamber then. Today, he used arguments that were made in Committee and rejected. He referred to proposals that have been raised in the general discussions between the parties—but he did not participate in them.

One is left with the clear conclusion that the hon. Gentleman has been wheeled in—as other Conservative Members have been wheeled in—to ensure that the Bill does not get the fair wind that the Secretary of State and the Minister promised. It is on the back of the interests of our constituents. He has raised issues, but there has been no evidence whatever to substantiate the points made.

Mr. Waterson: I must stress, not for the first time, that I do not speak as a representative of, or consultant to, a company, or any sort of spokesman for any sort of company. The hon. Gentleman said that I represented a company in my constituency. The only entity that I represent in this and other debates is my constituency and constituents. I have taken a view of what is best for them and the country as a whole.

Mr. McCartney: I accept what the hon. Gentleman says. Perhaps he will reflect on the promises that he and other Conservative Members made about secrets and open government not simply at the general election but in the patients charter. The Minister is supposedly responsible for the publication of the patients charter which says that patients have the right to

"a clear explanation of any treatment proposed, including any risks".

Is that not what the Bill is about?

Lady Olga Maitland: Will the hon. Gentleman give way?

Mr. McCartney: No, I will not give way. The Under-Secretary of State for Health participated in the production of the Government's White Paper, "The Health of the Nation", which says that the Government are responsible for

"providing reliable information on which individuals can base their decisions on matters which affect their health"

and that

"people need information to help make the right choices".

The Government also aim to encourage better prescribing. Is that not what the Bill is about? Does it give effect to those principles?

Not one Conservative Member has shown any support for the proposals. The Minister did not mention them. All we got was a litany of excuses, half-baked ideas, untruths and squalid interventions about the industry itself. We did not hear anything about the right of consumers—who spend a great deal of money, either as taxpayers through the national health service or as consumers, in buying a variety of brands over the counter—to have information about the products that they purchase.

Mr. Radice: I agree with my hon. Friend. Would not we take more seriously the Government's position—which they have apparently proposed in the last gasp—that they would press for a more open licensing system in Europe if at least they said that they would accept the principles of the Bill and use them to press the matter? They have not said that and, therefore, we cannot take what they have said seriously.

Mr. McCartney: The Minister avoided saying anything about the Bill. He talked about the citizens charter—about how people can telephone their local manager or local district general hospital trust number and have a word once a year. He said that people could have more information about the waiting lists—instead of waiting for two years, people may have to wait for 12 or 18 months. We heard nothing about the detail of the Bill or why he opposes it. He gave us no alternative to it, although he has had months to put forward an alternative. He could have tabled amendments in Committee but did not do so.

Lady Olga Maitland: Will the hon. Gentleman give way?

Mr. McCartney: I will not give way to the hon. Lady because she simply wants to filibuster in the last three minutes.

Mr. Deputy Speaker: Order. The hon. Lady must resume her seat when the hon. Gentleman does not give way.

Mr. McCartney: The only hon. Member to whom I will give way is the Minister.

Mr. Sackville *rose*——

Mr. McCartney: The Minister is enthusiastic. Will he give a commitment that he will have further discussions with the sponsors of the Bill and openly with the Department about making proposals in line with what he said to ensure that we can incorporate in those

Government proposals the aspects that Labour Members in Committee wanted to see in place? If the Bill is talked out, will the Minister ensure that there is a way forward?

Mr. Knapman: On a point of order, Mr. Deputy Speaker. A headline in *The Guardian* today states, "Tories to talk out drug secrecy bill". Frankly, some of us would not mind that, bearing in mind that we do not agree wholly with the Bill. Do you agree, however, that if I am lucky enough to catch your eye at 2.29 pm, I should not be accused on the morrow by *The Guardian* of talking the Bill out?

Mr. Deputy Speaker: It is not for the Chair to rule on what is written in *The Guardian*.

Mr. McCartney: The accusation is accurate because Conservative Members tabled more than 100 amendments to the Bill and spoke at length on the Sexual Offences Bill to ensure that this Bill was not subject to a proper debate.

In the final minute of the debate, will the Minister clearly state whether he will agree to talks to ensure that the Bill is able to reach the statute book?

Question put and agreed to.

Clause read a Second time, and added to the Bill.

It being half-past Two o'clock, further consideration of the Bill stood adjourned.

Bill, as amended, (in the Standing Committee), to be further considered on Friday 7 May.

Private Members' Bills

TOBACCO ADVERTISING BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 14 May.

TRANSPLANTATION OF HUMAN ORGANS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 7 May.

ENERGY (FAIR COMPETITION) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 7 May.

SEXUAL OFFENCES (AMENDMENT) BILL

Order for Second reading read.

Hon. Members: Object.

Second Reading deferred till Friday 14 May.

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL

Order read for presuming adjourned debate on Question —[12 February]—That the Bill be now read a Second time.

Hon. Members: Object.

Second Reading deferred till Friday 7 May.

DECLARATION OF WAR (REQUIREMENT FOR PARLIAMENTARY APPROVAL) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 14 May.

HOMICIDE (DEFENCE OF PROVOCATION) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 14 May.

PENSIONS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 7 May.

JUSTICE BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 7 May.

EMPLOYMENT PROTECTION (PARENTAL LEAVE) BILL

Order for Second Reading read.

Hon Members: Object.

Second Reading deferred till Friday 7 May.

REGULATION OF WHEEL-CLAMPING BILL
Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 7 May.

NATIONAL SCHOOL HEALTH SERVICE BILL
Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 7 May.

CHRONICALLY SICK AND DISABLED PERSONS (AMENDMENT) BILL
Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 7 May.

WEDDINGS BILL
Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 14 May.

HARE COURSING BILL
Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 14 May.

EUROPEAN UNION (PUBLIC INFORMATION) BILL
Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 7 May.

HUMAN FERTILISATION (CHOICE) BILL
Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 7 May.

Metal Recycling

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. David Davis.]*

2.32 pm

Mr. Paul Marland (Gloucestershire, West): The Government have put recycling high on the environmental agenda. A duty of care and several studies have been undertaken to create the framework for that to be delivered. Last July, a draft directive on packaging and the packaging of waste was published by the European Commission which set some demanding targets. Those developments show how seriously the issue of recycling is now taken, because it is an important way in which we can conserve our environment.

I am delighted that my hon. Friend the Parliamentary Under-Secretary of State for the Environment is to reply to the debate, because he has always taken a positive interest in this issue. I remember when he and I served on the Standing Committee on the initial Environmental Protection Bill when we moved several amendments designed to help the metal recycling industry.

Now the agenda is being set to increase our recycling rates in the United Kingdom so we must consider practical ways of achieving that end. I shall focus on that objective by referring directly to the experiences of one of the champions of recycling in the United Kingdom—the steel industry, and its associated metals reclamation industry.

Although political attention to the subject is fairly recent, it is important to remember that the metals industry has been recycling huge quantities of steel and other metals for many years. Indeed, recycling is a routine part of the steel-making process. Steel is truly the most recycled metal in the world, and the scale is impressive. About 300 million tonnes of steel are recycled every year —40 per cent. of world production. That represents a saving of 90 million tonnes of coal and 200 million tonnes of iron ore. That colossal contribution to preserving the environment is a great credit to the scrap metal industry, which is rarely set alongside the sandals and safari jackets of the television environmentalists, but its contribution to saving the environment is much greater. I have always believed that farmers and scrap metal dealers were the original environmentalists.

In this country, as much as 82 per cent. of the steel available for recycling is recycled into new products, using electronic arc furnaces, whose feedstock is nearly 100 per cent. recycled metal. A rapidly increasing proportion of the recycled steel is made up of steel cans. At present, three out of four cans are steel, and each one of us uses on average about 200 steel cans every year. They include drinks cans, paint cans, food cans, pet food cans, sardine tins, shoe polish cans and aerosol cans. British Steel Tinplate has successfully driven forward steel can recycling in the United Kingdom, together with an independent company, AMG Resources, which has gained a reputation as a world leader in the operation of the technology that not only recovers the steel from the can, but separates and recaptures the tin coating.

Last year, steel can recycling broke all records, and 1·5 billion cans were recycled. I mention that positive achievement by the steel industry because I am disturbed by the misconceptions that people have about recycling and their prejudices about the environmental impact of

different packaging materials. I urge my hon. Friend the Minister to consider that fact in future policy formulation and execution.

People rightly exercise their consumer choice in supermarkets and grocery stores to select what they perceive to be green products and packages. However, studies within the steel industry show that consumers know very little about the real environmental profile of packaging materials. The steel industry welcomes political developments. The proposed European Community directive on packaging and packaging waste should induce dramatic increases in recycling rates and raise the steel industry's profile in relation to its well-established reclamation facilities and excellent recycling record.

The steel industry has made great strides in that sphere. Since 1968, the standard soft drinks can has become 55 per cent. lighter. An energy saving of 39 per cent. has been achieved on the amount of energy used to make a standard steel soft drinks can since 1977. If all the cans in the United Kingdom market were made from steel, the energy saving would be the equivalent of the electric lighting needs of every United Kingdom household for a fortnight—an incredible statistic. The resource-saving process has culminated in the development project, "The Ultimate Steel Can". Its objective is to reduce the weight, energy and materials consumption of the construction of steel cans by a further 30 per cent., and should be encouraged.

A misconception that seems to prevail is that returnable packages are always better for the environment than recycling. Return trippage rates need to be high to represent an environmental benefit, and often such rates are not achieved.

Secondly, returnable containers use greater quantities of energy and materials to meet the demands of strength required for repeat journeys, for cleaning, sterilisation and resealing. This is wasteful, complicated and time consuming. Returnable packages are bulky, and sometimes heavy and costly to transport.

The teeth of the EC directive are in its targets for recovery and recycling. Within 10 years from adoption of the directive, 90 per cent. of packaging output should be removed from the waste stream for recovery, 60 per cent. of it from recycling. Alternative methods of recuperation are allowed to make up the remaining 30 per cent. If we transpose the objectives to individual packaging materials, some difficulties emerge. Incineration for energy recovery, composting or chemical breakdown are the alternative recovery methods, none of which is applicable to steel. It seems that the target for steel can recycling is 90 per cent. by the year 2005 for the United Kingdom, so this eminently recyclable material, whose industry is making essential qualitative improvements, could be given the toughest targets. I urge my hon. Friend to ensure that recycling targets are logical and appropriately distributed among the material sectors.

The directive does not help by assessing recovery methods and their relative merits. An important assumption, however, is that packaging waste is recovered for recycling direct from the consumer, presumably by means of bottle and can banks or kerb-side collection schemes.

Steel, of course, is attractive to magnets, and there is a range of systems that use simple magnetism to pluck out steel cans in immense numbers, with great ease, directly from the waste stream. In the United Kingdom, 27 enlightened local authorities operate magnetic extraction facilities, recovering as much as 80 per cent. of the steel cans from local domestic refuse—about 5 million steel cans every working day.

Steel cans recovered by magnetic extraction generate a revenue for the operator. One local authority in the north of England has saved as much as £150,000 on its waste disposal costs using magnetic extraction facilities and selling the cans recovered.

If we want to meet the recycling targets, it is essential that we use the most efficient, reliable and economical methods to recover recyclable material. That principle should be expressed in the directive and should be at the forefront of Ministers' minds in the execution of policy in the United Kingdom. The rapporteur of the EC environment committee has proposed this to the drafters in the form of an amendment to the directive. I stress that it is important that the Government consider this new development and support it.

A key advantage of magnetic extraction is its compatability with other forms of recycling—energy recovery, refuse-derived fuel and composting facilities. The association of materials recovery plant, such as magnetic extraction works, with other recuperation plant can dramatically increase potential recovery—we could call it double recycling. I ask my hon. Friend to assess this, with the objective of meeting the highest possible targets with the maximum possible economy, efficiency and environmental care.

Not surprisingly, the Government have seen the woolly areas in the directive and have identified a role to "provide a framework" for a national integrated waste management policy. Some economic initiatives have already been introduced. Supplementary credit approvals have been made available to local authorities, but these do not look as attractive for efficient bulk recovery facilities, which demand high initial outlay, as cheap, inefficient and low-yielding collection schemes, which may prove costly to operate in the long run.

Similarly, that a local authority should be obliged to allocate to itself a recycling credit for operating a magnetic extractor is not good sense. But ensuring that local authorities feed the revenue from recovered steel back into the expansion of recycling facilities is a sound proposition. Furthermore, recycling credits are very much at the discretion of local authorities. If a national recovery scheme, such as Save-a-Can, is truly to help by diverting recyclables from landfill, recycling credits need to be available systematically, consistently, reliably and equitably.

Despite the important role of the scrap industry and the real environmental achievements of the steel reclamation industry, they are faced with a multitude of regulations. Despite the good intentions behind them, these regulations could lead to the closing of many properly operated scrap recovery businesses and, ironically, that would have a seriously harmful effect on the environment.

The Government have understood the difficulties of the duty of care and its associated regulations, and they are to be congratulated on holding back the tide, since 1 April 1982, so as properly to review the practical detail of the proposals.

I shall quickly describe three of the many problems that the steel reclamation industry could face when the new regulations come into force. It is presently intended to introduce subsistence charges for waste management licences that are required for all metal reclamation

[Mr. Paul Marland]

operations. It is estimated that fewer than 30 per cent. of potential licensees will be licensed by the time the regulations are introduced.

Successful applicants will face high charges of between £850 and £2,500 per annum for licences and those not yet licensed could have to wait up to five years to have their applications fully processed. In present trading conditions, those who are licensed can ill afford to give their competitors such a start. Scrapyards have been given an extension of the period of grace beyond 1 June this year, and that is widely appreciated.

Those who have not applied for licences by the time that they are introduced will technically be in breach of the law, as will their suppliers. The regulations make it an offence for organisations to send controlled waste, which is how the law ludicrously describes ferrous and non-ferrous scrap, to unlicensed operations. It will not be possible to enforce that law without bringing many reclamation and recycling businesses to a halt or even diverting recyclable materials to landfill sites.

The duty of care could have a negative effect on the nationwide consumer can bank scheme operated by British Steel. That scheme of consumer collection banks has expanded from 200 such banks to nearly 1,000 Save-a-Can banks in two and a half years. That is not only an important contribution to the number of steel cans that can be recycled, but an important point of contact between the recycling industry and the consumer.

It is still unclear whether every can bank site and every agent who helps to service them will be faced with similar obstacles of excessive bureaucracy. Furthermore, the administration of the intricate detail of recording the returns of every can bank, some of which are no bigger than a postbox, may be a serious distraction for Save-a-Can from its primary objective of providing facilities throughout the United Kingdom.

As the Minister knows, the scrap metal industry is not averse to licensing in itself, but it should be introduced in a controlled fashion, and I recommend that he should recognise and highlight the difference between reclamation, recycling and waste disposal.

The steel reclamation and recycling industry employs about 20,000 people in the United Kingdom and is a leading example of resourcefulness and personal endeavour. The industry is a foundation of our industrial base. We continue to produce high-tech steels for worldwide markets. It is essential that the true strengths —strategic, economic and environmental—be upheld in the face of imported and other materials, which displace work in the United Kingdom and which, on analysis, have been shown not to be as environmentally friendly as steel.

While the steel reclamation and recycling industry approves of the principle of the environmental regulations, I urge my hon. Friend the Minister to introduce them sensibly and logically, as I believe he is trying to do, so that the industry can continue to recover recyclable material and to meet environmental objectives in a healthy, commercial environment.

The decision of the Department of the Environment to scrap the idea of a register of contaminated land was widely appreciated, because it would have had a devastating effect not only on the waste and recycling industries but on a wide spectrum of business throughout the United Kingdom. By that action, my right hon. and learned Friend the Secretary of State and his Department have demonstrated that they not only listen to industry but also hear what it has to say—and there is a tremendous difference between the two. That is a clear demonstration of my right hon. and learned Friend's attitude. He is there to help and not to hinder, and for that I applaud him.

2.48 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Robin Squire): I welcome this chance to return to a subject on which my hon. Friend the Member for Gloucestershire, West (Mr. Marland) and I spent many happy hours during the passage of the Bill that led to the Environmental Protection Act 1990. My hon. Friend has long experience of these issues, and has built up a formidable reputation on the subject. I echo his praise for the steel industry's record on recycling. I also support what our scrap metal industry is doing to help relieve the pressures on our natural resources. As my hon. Friend said, scrap merchants were sorting and reusing metals long before most of us had given much thought to recycling.

The importance of industry's role cannot be overstated. Many people are now calling for more emphasis to be placed on recycling. But it is only because industry has developed the technology to use recycled materials that their views can be put into practice. All companies, whether or not they are part of the "recycling industry", have a part to play. They should be considering whether their goods are recyclable or could be made more easily so. And they should be exploring the scope for using more recycled products as raw materials on the production line. That is essential if there are to be growing markets for the materials that people take to can and bottle banks or put out for separate collection. It also makes good commercial sense because environmental issues increasingly influence what people buy.

The Government have launched funds for industries that are developing new processes or technology to make recycling easier. We have had a considerable number of recycling-related applications for those funds. The Government have also set up an Advisory Committee on Business and the Environment, which consists of chairmen and senior directors of British industries. The committee has a working group on recycling, which has been examining measures that both industry and the Government can take to achieve increased recycling.

Of course, as my hon. Friend has said, recycling should not be viewed in isolation. He rightly pointed to the value of saving resources in the production process. Moreover, recycling is not always the best environmental or economic option. For instance, it is usually better to avoid waste in the first place than to recycle it once it has been produced. And, although I understand my hon. Friend's apprehensions about the value of returnable containers in some cases, reusing a product can sometimes make sense—carrier bags and milk bottles are obvious examples.

I am pleased that the steel industry has welcomed the recent political developments in the EC and in the United Kingdom. The proposed EC packaging directive, which my hon. Friend mentioned, is still at the early stages and we therefore welcome comments on the proposals from all interested parties. Perhaps I should set out our domestic policies on packaging and explain the background to the proposed directive and our preliminary view of it.

We are committed to reducing the environmental impact of packaging. Our policy on packaging waste is part of an overall approach to solid waste—minimise waste wherever practicable; reuse or recycle it where it is generated; and dispose of the remaining waste safely. The recycling of packaging waste will be an important element in meeting our target of recycling 25 per cent. of household waste by the end of the decade. We are discussing with the packaging industry how it might take on its share of responsibility for packaging waste.

The proposal for a directive arises in part from concern that the unilateral measures being taken by various member states may restrict trade or distort competition, and in part from a desire to establish high environmental standards in the management of packaging waste. The proposal would require all such waste to be collected with a view to recovery. In this context, "recovery" means materials recycling, composting and energy recovery. My hon. Friend referred to the targets being proposed—90 per cent. of all packaging waste to be recovered and 60 per cent. of each material to be recycled. All packaging would have to meet certain essential requirements, including constraints on the presence of heavy metals, and marked in order to make recovery and recycling easier. A wide range of data would be collected to monitor the achievement of the objectives of the directive and to provide the basis for further initiatives.

We have welcomed the proposal for a harmonised approach to reducing the impact of packaging waste. Negotiation of the proposed directive has recently begun and it will be essential to ensure that potential problems for trade and competition are resolved in the context of realistic and achievable targets. The targets and other policy measures must be established with due regard to the scientific evidence and without losing sight of the potential economic impact. The data requirements, in particular, may impose a burden and must therefore be proportionate to the need to ensure compliance with the directive.

Officials have been in touch with a large number of interested organisations and we shall continue to consult on the proposal. We welcome views on the proposal and suggestions for improvement, which we will take into account, along with the results of work that we have commissioned on the targets and the cost of compliance.

Local authorities have a key role to play in achieving the Government's recycling target, because they have responsibility for collecting and disposing of household waste. That is why the Government placed a requirement on waste collection authorities to draw up recycling plans, under section 49 of the Environmental Protection Act 1990. The Government also accept that local authorities need financial assistance in working towards the target.

This year, we allocated £15 million for supplementary credit approvals to support 307 recycling schemes being planned by 161 authorities. Supplementary credit approvals allow local authorities to borrow for specific types of capital investment, beyond the limit set by their basic credit level. The £15 million is in addition to the £25 million we allocated in 1991-92 and 1992-93. This year's allocations cover a wide range of proposals from home composting projects to mini recycling centres.

Local authorities are now more involved in recycling than ever before. This £15 million continues our programme of support which is very important in helping authorities to implement their recycling strategies.

Now that the majority of waste collection authorities have prepared their recycling plans, many are keen to start implementing them. Many waste disposal authorities are also eager to do more. So it is no surprise that the demand for supplementary credit approvals for recycling is higher than ever. Under the environmental partnership scheme, the aim is to maximise investment in recycling by combining SCAs with authorities' own capital receipts and private sector contributions.

My hon. Friend expressed some disappointment that there is no duty for local authorities to pay recycling credits to recycling industries. We have some sympathy with that point of view. When we introduced the recycling credits legislation, we hoped to place such a duty on authorities, but we discovered that there were practical difficulties about doing so. For instance, a local authority might, quite reasonably, not wish to pay credits on a recycling collection scheme that was directly competing for material with another scheme already established in the area. So we accepted that there should be a power rather than a duty.

However, we took a power in the Environmental Protection Act to change that power into a duty. If we could be satisfied that the practical problems could be overcome, we would be prepared to use that power. However, this may be academic in a few years' time because of our review of local government organisation. Where there are unitary local authorities, recycling credits are considerably less significant. Recycling credits are designed to put local authorities in a position to assess the costs of disposing of waste and the costs of recycling it and choose the less expensive option. Unitary authorities are already in that position. I can assure my hon. Friend that, as disposal costs rise, recycling credits will also rise. That is because the recycling credit is set at a level equivalent to the avoided disposal costs due to the recycling.

I have a lot of sympathy with the industry's concern that it should not be hampered by excessive regulation. The Government are no friends of regulation for the sake of it. Any new regulation on the environment has to justify itself to Ministers, and we are also launching a deregulatory review of existing controls, including those on waste. We are more than happy to consider cases that do not need to be toughly regulated.

My hon. Friend has led delegations to Ministers, and officials have held quite long and careful discussions about the regulation of the metal recovery industries with the British Secondary Metals Association and the British Scrap Federation. I hope that he will concede that the Government have been patient listeners to the scrap industry, even if we do not always give the industry everything for which it asks.

The scrap metal industry has, I know, two quite distinct complaints: first, that a recyclable material should not be defined in law as "waste" and, secondly, that the handling of such materials should not be subject to the same legal controls as wastes.

The first question is not the important one. We can all argue about the proper meaning of words. What matters is the effect of our interpretation on how the law is applied. The real issue is how the activities of the industry should be regulated. I believe that there is a need to regulate the movement and treatment of scrap. In the interests of the industry itself, we want to ensure that scrap that is capable of being recycled and which is claimed to be going to recycling, really does go for recycling, that it goes to

[Mr. Robin Squire]

properly run recycling enterprises and that the operations are conducted in a sound environmental manner. Whether we call it waste or not, scrap includes some substances that can cause nasty problems if they are dumped or wrongly dealt with. It is in the interests of the scrap industry to ensure that they are not. The simple mention of the word "recycling" cannot automatically justify the removal of all controls. That is why many scrap operations are subject to waste licensing, why scrap has to be carried by registered waste carriers and why scrap will be subject to the duty of care.

My hon. Friend mentioned the industry's specific concerns about the new waste management licensing system under the Environmental Protection Act 1990. As he will be aware, my hon. Friend the Minister for the Environment and Countryside announced yesterday a further delay in the introduction of waste management licensing. We very much regret the delay, which is caused by the complex interaction between domestic and EC legislation on waste, something we are determined to sort out properly before introducing the new system, but which is taking longer than we expected to resolve.

As it happens, that postponement is not the result of representations by the scrap or any other industry. Nevertheless, it gives the scrap metal industry a further breathing space in which to prepare for the new licensing system.

We are well aware of the issues that were mentioned by my hon. Friend, who highlighted three in particular: the new system of charging for licences, the position of unlicensed operators, and the effect on save-a-can schemes.

The new system of charges is part of the Government's polluter-pays principle. If we are to have any environmental laws, someone must run them, and someone must meet the administrative costs of running them. In the Government's view, it is the operator who should meet those costs, not the taxpayer. That is all the charging scheme is—a cost-recovery charge for a local authority's costs in issuing licences, inspecting sites and so on. Those charges will be set by the Secretary of State at what we judge to be a fair level and approved by the Treasury as being no more and no less than based on recovery cost.

I doubt whether many scrap operators do not now know that they need a waste licence—it has been a legal requirement for a number of years. They really should have applied for a licence by now, even if their local authority has not yet reached a decision on their application. We have held back the application of the duty of care to scrap metal for more than a year to give people time to apply for a licence. The whole point of the duty of care is to make it illegal to consign waste to an unauthorised person. It would be unfair on those respectable operators who have applied for licences to wait any longer.

I shall write to my hon. Friend about can banks.

Everyone has a part to play in meeting the Government's target of recycling 25 per cent. of household waste by the year 2000. The Government are undertaking a wide programme of measures to promote recycling, where it would appear to be a realistic option, and I am sure that all interested parties will continue to respond to the challenge.

Question put and agreed to.

Adjourned accordingly at one minute past Three o'clock.

Written Answers to Questions

Monday 19 April 1993

DEFENCE

Iraq Captives

Dr. David Clark: To ask the Secretary of State for Defence what consideration he has given to the provisions of interim compensation payments to those service personnel who were held captive by the Iraqi Government after the invasion of Kuwait; and if he will make a statement.

Mr. Archie Hamilton: It has been the policy of successive Governments that payments should not be made from public funds to claimants against a foreign Government in anticipation of the payment of compensation from that Government.

Dr. David Clark: To ask the Secretary of State for Defence what information he has about the provision of interim compensation payments to foreign service personnel who were held captive by the Iraqi Government after the invasion of Kuwait; and if he will make a statement.

Mr. Archie Hamilton: I am not aware of any foreign Government who have made interim compensation payments.

PRIME MINISTER

Honours System

Mr. Gordon Prentice: To ask the Prime Minister how many individuals have written to him since his statement of 8 March proposing themselves as recipients of honours.

The Prime Minister: Over 1,600 names have been put forward to the honours nominations unit since I made my statement to the House on changes to the honours system. Based on a check of a sample of the nominations, it is likely that about a dozen are self-nominations.

Mr. Gordon Prentice: To ask the Prime Minister how many staff were employed at No. 10 Downing street to administer the honours system in 1992: and what increase in their number is planned.

The Prime Minister *[holding answer 15 April 1993]:* The honours section in 10 Downing street consisted of six staff in 1992. Numbers will be kept under review in the normal way to reflect changes in the work load.

Sir John Cuckney

Mr. Rogers: To ask the Prime Minister what Government tasks are currently carried out by Sir John Cuckney.

The Prime Minister: Sir John Cuckney is currently chairman of the Maxwell Pensioners Trust and adviser to the Department of Social Security's Maxwell pensions unit. Both appointments were made by the Secretary of State for Social Security. In addition, Sir John serves as a trustee of the Royal Air Force museum, an appointment made by the Secretary of State for Defence.

Pakistan

Mr. Vaz: To ask the Prime Minister when he next plans to visit Pakistan.

The Prime Minister: I am keen to take up an invitation from the Pakistan Prime Minister to visit Pakistan, and will do so when time permits.

Political Parties (Donations)

Mr. Rogers: To ask the Prime Minister if he will introduce legislation to prevent the use of bank loans from offshore tax havens to political parties in the United Kingdom.

The Prime Minister: I refer the hon. Member to the reply I gave to him on 18 March, at column 357.

BCCI

Mr. Vaz: To ask the Prime Minister how many letters he has received concerning compensation for the victims of BCCI.

The Prime Minister: I have received numerous representations.

Royal Bank of Scotland

Mr. Rogers: To ask the Prime Minister what Government Departments hold bank accounts with the Royal Bank of Scotland; and which of those accounts are at Drummonds branch.

The Prime Minister: No central records are maintained showing which Departments use which banks. Government Departments may use the services of clearing banks without reference to the Treasury when the arrangements offer good value for money.

India

Mr. Vaz: To ask the Prime Minister what discussions he has had with the Indian High Commissioner following the bomb blasts in Bombay in March.

The Prime Minister: I expressed my personal sympathy to the Indian high commissioner as soon as I heard of the explosions and loss of life in Bombay, and also sent messages to the Indian Prime Minister and the Governor of Bombay conveying condolences and offering practical help.

Local Authorities (Private Capital)

Mr. Blunkett: To ask the Prime Minister what plans he has to lift restrictions governing the use of private capital by local authorities, laid down in the Local Government and Housing Act 1989.

The Prime Minister: We have no such plans. However, it is already open to local authorities to enter into partnerships with the private sector and draw upon private finance.

Mr. Salman Rushdie

Mr. Winnick: To ask the Prime Minister when he now expects to meet Mr. Salman Rushdie.

The Prime Minister: I expect to meet Mr. Rushdie shortly.

EDUCATION

English Tests

Lady Olga Maitland: To ask the Secretary of State for Education if it remains his policy to conduct English tests for 14-year-olds following decisions by teachers about boycotts.

Mr. Forth: Yes. The English tests for 14-year-olds to be conducted this summer are the product of three years of trials in schools, involving hundreds of teachers and thousands of pupils. It is the statutory duty of head teachers to implement them, and the professional and contractual duty of teachers to carry them out.

Bangladeshi Population

Ms. Ruddock: To ask the Secretary of State for Education what steps have been taken since 1986 to improve educational standards and opportunities for the Bangladeshi population in Britain.

Mr. Forth: Successive educational reforms since 1986, including the Education Bill now before Parliament, have been designed to raise standards and improve opportunities for all pupils, whatever their ethnic or cultural background. As they take effect, Bangladeshi pupils are sharing in the benefit. Grants paid to local authorities under section 11 of the Local Government Act 1966 are supporting projects designed to meet the particular educational needs of Bangladeshi pupils, including English language support.

Bengali may now be studied in schools in fulfilment of the national curriculum requirement that all pupils aged 11 to 16 must study a modern foreign language. Funding has been provided through GEST—grants for education support and training—for three projects specifically for Bangladeshi pupils. Bangladeshi community groups are also benefiting from the ethnic minority grant introduced in April 1992 to give ethnic minorities equal access to training and enterprise opportunities.

WALES

Local Plans

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will list those local authorities in Wales which have no local plan.

Mr. David Hunt: The following local planning authorities have no adopted local plans.

Alyn and Deeside District Council
Carmarthen District Council
Ceredigion District Council
Glyndwr District Council
Montgomeryshire District Council
Neath Borough Council
Preseli Pembrokeshire District Council
Rhuddlan Borough Council
South Pembrokeshire District Council
Taff-Ely Borough Council

SCOTLAND

Legal Aid

Mr. Salmond: To ask the Secretary of State for Scotland, pursuant to his answer of 19 March, *Official Report*, column *438*, if he will give comparable figures for the cost of administering legal aid in Scotland through the local legal aid committees in each of the five years prior to the establishment of the Scottish Legal Aid Board in 1987; and if he will make a statement.

Lord James Douglas-Hamilton: Unlike the Scottish Legal Aid Board, the former Law Society legal aid central committee and the local legal aid committees dealt only with the merits of civil legal applications. The committees did not undertake assessments of the means of applicants for civil legal aid, which were assessed by DHSS and latterly the Scottish Office. Nor did they have any responsibility for summary criminal legal aid applications, which were dealt with by the courts. Comparable administrative cost figures are therefore not available.

Saztec Europe Ltd.

Mr. Cousins: To ask the Secretary of State for Scotland what industrial grants or support have been paid to Saztec Europe Ltd., Ardrossan.

Mr. Stewart *[holding answer 15 April 1993]:* Saztec Europe Ltd., formerly Saztec Scotland Ltd., received assistance in 1986 under the now terminated regional development grants scheme. This scheme offered automatic grants if the applicant met the appropriate criteria.

The conditions attaching to the grant were met.

HEALTH

Warner Report

Mr. Redmond: To ask the Secretary of State for Health when she now expects to make a statement on the Warner report.

Mr. Yeo: The responses to the consultation exercise are being considered. I hope to announce the Government's response to the report next month.

Drugs Trials

Mr. Blunkett: To ask the Secretary of State for Health (1) if she will make a statement on her policy on the use in the NHS of post-marketing surveillance trials by drugs companies;

(2) if she will list the drugs used by the NHS in post-marketing surveillance trials in the last 12 months; and if she will make a statement.

Dr. Mawhinney: Post-marketing surveillance studies are the responsibility of pharmaceutical companies and not the NHS or the Department of Health. These studies are designed to gain information on the safety of medicines in everyday clinical practice and therefore could not be done without the involvement of the NHS. Voluntary guidelines on the conduct of company-sponsored PMS studies have been in force since 1988. Under these guidelines, companies are requested to provide information on these studies to the Medicines Control Agency.

The MCA has reviewed PMS studies conducted under the guidelines and their findings were published in the *British Medical Journal* in June 1992. In the light of these findings, the guidelines are now being reviewed.

Information supplied by companies to the MCA is considered confidential under section 118 of the Medicines Act 1968. A list of individual drugs on which PMS studies are being conducted cannot therefore be published by the Department of Health.

Zoladex

Mr. Morgan: To ask the Secretary of State for Health what guidelines have been issued in relation to the prescribing of Zoladex by *(a)* hospital consultants and *(b)* general practitioners; and what proposals she has for further actions on this front.

Dr. Mawhinney: Prescribing information on Zoladex is available to all doctors in the British National Formulary, which the Department issues free of charge to all prescribers, and in the data sheet for this product, which is produced by the manufacturer and authorised by the licensing authority. This information is applicable to both hospital consultants and general practitioners. There are no plans at present to issue additional guidelines on Zoladex, but, as with all medicines, its safety is monitored by the Medicines Control Agency.

HEALTH

Comfrey

Mr. David Nicholson: To ask the Minister of Agriculture, Fisheries and Food (1) whether he proposes to carry out further research on the toxicological data on comfrey, with a view to determining a level of safe use; and if he will make a statement;

(2) what pyrrolizidine alkaloids are found in comfrey; and if he will indicate which of these is of proven toxicity.

Mr. Sackville: I have been asked to reply.

Common comfrey (symphytum officinale) and Russian comfrey (symphytum X uplandicum) are believed to be the varieties commonly used in herbal food supplements. The following pirrolizidine alkaloids have been identified and reported in the scientific literature as being present in either common or Russian comfrey or in both.

Symphytine[1]
Echimidine[1]
Acetyl-echimidine[3]
Lycopsamine[1]
7-acetyl lycopsamine[1]
Symlandine[1]
Echinatine[3]
Heliosupine[3]
Acetyl-heliosupine[3]
Intermidine[1]
7-acetyl intermidine[1]
Uplandicine[2]
Viridiflorine[1]

[1] in common comfrey but not in Russian comfrey.
[2] in Russian comfrey.
[3] in both common and Russian comfrey.

The majority of alkaloids found in comfrey have not been tested for toxicity. The results of studies on symphtine suggest that it may be genotoxic and carcinogenic. There is some evidence to suggest that echimidine and echinatine may be genotoxic. Whilst the toxicity data on the individual alkaloids found in comfrey are limited, there is evidence from studies using laboratory animals that the dried leaves and roots of common comfrey are potentially carcinogenic.

The Government's independent expert advisory committee, the Committee on Toxicity of Food, Consumer Products and the Environment, reviewed data including that on four cases of human liver damage associated with the consumption of comfrey preparations. It considered the data to be of sufficient concern to warrant action in the interests of public safety and recommended that action should be taken to reduce the intake of comfrey and its potentially toxic constituents.

It is for the manufacturers of preparations using comfrey to submit to the Government the results of research into the safety of other products if they so wish. The Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment advised that further toxicological testing would provide results of limited use in toxicological evaluations.

NATIONAL FINANCE

Electricity

Mr. John D. Taylor: To ask the Chancellor of the Exchequer under which vote sub-head the proceeds of the sale of the former NIE generating stations were accounted for.

Mr. Lamont: Northern Ireland estimates 1992-93, Department of Economic Development, vote 4.

Environmental Protection

Mr. Llew Smith: To ask the Chancellor of the Exchequer what matters in regard to investment in environmental protection were discussed and decided at the G-7 meeting of Finance Ministers in Tokyo on 14-15 April.

Mr. Nelson: Nuclear safety in Russia and dumping of radioactive waste at sea were discussed at the meeting. The meeting reaffirmed the commitment of the G7 to the full and timely implementation of the multilateral programme of action to improve nuclear safety in Russia agreed at the Munich summit.

Bank of Credit and Commerce International

Mr. Vaz: To ask the Chancellor of the Exchequer how many letters he has received concerning compensation for the victims of BCCI.

Mr. Nelson: The Treasury has received some 800 letters about BCCI since the bank was closed. It would be possible to identify how many of these were about compensation only at disproportionate cost.

Tax Changes

Mr. Frank Field: To ask the Chancellor of the Exchequer if he will update, to take account of the 1993 Budget, the information on tax changes contained in his answer to the hon. Member for Bradford, West (Mr. Madden) of 29 June 1992, *Official Report*, column 380.

Mr. Dorrell: Latest estimates of the annual change in income tax liability resulting from the changes in tax rates,

allowances and thresholds announced in the 1993 Budget are in the table. The 1978-79 income tax regime has been indexed to 1993-94 levels by reference to the statutory formula, and allowing for independent taxation.

For the purposes of these calculations the indexed regime of 1978-79 is applied directly to the income base of 1993-94. In practice, retention of the regime indexed as appropriate, for the intervening years would have led to changes in the income base.

Average reduction in income tax per individual[1] in 1993-94 compared with the 1978-79 indexed regime

Range of individual's income in 1993-94 (£)	*Number of individuals 1993-94*[1] *(million)*	*Total reduction* (£ million)	*Average reduction* (£ per annum)
Under 5,000	3·20	450	140
5,000 to 10,000	8·00	3,000	380
10,000 to 15,000	6·10	4,500	740
15,000 to 20,000	3·70	4,000	1,100
20,000 to 30,000	3·30	5,400	1,620
30,000 to 50,000	1·20	3,000	2,520
50,000 to 80,000	0·28	2,100	7,730
Over 80,000	0·14	6,400	45,500
TOTAL	26·00	28,900	1,100

[1] Individuals liable to income tax under the 1978-79 indexed regime.

LORD CHANCELLOR'S DEPARTMENT

Legal Aid

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department, what reports have been produced by the Northern Ireland court service with regard to the operation of the legal aid scheme in Northern Ireland; and if he will place these reports in the Library.

Mr. John M. Taylor: No reports have been produced by the Northern Ireland court service with regard to the operation of the legal aid scheme in Northern Ireland. Such reports are produced annually by the Law Society of Northern Ireland and are referred to the Lord Chancellor's Advisory Committee on Legal Aid in Northern Ireland for consideration and advice pursuant to article 23(3) of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981. These reports and the Lord Chancellor's advisory committee reports are placed in the Library.

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department, what progress has been made by the Northern Ireland court service in consolidating Northern Ireland's legal aid regulations; and what has been the reason for the time taken in consolidating these regulations.

Mr. John M. Taylor: Considerable progress has been made by the Northern Ireland court service in preparation of the regulations which will revise the Legal Aid (General) Regulations (Northern Ireland) 1965. This exercise, which is at an advanced stage, involves primarily a consolidation of existing provisions, but the opportunity is also being taken to improve and modernise the regulations in some respects. The exercise has been held in abeyance pending the resolution of a number of points of detail. It is expected that these will be resolved within the next month, and that it will be possible to bring forward the new regulations later this year.

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department, whether he intends to set up a Legal Aid Board for Northern Ireland.

Mr. John M. Taylor: In the light of the establishment of independent legal aid boards for England and Wales and Scotland, the Lord Chancellor has been reviewing the arrangements for the administration of legal aid in Northern Ireland with the aim of effecting improvements to the present system. One of the options for consideration is the establishment of an independent legal aid board. There have already been preliminary discussions with the Law Society of Northern Ireland and it is expected that these will continue. Following the completion of the review, the Lord Chancellor will bring forward proposals.

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department, what plans he has to extend to Northern Ireland the research he has commissioned into the operation of legal aid in respect of eligibility, the green form scheme and advice and assistance at police stations.

Mr. John M. Taylor: The Legal Aid Board in England and Wales has commissioned research which has touched on these subjects, but no research has been commissioned recently on them by the Lord Chancellor's Department. As a general principle, the Lord Chancellor's Department would consider extending any research it commissioned to Northern Ireland.

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department when he will publish the research undertaken by the Northern Ireland court service into advice at police stations; what other research has been undertaken or funded by the Northern Ireland court service into legal aid and legal advice and assistance; and when this research will be published.

Mr. John M. Taylor: The results of a survey undertaken by the Northern Ireland court service into legal advice and assistance at police stations, have been forwarded to interested parties, but there are no plans to publish the results of this survey. No other research has been undertaken or funded by the Northern Ireland court service into legal aid and legal advice and assistance.

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the steps taken to co-ordinate the Northern Ireland court service research schedule on legal aid with his Department's research programme.

Mr. John M. Taylor: The Lord Chancellor's Department and the Northern Ireland court service will continue to liaise closely in respect of any research on legal aid.

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department, what proportion of the population in Northern Ireland is currently eligible for legal aid and legal assistance; what proportion of these is eligible *(a)* with a financial contribution and *(b)* without a financial contribution; what proportion of the Northern Ireland population will be eligible for legal aid and advice

and assistance under the new legal aid regulations laid down by his Department; and what proportion of these is eligible (i) with a financial contribution and (ii) without a financial contribution.

Mr. John M. Taylor: Estimates of eligibility that have been made are based on family expenditure survey data and relate to households. The proportion of households currently eligible for civil legal aid, is likely to be somewhere between 50 and 55 per cent. in England and Wales. Only a small proportion of Northern Ireland households are included in the family expenditure survey. However, Northern Ireland household incomes are estimated to be 82 per cent. of the incomes in England and Wales. It is therefore estimated that somewhere between at least 60 and 65 per cent of households in Northern Ireland are currently eligible for civil legal aid. As a result of the distribution of incomes in Northern Ireland, the effect of the introduction of the new regulations will be a small decrease in the proportion of households eligible for legal aid. It is estimated that this reduction will be in the region of two percentage points.

The proportion of households eligible for legal advice and assistance will be virtually unchanged under the new regulations, although more will be required to make a contribution.

Information regarding the proportion of the population that is currently eligible for legal aid and legal assistance with a contribution and the proportion that will be so eligible under the new legal aid regulations, is not readily available and could be obtained only at disproportionate cost. In 1991-92, of those persons granted civil legal aid, 89 per cent. were eligible with no contribution. The comparative figures for legal advice and assistance and assistance by way of representation were 97 per cent. and 89 per cent. respectively.

HOME DEPARTMENT

Prisons (Market Testing)

Ms Ruddock: To ask the Secretary of State for the Home Department which prisons currently in use will be market tested during the next three financial years.

Mr. Peter Lloyd: No decisions have yet been made.

Life Sentences

Mr. William Ross: To ask the Secretary of State for the Home Department if he will publish a table to show for as many years for which the information is conveniently available the number of persons sentenced to life imprisonment for the murder of *(a)* police officers, *(b)* prison officers, *(c)* military personnel and *(d)* civilians who have been in each year released from prison; whether the life sentence had a minimum recommendation imposed by the court which was not fully served; and in which cases there was a terrorist involvement.

Mr. Peter Lloyd: The available information for 1981 to 1991 is shown in the table. Murderers of military personnel cannot be separately identified nor is the minimum recommendation of the court recorded centrally. There was no known terrorist involvement by any of the life sentence prisoners released during 1981 to 1991.

Lifers sentenced for murder who were released on licence between 1981 and 1991 in England and Wales

1	2	3	4
Year of release on licence	*Murderers of prison officers*	*Murderers of police officers*	*Total number of murderers of all types first released on licence*[1]
1981	—	—	57
1982	1	—	79
1983	—	—	83
1984	—	—	52
1985	—	—	51
1986	—	—	36
1987	—	—	47
1988	—	—	54
1989	—	—	69
1990	—	—	57
1991	—	1	55

[1] Including those in columns 2 and 3.

Note: This table excludes those who were released on appeal, transferred out of prisons in England and Wales or who died.

Immigration and Nationality Department

Mr. Fraser: To ask the Secretary of State for the Home Department whether the Immigration and Nationality Department solicits information on individual cases from local authorities without the express consent of the individual.

Mr. Charles Wardle: There are various circumstances in which the Immigration and Nationality Department may ask local authorities for information about an individual. It is not always appropriate to seek to express consent of the person concerned.

Mr. Fraser To ask the Secretary of State for the Home Department whether the Immigration and Nationality Department receives information on individuals from the Department of Social Security passed on without the individual's express consent.

Mr. Charles Wardle: Yes. Liaison between the Departments may be necessary in particular cases and it is not always appropriate to seek the express consent of the individuals concerned.

Child Abduction

Mr. Olner: To ask the Secretary of State for the Home Department what proposals he has to improve police training and to produce guidelines for police forces on child abduction.

Mr. Charles Wardle: It is for individual chief officers of police to determine what action should be taken to investigate offences under the Child Abduction Act 1984 and to decide what training is required. My right hon. and learned Friend is aware of the recent report of the parliamentary working party on child abduction and is ready to consider any proposals for amending the existing guidelines.

Market Testing

Mr. Michael: To ask the Secretary of State for the Home Department if he will publish the criteria used by the Home Office to evaluate outside tenders for Home Office tasks which are the subject of market testing exercises.

Mr. Kenneth Clarke: Evaluation criteria will be contained, where appropriate, in the *EC Journal* notice advertising the relevant market tests, or in the invitation to tender documents.

Mr. Michael: To ask the Secretary of State for the Home Department whether Home Office unions and staff associations have been consulted on the method and content of market testing exercises since January 1992.

Mr. Kenneth Clarke: Yes, on both a formal and an informal basis.

Mr. Michael: To ask the Secretary of State for the Home Department what has been the total cost of all Home Office market testing exercises to date.

Mr. Kenneth Clarke: The total cost of the Home Office market testing programme, including consultancies, since November 1991 has been approximately £1,036,000.

Emergency Planning College

Mr. Michael: To ask the Secretary of State for the Home Department what would be the security implications of contracting out the emergency planning college; and what safeguards would be introduced.

Mr. Peter Lloyd: We are not aware of any security consideration which would prevent the contracting out of the work of the emergency planning college. Whether safeguards would be necessary is something which would be considered in any contracting-out study.

Donald Treshman

Mr. Allen: To ask the Secretary of State for the Home Department what is the current immigration status of Donald Treshman; and if he will make a statement.

Mr. Charles Wardle: Mr. Treshman left the United Kingdom voluntarily on 14 April. In accordance with the directions given by the Home Secretary on 26 March, he is now excluded from the United Kingdom on the ground that his presence is not conducive to the public good. Before he left Mr. Treshman appealed against the decision to deport him; that appeal will now proceed in his absence.

Mr. Tom Metzger

Mr. Madden: To ask the Secretary of State for the Home Department what instructions he has issued to United Kingdom immigration authorities to exclude from entry to the United Kingdom Mr. Tom Metzger, an American citizen; and if he will make a statement.

Mr. Charles Wardle: My right hon. and learned Friend is awaiting information about Mr. Metzger's background, to enable him to consider whether to exclude him from the United Kingdom on the grounds that his presence would not be conducive to the public good. In the meantime immigration officers at ports of entry have been instructed not to admit him without reference.

Prison Escort Service

Ms Ruddock: To ask the Secretary of State for the Home Department what plans he has to extend privatisation of the court escort service to London; and if he will make a statement.

Mr. Blair: To ask the Secretary of State for the Home Department what proposals he has for the further contracting out of prison escort services.

Mr. Peter Lloyd: I refer the hon. Members to the reply given to the hon. Member for Westminster, North (Sir J. Wheeler) on 16 February, column *139*.

Mr. Allen: To ask the Secretary of State for the Home Department what are the terms of the contract with Group 4 for prison escort duties; what monitorings carried out of whether the contract is being adhered to; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service. I have asked him to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Graham Allen, dated April 1993:

GROUP 4 COURT ESCORT SERVICE

The Secretary of State has asked me to write to you directly in reply to your recent Parliamentary Question asking about the terms of the contract with Group 4 for prison escort duties and what monitoring is carried out or whether the contract is being adhered to.

Details of the operational requirements of the contract were included in the operational specification for the Court escort service for Humberside and the East Midlands placed in the Library of the House at the time of issue of the tender documents. The contract, which is initially for 5 years, covers 7 counties: Derbyshire, Leicestershire, Lincolnshire, Nottinghamshire, South Yorkshire, North Yorkshire, and Humberside. The contract includes financial remedies to withhold payment for unsatisfactory service, with the option of termination of the contract on default. I attach a summary of the contract conditions and some additional background material.

A Home Office monitor has been appointed, as required by the Criminal Justice Act 1991, to oversee the operation of the service in the area. He is assisted by a deputy.

Mr. Allen: To ask the Secretary of State for the Home Department what has been the cost to the Exchequer for police time in pursuing prisoners who have escaped or have been wrongfully released by Group 4 Security.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Graham Allen, dated 19 April 1993:

GROUP 4 COURT ESCORT SERVICE

The Home Secretary has asked me to write to you directly in reply to your recent Parliamentary Question about the cost to the Exchequer for police time in pursuing prisoners who have escaped or have been wrongfully released by Group 4 Security.

The nature and circumstances of incidents of escapes differ widely from one case to the next and the Prison Service is not charged for costs incurred in recapturing prisoners. The information requested is not, therefore, available.

Mr. Allen: To ask the Secretary of State for the Home Department if he will list the prisoners who have escaped or been wrongfully released by Group 4 Security since they began escort duties; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Graham Allen, dated 19 April 1993:

GROUP 4 COURT ESCORT SERVICE

The Home Secretary has asked me to write to you directly in reply to your recent Parliamentary Question asking for a list of prisoners who have escaped or been wrongfully released by Group 4 Security since they began escort duties.

2. Full investigations into the circumstances of each escape are continuing. However we know that:

i. on 5 April a defendant escaped from the dock of Hull Magistrates' Court.

ii. on 6 April a prisoner escaped from a hatch in a four cell van by kicking the secured safety exit from its mountings and climbing out. All similar vehicles have now been modified.

iii. on 8 April a prisoner kicked out the window of a 7 cell van. Again, all similar vans used by the company have now been modified to prevent a recurrence.

iv. on 15 April a defendant escaped by vaulting over the top of the dock at Ilkeston Magistrates' Court.

v. on 16 April in an insecure courtroom at Sheffield Magistrates' Court, a defendant received from bail was sentenced to a custodial sentence. Following a struggle both inside and outside the courtroom, he escaped from two prisoner custody officers who were trying to escort him to the custody area.

In addition to these escapes two further incidents have occurred:

vi. on 8 April a defendant was released in error from Mansfield Magistrates' Court. The clerk has exonerated Group 4 of blame for the incident which arose from administrative error by the court and the prosecuting authorities.

vii. on 10 April a defendant was bailed from Leicester Magistrates' Court on conditions which included a £50 surety. A misunderstanding on the part of Group 4 meant that the defendant was released before the surety had been accepted. Subsequently the court amended the bail conditions to remove the need for a surety.

Mr. Allen: To ask the Secretary of State for the Home Department if he will conduct an inquiry into the escape and wrongful release of prisoners entrusted to Group 4 Security.

Mr. Peter Lloyd: The director-general has on his own initiative conducted such an inquiry.

Election Deposits

Mr. Winnick: To ask the Secretary of State for the Home Department when the deposit for a candidate in a General Election was last set; what is the current figure; and what plans he has to increase the sum.

Mr. Peter Lloyd: The deposit for a candidate at a parliamentary election was set at £500 in 1985. I have no plans to increase this sum.

UKIAS (Director)

Mr. Winnick: To ask the Secretary of State for the Home Department, pursuant to his answer of 30 March, *Official Report*, column 113, if he is now in a position to state when it is likely that the post of chief executive or director to the successor body to the United Kingdom Immigrants Advisory Service will be duly advertised.

Mr. Charles Wardle: This is a matter for the planning group established by my right hon. and learned Friend, but I understand that the post of director will be advertised shortly.

Wolds Remand Centre

Ms Ruddock: To ask the Secretary of State for the Home Department if he will make a statement on the two recent incidents which involved an assault on a police officer at the Wolds remand centre.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Ms Joan Ruddock, dated April 1993:

Wolds Prison: Incidents of alleged assaults on police officers

The Home Secretary has asked me to write to you directly in reply to your recent Parliamentary Question asking about two incidents which involved alleged assaults on police officers at HM Prison Wolds.

There have been two separate unconnected incidents of alleged assault on police officers. The first incident involved an officer who was visiting a prisoner in an official capacity. The prisoner has been charged and is currently awaiting trial.

The second incident occurred when a prisoner was being escorted into the prison's admissions building. Witness statements were taken, but to date no charges have been laid.

Blakenhurst Prison

Ms. Ruddock: To ask the Secretary of State for the Home Department what training is being provided for custody officers at HMP Blakenhurst; and who is providing that training.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the Prison Service. I have asked him to arrange for a reply to be given.

Letter from Derek Lewis to Ms Joan Ruddock, dated 16 April 1993.

HM PRISON BLAKENHURST STAFF TRAINING

The Home Secretary has asked me to write to you in response to your Parliamentary Question about the nature and provision of training for prisoner custody officers at HM Prison Blakenhurst.

The training requirement is set out in Schedule 3b of the Operational Specification which formed part of the invitation to the tender for the management of the prison. A copy of the Specification was placed in the Library of the House and I enclose a further copy of the relevant schedule.

It is for UKDS to determine how the required training is delivered and the bulk of it has been provided by their own staff. However a certain amount has been bought in, including control and restraint training from the Prison Service, and part of the First Aid training from specialist medical sources. The West Mercia police have provided an input on drug recognition and control. In addition the Chairman of the Board of Visitors and the Home Office Controller have given sessions on their respective roles and functions.

TRADE AND INDUSTRY

Astra plc

Mr. Rogers: To ask the President of the Board of Trade what were the names and positions of those who requested the investigation into Astra plc.

Mr. Neil Hamilton: The inspectors were appointed following an application of the company, made by letter dated 27 June 1990, signed by the chairman, Mr. Roy Barber.

Mr. Rogers: To ask the President of the Board of Trade what has been the cost of his Department's inquiry into Astra plc. to date.

Mr. Neil Hamilton: A total of £2,170,000, inclusive of VAT.

British Coal Superannuation Scheme

Mr. O'Neil: To ask the President of the Board of Trade what indemnities Her Majesty's Government have offered British Coal for any court costs incurred through legal action by the trustees of the British Coal staff superannuation scheme; if he will detail the full extent of past and present indemnities offered to British Coal; and if he will publish the external legal advice and the terms and conditions upon which any indemnity was offered.

Mr. Eggar: No indemnity has been given or offered to British Coal for such legal costs.

Mr. O'Neill: To ask the President of the Board of Trade what proposals his Department has made to British Coal in relation to using part of the surplus in its pension scheme to meet the cost of additional contributions to its staff superannuation scheme in respect of early pensions and pensions for redundant miners.

Mr. Eggar: My Department has made no such proposals. It has, however, because of its responsibilities for the proper use of public funds, asked British Coal to explore the possibility of applying its share of the surplus to the staff superannuation scheme in discharge of its obligation to meet the cost of additional contributions to that scheme. The corporation intends to seek a court direction before taking any final decision.

Company Law

Mr. Malcolm Bruce: To ask the President of the Board of Trade what plans he has to reform company law to prevent overseas companies that are operating in the United Kingdom with the same names as existing United Kingdom companies from abusing their matching identity.

Mr. Neil Hamilton: All overseas companies opening a branch or place of business in the United Kingdom are required to register with the Registrar of Companies. If the corporate name of such an overseas company is the same as, or too like, an existing name on the Great Britain register, section 694 of the Companies Act 1985 already gives the Secretary of State power to serve notice requiring the overseas company to cease using that name in Great Britain within two months. There are similar powers in Northern Ireland.

Mr. Malcolm Bruce: To ask the President of the Board of Trade what plans he has to reform company law to tackle fraud by corporate directorships held in the name of a company registered abroad and to prevent such companies avoiding punishment under United Kingdom law.

Mr. Neil Hamilton: None. Where fraud has been committed in the United Kingdom, existing legislation enables proceedings to be commenced against a company and the directors involved, even where these are overseas companies. There is also a number of bilateral and other arrangements with overseas regulators which provide for assistance with inquiries into offences involving directors and companies located overseas. Provisions in the new Criminal Justice Bill will make it easier to prosecute persons—whether companies or individuals—involved in cases of international fraud.

Regional Development

Mr. Janner: To ask the President of the Board of Trade (1) when the decision was made to locate his Department's east midlands regional development organisation in Nottingham;

(2) whether he will reconsider his decision to locate the east midlands regional development organisation in Nottingham rather than in Leicester.

Mr. Sainsbury *[holding answer 14 April 1993]:* The decision was made on 25 March when my right hon. Friend the President of the Board of Trade made a statement on the conclusions of the Government's coal review. The new east midlands regional development organisation is not part of my Department, but will be supported in part by a grant in aid linked to the performance of specific inward investment promotion activities on behalf of the Invest in Britain Bureau.

AGRICULTURE, FISHERIES AND FOOD

Potatoes

Mr. Mike O'Brien: To ask the Minister of Agriculture, Fisheries and Food what was the average price of one tonne of British potatoes in *(a)* 1975, *(b)* 1985 and *(c)* 1993; at what average price potatoes were sold to the public in the same years; and if he will also provide the figures at 1991-92 constant prices.

Mr. Curry: The following tables give information in respect of 1975 and 1985. Information about 1993 is not yet available so I have supplied figures for 1992.

	1975 (a) £	*1985 (b)* £	*1992 (b)* £
United Kingdom average price per tonne paid to producers	66·80	47·17	[1]70·60
Index of producer prices in real terms (1992 = 100)	325·8	97·8	100

[1] Forecast.

Price sources: (a) Annual Review of Agriculture.
(b) Agriculture in the United Kingdom.

	1975 (pence)	*1985 (pence)*	*1992 (pence)*
Average retail price of loose and pre-packed maincrop potatoes (Great Britain) (p/lb)	4·4	6·3	12.0
Index of retail prices in real terms (1992 = 100)	148·7	77·6	100

Price Source: National Food Survey.

Food Prices

Mr. Ronnie Campbell: To ask the Minister of Agriculture, Fisheries and Food what representations he has received during recent months on the pricing policies of food retailers in the United Kingdom.

Mr. Curry: I received from time to time representations from members of the public about retail prices of a wide range of foodstuffs.

NORTHERN IRELAND

Care Homes

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland if he will publish the projected admissions to residential and nursing homes in the various districts of the Eastern health and social services board for the years 1993-94, 1994-95 and 1995-96; and if he will make a statement.

Mr. Hanley: The information requested is not available. In Northern Ireland as a whole, based on the numbers used in the calculation of the sum transferred from the social security system to the health and personal social services budget, it was estimated that in each of the years in question the number of claimants expected to enter independent homes would grow by 2,135 per annum. From 1 April 1993, the number of actual admissions to residential and nursing home care will be determined by the outcome of the assessment of need which boards will be required to carry out on individuals.

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland if he will publish the number of people in care in independent homes in the area of the Northern Ireland Eastern health and social services board on which the budget for community care will be calculated from 1 April; and if he will make a statement.

Mr. Hanley: The projected number of people in independent care homes in the Eastern board area at 1 April is not available. However, the number of people expected to enter independent homes in Northern Ireland as a whole under the previous arrangements was projected to grow by 2,135 per annum. In 1993-94, £29·5 million, including £24·63 million transferred from social security, has been allocated to the four boards in Northern Ireland on the basis of the capitation formula giving the Eastern board additional community care resources of £12 million. The deployment of these funds together with the existing community care resources is for the board to take forward through its purchasing plans.

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland how many people in care in independent homes in the area of the Northern Ireland Eastern health and social services board will qualify for preserved rights under the community care reforms.

Mr. Hanley: All those in care in independent homes in the Eastern health and social services board area on 31 March 1993 have a preserved right to claim the higher rates of income support under the community care reforms.

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland how many people were recorded as in care in independent homes in Northern Ireland by the Eastern health and social services board on 31 March.

Mr. Hanley: A provisional total of 5,932 beds were available in independent homes in the Eastern board area at 31 March 1993. It is not known how many of these beds were occupied. Prior to 1 April the majority of residents made private arrangements for admission to these homes and the Eastern board does not have a record of their numbers.

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland what system was used to obtain the projected number of people in care in independent sector homes in the area of the Eastern health and social services board as at 1 April; and if he will make a statement.

Mr. Hanley: Projections of the number of people in care in independent sector homes were made for the purposes of the transfer of resources from social security and therefore reflected numbers of demands in social security districts and not individual board areas. These projections were derived from numbers collected from two surveys of all income support claimants and updated by computerised scans of resident numbers in independent homes. Projections do not include residents who were not relying on income support for help with the cost of their accommodation.

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland what department will make the necessary assessments under the community care reforms for people applying for residential and nursing home care in Northern Ireland.

Mr. Hanley: Health and social services boards, through their units of management, are responsible for carrying out an assessment of need for any individual living within their area who requires community care services, including residential care and nursing home accommodation.

Community Care

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland what plans the health and social services boards in Northern Ireland have to meet the needs of those people admitted to community care from 1 April for all the costs of care required to be covered where the applicant is on income support.

Mr. Hanley: Each board, through its units of management, is responsible for assessing the needs of individuals living within its area who require community care services. The costs of providing the necessary community care services will be met by boards. Where this includes residential or nursing home accommodation boards will seek to recover the cost from the person according to his ability to pay, irrespective of whether income support is in payment. Boards must, however, ensure that individual residents are left with at least an amount equivalent to the personal expenses element of income support payable to those in registered independent sector homes.

Cardiac Surgery

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many patients, in each of the health board areas, have been waiting for cardiac surgery for more than *(a)* one year, *(b)* two years, *(c)* three years and *(d)* four years.

Mr. Hanley: The information is not available in the precise form requested. The numbers waiting for cardiac surgery as recorded by board of residence at the end of February 1993 are as follows:

Board	*Number 18-23 months*	*Number 24 months +*	*Total*
Eastern	37	183	220
Northern	12	43	55
Southern	9	23	32
Western	3	24	27

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many patients were offered cardiac surgery outside the Province in 1992; and of those offered, how many refused.

Mr. Hanley: The information is not available centrally and could be obtained only at disproportionate cost. However, I can say that some 230 patients have been treated in Great Britain during the last 18 months.

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 8 December, to the hon. Member for Londonderry, East (Mr. Ross) *Official Report*, column *601-02*, how much additional money will be made available for heart operations in the financial year 1993-94; and how it will be allocated between the four health boards.

Mr. Hanley: A total of £1·62 million additional money will be made available for cardiac surgery in 1993-94. This will be divided among the four health and social security boards as follows:

Eastern—£1,011,348
Northern—£283,458
Southern—£189,318
Western—£135,876

Clinical Care

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what assessment has been carried out of the quality of clinical care in Northern Ireland hospitals; and if he will publish the results.

Mr. Hanley: Clinical care is constantly being assessed by clinicians. Arising from the NHS reforms additional funds have been made available to boards to assist in the process of audit and the Department has centrally funded various medical audit projects. A regional audit advisory committee and area audit advisory committees in each board are all required to produce annual reports which are presented to the Minister. There are no plans to publish these.

In addition Northern Ireland has been an active participant in national studies such as the confidential inquiry into maternal deaths and the confidential inquiry into perioperative deaths. These inquiries are conducted in a formal way and are published widely.

Northern Ireland is also participating fully in the confidential inquiry into stillbirths and deaths in infancy. It is a rolling programme and will be published annually.

Bangladeshi Population

Ms Ruddock: To ask the Secretary of State for Employment what steps have been taken since 1986 to improve employment and training opportunities for the Bangladeshi population in Britain.

Mr. McLoughlin: The Employment Department is committed to the principle of equality of opportunity in all its employment and training programmes. This policy is implemented through the race relations advisory service (RREAS), which helps to improve opportunities for all ethnic minority groups, and training and enterprise councils (TECs). TECs have a contractual obligation to ensure equality of opportunity in all their activities.

The Employment Act 1989 encouraged wider use of positive action training both in training providers and employers. The RREAS helps by publicising what the special provisions allow and encouraging employers to use them.

The Government recognise that those with little English language or low levels of literacy skills will face significant barriers to getting the skills and qualifications to help them get jobs. Those with such needs are eligible to start training for work, the main programme for unemployed adults, without having to be unemployed for six months.

TECs are uniquely placed to work with local communities and all relevant agencies to help address specific needs and overcome barriers. Since their launch in 1989, some TECs have developed provision specifically for local Bangladeshi communities, and others provide a wide range of support for all ethnic minority groups, to which members from Bangladeshi communities have equal access. The ethnic minority grant, administered by the Home Office, has been successful in providing TECs with extra help in overcoming language or cultural barriers in particular.

Advertisements (Age Bar)

Mr. Winnick: To ask the Secretary of State for Employment if she intends to introduce legislation to ban advertisements for job vacancies which place an age bar.

Mr. McLoughlin: Employers who refuse to consider people purely because of their age miss out on the skills, experience and commitment which older people can bring to a job. Banning age limits in job advertisements, however, would do nothing to prevent discrimination occurring later on at the interview or selection stages. The way forward is to persuade employers who discriminate that it is in their own best interests to treat everyone on their merits, regardless of age.

FOREIGN AND COMMONWEALTH AFFAIRS

Iran (Death Sentence)

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's policy towards Iran as long as the death sentence on a British citizen living in the United Kingdom is not withdrawn.

Mr. Douglas Hogg: We remain greatly concerned by the continuing failure of the Iranian authorities to repudiate the incitement to murder Mr. Rushdie and the bounty on him offered by an Iranian organisation. This failure inevitably prevents the establishment of full and friendly relations with Iran.

TRANSPORT

Railway Stations (Staffing)

12. **Mr. Hinchliffe:** To ask the Secretary of State for Transport if he will discuss the safety aspects of staffing levels at railway stations with the chairman of British Rail.

Mr. Freeman: The Secretary of State regularly meets the BR chairman and board members to discuss a wide range of matters relating to the railways, including the safety and security of the travelling public. Staffing levels at railway stations are a matter for the board.

Freight Traffic

13. **Dr. Kim Howells:** To ask the Secretary of State for Transport what support the Government are giving to encourage the transfer of freight traffic from the roads to the railways.

Mr. MacGregor: I recently announced three important new measures to boost the prospects for rail freight. These provided for improvements to the existing freight facilities grant scheme; the introduction of a new grant scheme to assist with Railtrack's charges; and the publication of a paper on the potential for weight incentives for lorries used in combined transport.

These measures taken together with privatisation, open access, and substantial investment in channel tunnel services, will provide the best prospects for encouraging more freight traffic to the railways.

West Coast Main Line

14. **Mr. John Evans:** To ask the Secretary of State for Transport to what extent performance levels on the west coast main line are affected by the age of the infrastructure and the age of the rolling stock.

Mr. Freeman: I recognise that the age of equipment on particular lines can affect performance. That said, British Rail intends to start work soon on renewing the infrastructure on the west coast main line. The precise timing will be decided later in the spring when British Rail has finalised its spending plans. New stock for the line is, as I announced earlier, one of two options under consideration for the planned £150 million leasing facility announced at the time of the autumn statement.

16. **Mr. Martlew:** To ask the Secretary of State for Transport what representations the British Government have made to European institutions with a view to securing financial support for investment in the west coast main line.

Mr. Freeman: The west coast main line is included in the outline plan for the European high speed train network. The Commission has requested further information on such projects. The Commission is at present assessing the likely demand for the proposed networks fund rather than inviting bids for funds.

18. **Mr. Eastham:** To ask the Secretary of State for Transport what assessment his Department has made of the economic potential of the west coast main line to carry intercontinental freight and passenger services via the channel tunnel.

Mr. Freeman: It would be for British Rail, not the Department, to make such an assessment. British Rail's current assessment underlies their proposals for international freight and passenger services using the west coast main line.

25. **Mrs. Dunwoody:** To ask the Secretary of State for Transport when he last met the chairman of British Rail to discuss services on the west coast main line.

Mr. Freeman: My right hon. Friend the Secretary of State for Transport regularly meets the chairman of British Rail to discuss a variety of railway issues.

Bus Services (London)

15. **Mr. Evennett:** To ask the Secretary of State for Transport what representations he has received regarding deregulation of bus services in London.

Mr. Norris: I refer my hon. Friend to the answer I gave to the hon. Member for Islington, North (Mr. Corbyn) earlier today.

Motorway Repairs

17. **Mr. Janner:** To ask the Secretary of State for Transport how many working hours he estimates were lost in 1992 due to motorway repairs.

Mr. Kenneth Carlisle: All motorway repairs are planned so as to keep delays to a minimum.

A40 (Feeder Routes)

19. **Mr. Harry Greenway:** To ask the Secretary of State for Transport what plans he has to develop improvements to the feeder routes into the A40 in the Northolt and Ealing area; and if he will make a statement.

Mr. Norris: This is a matter for the London borough of Ealing which has responsibility for the roads in question.

West Midlands (Continental Rail Links)

20. **Mr. Fabricant:** To ask the Secretary of State for Transport what consideration he has given to improving rail links between the west midlands and the continent.

Mr. MacGregor: British Rail is investing over £1·4 billion in rolling stock and infrastructure for their channel tunnel services. Projects particularly benefiting the west midlands include the upgrading of the existing freight terminal at Birmingham. This will enable high-quality rail freight services to operate from the region to the continent and allow goods to transfer from road to rail. British Rail is also investing in rolling stock to provide a direct day service for passengers linking Manchester, Birmingham, Stockport and Crewe to both Paris and Brussels and a passenger night service via Lancaster, Preston and Crewe to those cities.

Disabled People (London)

21. **Mr. Deva:** To ask the Secretary of State for Transport what measures his Department will take to facilitate travel by the disabled in London.

Mr. Norris: My Department's disability unit works closely with the unit for disabled passengers at London Transport in promoting a wide range of accessible mainstream and specialist transport services.

Dial-a-ride services in London are funded by my Department and administered on our behalf by London Transport. The level of funding for this year is £12 million —which represents a real increase of 60 per cent. since 1985-86, the last year of GLC funding.

Traffic Congestion (London)

22. **Mr. Tony Banks:** To ask the Secretary of State for Transport what is his current estimate of the annual cost of traffic congestion on London's roads.

Mr. Norris: No single figure can be quoted because there is no generally accepted norm against which any measure of congestion can be compared. However, it is an aim of the Department's expenditure and policies to reduce congestion and make the best possible use of available road space.

Pilotage (The Minches)

23. **Mr. Macdonald:** To ask the Secretary of State for Transport if he will consider a compulsory pilotage scheme in the Minches.

Mr. Norris: I refer the hon. Member to my reply on 17 March, *Official Report*, column *262*.

Road Accidents

24. **Mr. Thurnham:** To ask the Secretary of State for Transport what are the most recent figures for progress towards the aim of reducing the numbers of road accidents between the years 1985 and 2000.

Mr. Kenneth Carlisle: The aim is to reduce road accident casualties by one third by the year 2000, compared with the annual average for 1981-85. The provisional figures for 1992 show that fatalities are down by 24 per cent., serious injuries by 34 per cent. and all casualties by 3 per cent. on the target baseline.

North Nottinghamshire Coalfield

26. **Mr. Tipping:** To ask the Secretary of State for Transport what plans he has for further investment in road and rail links in the north Nottinghamshire coalfield.

Mr. Freeman: Central Government investment for road infrastructure proposals in north Nottinghamshire ranges from direct investment in motorway and all-purpose trunk road improvement schemes, such as widening the M1 and A1, to possible support through transport supplementary grant for local highway improvements. Assistance towards the construction of Bosford and Balwell stations on stage 1 of the Robin Hood rail line has also been given.

Rail Privatisation

27. **Mr. Luff:** To ask the Secretary of State for Transport what representations he has received about the franchising of Great Western main line passenger services.

Mr. Freeman: We have so far received four expressions of interest in a franchise for the Great Western main line inter-city services. As promised in our consultation document, we are treating all expressions of interest as strictly confidential.

British Rail Rolling Stock

28. **Mr. David Evans:** To ask the Secretary of State for Transport how much capital was spent on rolling stock at British Rail in *(a)* 1979 and *(b)* 1992.

Mr. Freeman: In 1991-92 prices expenditure on rolling stock by British Rail in 1979 was £226 million and in 1991-92 was £331 million.

Roads (North Yorkshire)

29. **Mr. Robert Banks:** To ask the Secretary of State for Transport how many road schemes in North Yorkshire were approved for 1993-94 and their costs; and which schemes are under consideration for construction in 1994-95.

Mr. Kenneth Carlisle: Two major trunk road schemes have been approved to start construction in 1993-94. A contract has just been let for one and construction works are about to start. Together they are currently estimated to cost over £80 million.

Two trunk road schemes may start construction in 1994-95 at an estimated cost of over £14 million subject to the completion of statutory procedures and the availability of funds.

Thirty-seven smaller trunk road improvement schemes are programmed to start in 1993-94 costing about £1 million overall and a similar number is under consideration for 1994-95, costing about £1·5 million.

My right hon. Friend is supporting six major local authority schemes in North Yorkshire in 1993-94, costing nearly £48 million.

Support for local authority schemes for a start of construction in 1994-95 will be considered after North Yorkshire county council submits its transport policies and programme bid in July.

Helicopter Sites (London)

30. **Ms Hoey:** To ask the Secretary of State for Transport when the working party on helicopter sites in London will report.

Mr. Norris: The Secretary of State hopes to receive the report of the London heliport study working group in late summer, and to publish the report as soon as possible thereafter.

20 mph Zones

Mr. Elletson: To ask the Secretary of State for Transport what evidence he has that the experimental 20 mph zones are reducing accidents; and whether he will make a statement.

Mr. Kenneth Carlisle: Preliminary indications are that 20 mph zones reduce casualties by well in excess of 50 per cent. There have also been small reductions on surrounding roads. It is particularly pleasing that they seem to be especially effective in reducing accidents to children.

Buses (Disabled Access)

Ms Lynne: To ask the Secretary of State for Transport what plans he has to increase the number of low floor buses for use by people with disabilities.

Mr. Freeman: Decisions on the purchase of buses are a matter for the commercial judgment of bus operators. However, the Government wish the merits of low-floor buses to be fully assessed. I have therefore allocated resources for a trial of such vehicles in North Tyneside. London Transport have also decided to purchase 68 low-floor buses at a cost of £8 million, the first of which will come into service shortly. Both these schemes will be monitored and the results made widely available.

Climate Change Policies

Ms Walley: To ask the Secretary of State for Transport how many staff in his Department have responsibility for implementing climate change policies arising out of Agenda 21.

Mr. MacGregor: Agenda 21 raises a wide range of environmental policies which fall within the responsibility of many of the Department's divisions. It is not therefore possible to specify the precise number of staff concerned with this issue. Work on implementing policies arising out of agenda 21 is co-ordinated by the transport policy unit.

Mail Services

Mr. Wilson: To ask the Secretary of State for Transport what assessment he has made of the security of the conditions under which the royal mails are conveyed by train; and if he will make a statement.

Mr. Freeman: This is an operational matter for the British Railways Board and the Post Office.

Mr. Wilson: To ask the Secretary of State for Transport how many incidents involving theft of mail bags from trains have occurred in each of the past five years.

Mr. Freeman: The information requested is as follows:

	Number
1988	602
1989	564
1990	337
1991	224
1992	123

Maritime Transport (Safety)

Mr. Llew Smith: To ask the Secretary of State for Transport what recent representations he has received from, and what recent meetings he has had with, Lloyd's Register regarding environmental safety in maritime transport.

Mr. Norris: None.

Ministerial Engagements

Mr. Wallace: To ask the Secretary of State for Transport if he will list *(a)* his official engagements and *(b)* those of the Minister for Aviation and Shipping on (i) 30 March, (ii) 31 March and (iii) 1 April.

Mr. MacGregor *[holding answer 14 April 1993]:* On 30 March, I met Mr. Israel Kessar, the Israeli Minister of Transport. Later that day I attended a lunch hosted by the British Ports Association and in the evening I had to be in the House of Commons for important votes. On 31 March, I announced the publication of the Department's report on options for city congestion charging. On 1 April, I attended Cabinet. Over these three days, I also chaired some 15 meetings with officials from my Department. On 30 March, my right hon. and noble Friend was in Shetland to open a conference on "Managing the Marine Environment", organised by the Shetland islands council. On 31 March and 1 April he was overseas.

SOCIAL SECURITY

Fuel Bills

Mr. Bradley: To ask the Secretary of State for Social Security (1) if he will make it his policy to increase the level of all benefits for disabled people and carers to fully compensate them for their higher gas and electricity bills as a result of the introduction of a value added tax charge on domestic fuel;

(2) what measures his Department will take to compensate disabled people and carers, other than those on income-related benefits, for the introduction of a value added tax charge on domestic fuel.

Mr. Scott: In his Budget statement the Chancellor said that there would be extra help for poorer pensioners and those on low incomes; this includes many disabled people and carers. Also, this help would be additional to the uprating of benefits. My right hon. Friend the Secretary of State will be announcing the details of this extra help in the autumn.

Mr. Bradley: To ask the Secretary of State for Social Security what research his Department is taking to measure the impact of a value added tax charge for domestic fuel on recipients of disability and carer's benefits.

Mr. Scott: The Department sponsors surveys which identify people with disabilities and the pattern of their expenditure.

The impact of a VAT charge for domestic fuel will be considered and our conclusions made public in the normal way in the autumn statement on benefit uprating. My right hon. Friend the Chancellor of the Exchequer has made it clear that extra help will be given to poorer pensioners and others on low incomes.

Social Fund

Mr. Simpson: To ask the Secretary of State for Social Security if he will make a statement on the impact of the social fund's policy with respect to help with work-related expenses on the ability of claimants to take up work.

Mr. Scott: Help with work-related expenses is specifically excluded from the social fund. Some assistance is available from the Department of Employment and might also be given by employers. Generally the fund seeks to avoid duplicating help which is available elsewhere.

Maastricht Treaty

Mr. Austin Mitchell: To ask the Secretary of State for Social Security what is his estimate of the cost *(a)* to business and *(b)* to the Exchequer of implementing the second protocol of the Maastricht treaty.

Miss Widdecombe: Assuming the Maastricht treaty is ratified, this protocol will limit retrospective application of the ruling of the European Court of Justice in the case of Barber *v.* Guardian Royal Exchange Assurance Group to pensionable service from 17 May 1990, the date of that ruling. In that case the court ruled that occupational pensions were pay and so must be equal between men and women according to article 119 of the treaty of Rome. The question of the retrospective effects of the Barber ruling is also under consideration by the European Court of Justice in the case of Coloroll Pensions Trustees Ltd. *v.* Russell and Others.

There is no cost to either business or the Exchequer arising from the protocol. On the contrary, it will save British industry the estimated £51 billion cost of a fully retrospective interpretation of the Barber ruling.

Child Support Agency

Mr. Llew Smith: To ask the Secretary of State for Social Security how many copies of his Department's information pack on the Child Support Agency have been published; at what cost; and to whom it has been circulated.

Mr. Burt: The Child Support Agency has published 10,000 copies of the information pack, containing the agency's framework document, business plan, charter and brochure. The cost, which includes publication and distribution of a further 10,000 brochures and 10,000 charters, was £66,400.

The pack has been issued to a wide range of advisory, voluntary and statutory bodies with an interest in child maintenance matters; to representatives of the legal profession; to Members of Parliament and to the agency's staff.

Mr. F. Ellis

Mr. Cryer: To ask the Secretary of State for Social Security when he intends to respond to the application by Mr. F. Ellis for disability living allowance made on 23 October 1992.

Mr. Scott: A reply was sent to the hon. Member regarding this matter on 11 February 1993.

Margaret Edwards

Mr. Luff: To ask the Secretary of State for Social Security when he expects the office of determination of contribution will reach a decision on the case of Margaret Edwards (NI No. ZA 090204 D; ref. No. RM 171 M/CO999/72/402/4).

Miss Widdecombe: The Secretary of State's decision, on review, will be given as soon as current inquiries with the Contributions Agency have been completed and Mrs. Edwards has been given the opportunity to make representations on the Secretary of State's proposals resulting from those inquiries.

Pneumoconiosis and Silicosis

Mr. O'Neill: To ask the Secretary of State for Social Security how many claims for industrial injuries compensation from sufferers of emphysema or bronchitis caused by pneumoconiosis or silicosis have been withdrawn due to bereavement of claimants since August 1992.

Mr. Scott: I understand from Mr. Michael Bichard, the chief executive of the Benefits Agency, that the information is not readily available and could be obtained only at disproportionate cost.

HOUSE OF COMMONS

Ten-minute Bills

40. **Mr. Corbyn:** To ask the Lord President of the Council what proposal he has to change the procedure concerning ten-minute Bills.

Mr. Newton: I have no proposals to change the current procedure in relation to Bills presented under Standing Order No. 19.

Sitting Hours

41. **Mr. Skinner:** To ask the Lord President of the Council what further representations he has received in respect of the changes in hours for the House; and if he will make a statement.

42. **Mr. Ian Bruce:** To ask the Lord President of the Council if he will make a statement on the progress of sitting hours reform.

Mr. Newton: Further representations are made to me regularly at business questions. Discussions are continuing through the usual channels, but I am not yet in a position to make a further statement.

Divisions

43. **Mr. Bates:** To ask the Lord President of the Council what plans he has to review the procedure governing time available for hon. Members to reach the Lobby at times of a Division of the House.

Mr. Newton: There are no plans to review the current procedure, but my hon. Friend may care to write to the Procedure Committee if he has any specific proposals.

Standing Committee on Regional Affairs

44. **Mr. Enright:** To ask the Lord President of the Council if he will bring forward proposals for a meeting of the Standing Committee on Regional Affairs.

Mr. Newton: I refer the hon. Member to the answer I gave earlier today to the hon. Member for Lancashire, West (Mr. Pickthall).

Departmental Staff

45. **Mr. Harry Greenway:** To ask the Lord President of the Council how many staff are employed in his Department; for what purposes and at what cost; and if he will make a statement.

Mr. Newton: The Privy Council Office has 32 staff. Of these, 12 are employed in the private offices of the Lord Privy Seal and the Lord President. The remaining staff provide administrative support for the Privy Council, including the Judicial Committee. In 1992-93, the cost of staff salaries was £720,000.

Nationalised Industries

Mr. Cohen: To ask the Lord President of the Council what alterations he will propose to the procedures of the House to allow increased parliamentary discussion of the operations and accounts of nationalised industries.

Mr. Newton: I have no plans to propose alterations to existing procedures relating to the operations and accounts of nationalised industries.

Disabled Visitors

Mr. Thurnham: To ask the Chairman of the Accommodation and Works Committee what consideration has been given to the financial implications of the need to protect the architectural heritage of the Palace of Westminster in meeting the requirements of disabled visitors.

Mr. Ray Powell: A report by consultants into the scope for improving facilities for the disabled in the Palace of Westminster is expected to be considered by the Accommodation and Works Committee shortly after the Easter recess. It is therefore not yet possible to determine the financial implications of safeguarding the historic fabric of the building.

OVERSEAS DEVELOPMENT

St. Helena

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs if references were taken up from the Falkland Islands Government before the new general manager of the St. Helena Development Agency was appointed.

Mr. Lennox-Boyd: The general manager-designate of the proposed development agency is an employee of the consultants, Pieda plc, who were appointed by the Overseas Development Administration to help set up the agency. Any question of references would have been for them. The general manager had previously worked in the Falkland Islands, but was not employed by the Falkland Islands Government.

Development Aid

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy towards the announcement by the European Commission on 24 March of five priority areas for member states' policies on development aid.

Mr. Lennox-Boyd: The Council of Development Ministers chaired by my right hon. and noble Friend the Minister for Overseas Development in November 1992 set out overall objectives for Community and member states' aid and a timetable for future work. This included a review by the Commission of Council resolutions and conclusions adopted since 1981. The results of this review have now been sent by the Commission to the Council and are summarised in the announcement made by the Commission on 24 March. The Council will consider them at its next meeting on 25 May.

We welcome much of the Commission's paper, but have questions about some aspects of it which we shall raise with other member states and the Commission.

EC Development Council

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will seek at the next EC Development Council meeting on 28 May to press for *(a)* the establishment of a recovery budget line of at least 100 million ecus in the 1994 budget and *(b)* immediate use of unspent resources particularly with Lomé.

Mr. Lennox-Boyd: The Development Council on 25 May will discuss a Danish initiative on African recovery and rehabilitation. We believe that the EC and its member states should continue to support effective programmes in the area; but we are not convinced that additional transfers of resources away from member states aid programmes to those administered by the European Commission would be helpful.

Aid Schemes

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs in respect of how many co-financed projects under the joint funding scheme the Government have requested a reimbursement on grounds of unsatisfactory performance, listed *(a)* by country and *(b)* by non-governmental organisation concerned.

Mr. Lennox-Boyd: There has been one occasion when the Government requested a reimbursement of funds received by an NGO from the joint funding scheme. This occurred in 1989. The project was based in Indonesia and the agency concerned was World Vision UK. The project was carrying out activities which had not been described in the proposal and to which we had not agreed. We are, however, continuing to fund World Vision projects in Bangladesh, Cambodia, Ethiopia, Bali, Peru, Senegal and Vietnam and are satisfied that these are being implemented properly.

Forestry

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans exist for further bilateral aid support for the tropical forestry action plan.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* The Overseas Development Administration proposes to continue to assist in the preparation and implementation of national forest action plans under the tropical forests action programme in a number of developing countries, including those referred to in my answer to the hon. Member of 7 December, column *494*, as part of our wide-ranging programme of forestry projects.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if information collected by the World Conservation Union on threatened tropical timber species with funding from the Overseas Development Administration will be used by the International Tropical Timber Organisation to help to achieve the environmental projection aspect of its mandate.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* Information originally collected by the World Conservation Monitoring Centre was with Japanese funding. ODA subsequently funded work to refine the database and develop a methodology to identify endangered species. We are considering, with the WCMC

and the International Tropical Timber Organisation proposals for further work on threatened tropical timber species. This could help the ITTO to meet its environmental objectives.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the World bank and the United Nations Development Programme to encourage their support and sponsorship for the proposed consultative group on the tropical forests action programme.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* We have made clear to the United Nations Development Programme and the World bank that we believe that the tropical forests action programme would benefit significantly from their participation in the proposed consultative forum.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the findings of the investigation conducted into rates of tropical deforestation published on 8 March by the United Nations Food and Agriculture Organisation.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* The FAO estimates the annual global rate of tropical forest loss to be 15·4 million hectares. There is a continuing need for international support for the strengthening of sustainable forest management practices by tropical countries.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs what evaluation there has been of completed national forest action plans undertaken as part of the revamping of the tropical forests action programme.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* We do not know of any evaluation reports on national forest action plans carried out under the reformed tropical forests action programme.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects the African development bank to publish the final version of its new forestry policy.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* We understand that the African development bank intends to submit a draft forestry policy paper to its board of directors in May. The draft will take account of comments received from interested non-governmental organisations on a preliminary draft.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 8 March, *Official Report*, column *456*, if he will publish the results of review and monitoring exercises carried out in respect of British support for the tropical forestry action plan.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* The written reports of monitoring and review of projects under implementation are internal working documents; we do not publish them.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on measures so far adopted to improve the performance of the tropical forestry action plan as a result of mechanism's revamping.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* The tropical forests action programme's goal and objectives have been redefined; its operational principles have been revised to give increased emphasis to priorities as seen by tropical countries. There has been a renewed emphasis on consultation with local forest communities and non-government organisations. Action is under way to improve policy analysis and planning capacities in a number of developing countries.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the tropical timber trade seminar attended by Overseas Development Administration and Forestry Commission officials in Brussels on 17 and 18 March.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* The seminar was organised primarily by the Scottish Hardwood Charter and attended by participants from a wide range of countries and interest groups. Many different opinions were expressed on the need for the certification and labelling of sustainably produced timber and how best this might be undertaken.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will publish a list of approved forestry projects supported by the Commonwealth Development Corporation;

(2) if he will publish a list of completed forestry projects to be presented for approval by the board of the Commonwealth Development Corporation before July.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* Details of projects currently supported by CDC are shown in the table. At the moment CDC does not expect any other forestry projects to be considered for approval by the CDC board before July.

Company	*Country*	*Activities*
Usutu Pulp Co Ltd	Swaziland	Pine plantation and pulpmill
Shiselweni Forestry Co Ltd	Swaziland	Eucalyptus and pine plantations and associated sawmills
Tanganyika Wattle Co Ltd	Tanzania	Wattle plantation and factory and tea plantations
Kilombero Teak Co Ltd	Tanzania	Teak plantations and natural forest management
Kibo Match Corporation Ltd	Tanzania	Match factory
Societe pour le Developpement des Plantations Forestieres	Ivory Coast	Plantations of fine hardwoods
Zambia Forestry and Forest Industries Corporation Ltd	Zambia	Pine and eucalyptus industrial plantations
Forest Industries Development Ltd	Jamaica	Pines and associated processing
Kolombangara Forest Products Ltd	Solomom Islands	Fine hardwood plantations

Company	Country	Activities
Fiji Pine Ltd	Fiji	Pine plantations and sawmill operation
Tropik Wood Industries Ltd	Fiji	Pine sawmills and wood chip processing
Soon Hua Seng Group	Thailand	Eucalyptus plantations with village participation

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the African development bank in relation to the adoption of that organisation's new forestry policy.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* We have supported the African development bank's intention to adopt a forestry policy and to involve informed non-governmental organisations in preparation of the draft policy paper.

Tapajos National Forest

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures have been taken to ensure the full participation of local people in the development and implementation of the Tapajos national forest project funded by the Overseas Development Administration in Brazil.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* The project is intended to test controlled, selective, sustainable logging within less than 1 per cent. of the total area of the national forest. No people inhabit the project area.

The project management has established a consultative committee which includes representatives from the community, the Rural Workers Union, and from two local non-government organisations active in the region as well as local government officials. It will meet quarterly and will help define methodologies for the implementation of the project as well as evaluating project progress. A Tapajos community working group has also been established, comprising 20 members of which about half are representatives of local people, to enable the local community to participate in the management of the whole national forest.

The Overseas Development Administration has engaged a social development consultant to ensure that the needs of local people are not overlooked in any of our operations in Brazil.

Chandrapur Electricity Plant

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement regarding the potential for Overseas Development Administration withdrawal from the Chandrapur electricity plant project following an environmental assessment of the proposal.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* The offer of aid for the Chandrapur HVDC project was subject to ODA's usual appraisal and approval procedures which include environmental assessment.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs what support has been given to GEC Alsthom's bid for the Chandrapur electricity plant in India from the main part of the British bilateral aid budget; what consideration was given to providing the grant under the aid and trade provision; and if he will make a statement.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* An offer of £63 million of aid was made in support of GEC Alsthom's bid for the Chandrapur HVDC project in India, subject to usual Overseas Development Administration appraisal and approval procedures. It was decided that this aid should come from the bilateral programme with India, rather than the aid and trade provision, because the project was consistent with the energy efficiency objectives of our India aid programme.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement regarding the scope and eventual availability of the environmental assessment for the current Chandrapur electricity plant project proposal.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* The environmental assessment of the Chandrapur HVDC project will be conducted in accordance with the Overseas Development Administration's manual of environmental appraisal. The first step will be an initial assessment which will determine the need for and scope of subsequent investigation. The environmental appraisal will inform the Overseas Development Administration's decision on the project. Environmental impact assessments cover issues of potential sensitivity to overseas Governments and material which is commercial in confidence; they are not generally made available.

Aid and Trade Projects

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library the criteria employed in awarding a company tender credit support through the aid and trade provision.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* Tender credit support is not provided to companies through the aid and trade provision.

Bilateral Aid Projects

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will place in the Library details of British bilateral aid project allocations and expenditures since 1989 by country within each sector;

(2) if he will place in the Library details of British bilateral aid project allocations and expenditures in each year since 1989 by sector within each country.

Mr. Lennox-Boyd *[holding answers 2 April 1993]:* Because of current developments in the ODA's management information systems it is not presently possible to provide this information in the form requested except at disproportionate cost. Details of our aid allocations, by country and by sector, are given in "British Aid Statistics", a copy of which has been placed in the Library.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library the project cycle for the approval and implementation of British bilateral aid projects.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* Copies have been placed in the Library.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the results of consultations with potentially affected communities about particular bilateral aid projects are made available to the public, both in the recipient country and in the United Kingdom.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* Working documents relating to the appraisal or implementation of projects, which may include the results of such consultations, are not generally made available. The results of such consultations may however be covered in published project evaluation reports.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Overseas Development Administration requests that the sponsors of bilateral aid projects consult potentially affected communities as part of the project cycle.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* For projects which have a direct impact on local communities ODA seeks to ensure full consultation with and participation by those directly affected by the project. This applies throughout the project cycle, with particular efforts to involve women and poor people. Written guidance and training is given to ODA staff and ODA often provides specialist advice to the project sponsors in developing countries.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) which proposed or approved British bilateral aid projects have been withdrawn following an environmental assessment;

(2) whether an environmental assessment is produced for British bilateral aid projects before the projects and evaluation committee gives a proposal the go-ahead.

Mr. Lennox-Boyd *[holding answers 2 April 1993]:* ODA projects, including those considered by the projects and evaluation committee, are subject to environmental assessment according to the procedures described in ODA's manual of environmental appraisal, a copy of which is in the Library of the House. ODA does not keep central records of project proposals which do not reach the approval point.

Aid and Trade Provision

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the 10 largest recipient companies of aid and trade provision-related finance since April 1990.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* The 10 largest aggregate commitments of funds from the aid and trade provision by lead contractor since April 1990 are as follows:

Company	*ATP commitment £ million*
Balfour Beatty	243·987
Foster Wheeler Energy	53·850
Snamprogetti UK	47·179
Phillips Radio Communication System	34·111
Marconi	26·911
NEI Parsons	23·485
TQ International	23·363
Coppee UK	22·250
John Laing International	21·049
Siemens Plessey Radar	20·340

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library details of all aid and trade provision projects awarded since April 1991 and all those currently in operation or under negotiation.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* Aid agreements involving aid and trade provision funds which have been concluded with Governments of developing countries since April 1991 have been placed in the Library. All the projects are still in operation.

A list of projects for which ODA has made a current offer of aid and for which ECGD cover remains available has also been placed in the Library.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will place in the Library a list of all aid and trade provision-related environmental consultancy contracts awarded since 1980;

(2) if he will place in the Library a list of the environmental consultancies currently engaged in aid and trade provision-linked assignments.

Mr. Lennnox-Boyd *[holding answer 2 April 1993]:* ODA's central records do not indentify separately all environmental consultancy contracts related to the aid and trade provision since 1980. A number of consultancies have contained environmental components, although most environmental appraisal work on ATP projects is carried out by the ODA's in-house advisers in accordance with ODA's manual of environmental appraisal. Monitoring is done both in-house and using consultants.

Since 1990 Environmental Resources Ltd. has undertaken the following environmental studies, of which only the last is current:

Appraisal of Fushun and Dalian power projects, China
Monitoring of Samanalawewa Dam project, Sri Lanka
Appraisal of Pergau Hydro Electric project, Malaysia
Monitoring of Pergau Hydro Electric project, Malaysia

World Bank

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the action plan to be prepared by the management of the World bank in relation to the recent report of the portfolio management task force; and if he will place a copy in the Library.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* We understand the action plan perepared by World bank management in response to the report of the task force on portfolio management will be discussed by the bank's board of directors in early May. Subject to board agreement on publication, which we support, we will arrange for a copy to be placed in the Library of the House.

Biwater UK

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a list of Biwater UK's involvement in British bilateral aid projects for the last five years.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* Contracts funded under the bilateral aid programme have been placed with the company or its subsidiaries by overseas Governments or the Overseas Development Administration for the following projects:

Malaysia rural water scheme (1986-1992)
Sir Lanka water supply (1989-1991)
Uganda turbine spares (1992-1993)
Egypt—Cairo wastewater (1992-current)

Information on aid-funded contracts which the company may have received through sub-contracting by other companies implementing bilateral aid projects is not held.

Commonwealth Development Corporation

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress made this year in reviewing and updating the environmental procedures employed by the Commonwealth Development Corporation.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* CDC aims to introduce revised environmental guidelines, discussed with ODA, in June.

Brazil

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on recent meetings with Senator Coutinho Jorge, Environment Minister for Brazil, in respect of British support for the pilot programme for the conservation of Brazil's rain forests and if he will provide details of the United Kingdom's bilateral support for the programme.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* I refer the hon. Member to my reply to the hon. Member for Southampton, Itchen (Mr. Denham) at col. *488*, 22 March 1993.

Ms Walley: To ask the Secretary of State for Foreign and Commonwealth Affairs how much aid is given to Brazil; and if he will give details of the funded projects.

Mr. Lennox-Boyd: The latest available figures for gross bilateral aid to Brazil for the last three years are 1989-90 £2·4 million, 1990-91 £3·3 million, 1991-92 £2·7 million. For details of current forestry projects in Brazil, I refer the hon. Member to the reply I gave to the hon. Member for Oldham, West (Mr. Meacher) on 7 December 1992, *Hansard*, column *494-96*.

Further projects which are or were active during the last year are as follows:

(i) Recife Environmental Control Project. The project invcIves consultancy visits by United Kingdom experts in industrial waste treatment and environmental assessment/ management and pollution control, to give seminars and lectures; and short-term training of Brazilians in Britain. The objective is to enhance the capability of three organisations in environmental control in Recife, the Pernambuco State Pollution Control Agency (CPRH), Federal University of Pernambuco (UFPE) and Pernambuco State Technical Institute (ITEP). Project cost £270,000.

(ii) Technological Enhancement of Sewage Treatment for Sao Paulo Metropolitican Region. This project is in support of SABESP (the water treatment and supply company for Sao Paulo State). The objectives are to transfer and provide traihing in the knowledge and technology necessary for improving sewage treatment in large plants, and to find a solution to the problem of sludge disposal. Project cost £170,000.

(iii) Capibaribe River Pollution Project. This project provides advice to the authorities on their programme for the control of pollution in the Rio Capibaribe, Recife. Project cost £110,500.

(iv) English for Specific Purposes. This project supports the development of English training for technicians and scientists who can use English to gain access to international scientific and technical literature. Project costs £91,500.

(v) United Kingdom training programme, support for study in the United Kingdom for Brazilians employed in priority development areas. Annual value of training around £700,000.

(vi) In addition under the Joint Funding Scheme 63 projects costing £477,000 are currently funded through Non Government Organisations targeting assistance to street-children, indigenous peoples, mother and child welfare and health.

Ms. Walley: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the most recent assessment of the extent of destruction of Brazilian rain forest; what steps he takes to ensure that aid to Brazil is not used to support projects which entail destruction of rain forests; and if he will make a statement.

Mr. Lennox-Boyd: Figures provided by the Brazilian Ministry of Environment estimate deforestation at 8·4 per cent. of the original rain forest area. Figures of up to 12 per cent. are given by some sources and depend on interpretation of the original area and degree of deforestation. According to the Brazilian Space Research Institute, the trend in recent years is downward. In 1991 about 11,000 square kilometres was deforested, this was a reduction by 20 per cent. on the figure for 1990, itself a reduction of 27 per cent. on 1989.

All United Kingdom-supported projects in Amazonia are intended to contribute to reducing deforestation.

Malaysia

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a copy of the environmental impact assessment and the results of consultations undertaken with local interest groups for the British aid-funded Malaysian rural water study project announced in April 1984.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* This project comprised 134 sub-projects. ODA commissioned environmental assessments of two of the larger sub-projects which involved construction of dams. No changes in project design were indicated.

Environmental impact assessments cover issues of potential sensitivity to overseas Governments and material which is commercial in confidence; they are not made generally available.

Amlohri Coal Mine

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library the environmental impact assessment and the results of consultations undertaken with local interest groups for the British aid funded Amlohri opencast coal mine, Madhaya Pradesh, India, announced on 25 March 1991.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* The British aid for the Amlohri opencast coal mine in India,

announced on 25 March 1991, consisted of technical co-operation and spare parts for existing equipment. ODA's assessment was that this aid would offer a number of environmental benefits by improving the management of the mine and assisting the mine management to implement an environmental management plan. This plan was prepared for Northern Coalfields Ltd. in India and covers issues of potential sensitivity to the Indian Government and material which is commercial in confidence; such documents are not made generally available.

Urumqi Petrochemical Complex

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a copy of the environmental impact assessments and the results of consultations undertaken with local interest groups and communities for the British aid-funded Urumqi petrochemical complex, Xinjiang Province, China, announced on 10 September 1992.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* ODA commissioned an environmental assessment by a specialist consultant in 1991. On the basis of that assessment ODA has allocated aid funds to assist with the establishment of up-to-date environmental protection and safety standards.

Environmental impact assessments cover issues of potential sensitivity to overseas Governments and material which is commercial in confidence; they are not made generally available.

Kelantan Power Station

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a copy of the environmental impact assessment and the results of consultations undertaken with local interest groups for the British aid-funded Pergau hydro-electric power station, Kelantan, Malaysia, announced on 15 July 1991.

Mr. Lennox-Boyd *[holding answer 2 April 1993]:* ODA commissioned an environmental assessment by specialist consultants in 1990. On the basis of that assessment and following consultations with the Malaysian authorities ODA has allocated aid funds to assist environmental monitoring and the preparation of an environmental management plan.

Environmental impact assessments cover issues of potential sensitivity to overseas Governments and material which is commercial in confidence; they are not made generally available.

Angola

Mr. Loyden: To ask the Secretary of State for Foreign and Commonwealth Affairs what evidence he has of South African involvement in the Angolan war; and if he will make a statement.

Mr. Lennox-Boyd *[holding answer 14 April 1993]:* We are aware of allegations of South African Government involvement in the war in Angola. This has been denied by the South African Government. We have seen no firm evidence to support those allegations.

Overseas Aid

Mr. Nigel Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of the overseas aid budget, for the last three years for which figures are available, had no tying commitments; and if he will make a statement.

Mr. Lennox-Boyd *[holding answer 14 April 1993]:* Commitments not tied to the procurement of British goods and services, as a percentage of total bilateral official development assistance 1988-91, were as follows:

	Per cent.
1988	17·5
1989	24·0
[1]1990	n/a
1991	26·5

[1] The figure for 1990 is not available.

It is not our policy to impose tying requirements on our multilateral aid commitments, although multilateral agencies commonly restrict offshore procurement access to companies from member states.

Population Control

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 1 July 1992, *Official Report*, columns *577-78*, what sums were given to *(a)* the International Planned Parenthood Federation and *(b)* the United Nations Population Fund in 1992.

Mr. Lennox-Boyd *[holding answer 16 April 1993]:* The Overseas Development Administration contributed £8 million to IPPF and £9·423 million to UNFPA in 1992.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has regarding the specific projects mounted by the Chinese Family Planning Association and funded by the International Planned Parenthood Federation; and what visits have been made by his officials to China to monitor the work of the Chinese Family Planning Association.

Mr. Lennox-Boyd *[holding answer 16 April 1993]:* IPPF contributes some US$1 million per annum in technical and financial support to the China FPA. These funds are used for audio-visual equipment, information/education materials and logisitics support.

IPPF is responsible for monitoring the activities of its family planning associations in over 130 countries, including China. ODA is in regular contact with IPPF about the performance of these FPAs and receives additional information from a number of sources including our diplomatic missions overseas.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what report he has received from the general secretary of the International Planned Parenthood Federation regarding his visit to China in February; and if he will make a statement.

Mr. Lennox-Boyd *[holding answer 16 April 1993]:* Dr. Mahler has been invited to discuss his visit to China with ODA officials.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made

of *(a)* the activity of the Chinese Family Planning Association in Tibet and *(b)* the application of coercive methods of population control in Tibet; what action his Department has taken in response; and if he will make a statement.

Mr. Lennox-Boyd *[holding answer 16 April 1993]:* The British Government are deeply concerned about reports of human rights violations in Tibet and elsewhere in China. We are opposed to any form of coercion in population programmes. We take every opportunity to bring our concern to the attention of the Chinese authorities and will continue to do so.

We believe that the China Family Planning Association has an important role to play in monitoring the implementation of family planning programmes throughout China and resisting any systematic abuse of human rights by officials.

DUCHY OF LANCASTER

Market Testing

Mr. Michael: To ask the Chancellor of the Duchy of Lancaster what guidance is given to Government Departments on market testing; and whether such advice is made available to staff.

Mr. Waldegrave: Her Majesty's Treasury's public competition and purchasing unit guidance note No. 34, "Market Testing and Buying In", issued in March 1992, is available to Departments and their staff. Copies have already been placed in the Library. My Department plans to publish revised guidance, which will be widely available to those involved in market testing, including the staff of Government Departments.

ENVIRONMENT

City Grant (Bradford)

Mr. Cryer: To ask the Secretary of State for the Environment what is the current status of the application by 3Ds Ltd. for city grant in connection with the west end scheme in Bradford.

Mr. Robin Squire: I refer the hon. Member to the answer that I gave him on 18 February 1993, *Official Report*, columns *307-8*.

Housing, Chelmsford

Mr. Burns: To ask the Secretary of State for the Environment how many housing units have been purchased by housing associations under the housing market package, announced in the autumn statement in November 1992, in the Chelmsford local authority area.

Mr. Baldry: Seventy eight properties have been purchased in Chelmsford.

Bangladeshi Population

Ms Ruddock: To ask the Secretary of State for the Environment what steps have been taken since 1986 to improve housing provision and standards for the Bangladeshi population in Britain.

Mr. Baldry: The Government's aim for housing is to bring a decent home within reach of every family, and our policies work towards that end regardless of the ethnic origin of individual households.

Compulsory Competitive Tendering

Mr. Fishburn: To ask the Secretary of State for the environment what will be the timetable for introducing compulsory competitive tendering for local authority construction-related and corporate services.

Mr. Robin Squire: We intend that the first of the construction-related and corporate services in English local authorities will come into the CCT regime from October 1995. From that date work can be carried out by local authorities' own staff only if it has been awarded following competitive tendering. Local authorities will therefore wish to begin seeking tenders for the first services in summer 1994. CCT for all the new services will be in place by the start of 1997-98.

The first corporate service to be the subject of CCT will be legal services. This will be followed in a phased programme by IT services, housing management, finance, personnel, and corporate and administrative services.

CCT will be introduced for all the construction-related services simultaneously—this will include local authorities' engineering, architectural, and property management services which the Government had proposed to be treated as separate activities. Authorities are increasingly integrating these services, and the Government have agreed to bring them together as a single activity under the CCT regime to give authorities maximum flexibiilty and discretion in how they deal with and contract for this work —on either an integrated or a single-discipline basis.

For each new service in the CCT programme, the Government will prescribe the proportion of work which must be market tested. The Government's preliminary proposals are 33 per cent. for legal services and 90 per cent. for construction-related services. The exact figures are now being discussed with local government and others.

Authorities will be required to submit the prescribed percentage of each service to competition before it can be carried out in-house. For legal services, the prescribed percentage will apply immediately from October 1995. For construction-related services, covering the three separate disciplines of engineering, property management and architectural services, authorities will be required to market test a third of the prescribed percentage from October 1995, rising to the full percentage from October 1996.

The Government are still considering the detailed timetable for CCT for housing management. Ministers will make further announcements about this shortly. Separate announcements will also be made about the timetable for authorities in Scotland and Wales.

This announcement will help both local authorities and private sector suppliers of the services to prepare for CCT. The arrangements have been worked out following very helpful discussions with local authority representatives, which are continuing. I am confident that CCT will raise standards and improve value for money in local authorities' professional services, as it has done for construction work and blue collar services.

Water Charges

Mrs. Helen Jackson: To ask the Secretary of State for the Environment what information he collects on levels of charges for water supply.

Mr. Maclean: The Director General of Water Services has responsibility for the economic regulation of the licensed water companies and publishes details of average household bills for measured and unmeasured water supply each year.

Toxic Waste

Ms Abbott: To ask the Secretary of State for the Environment what information he has on the forms of toxic waste exported from British industries, the destinations, identifying third world destinations separately and the quantities involved over the last 12 months.

Mr. Eggar: I have been asked to reply.

The information requested could be provided only at disproportionate cost. However, I refer the hon. Member to my answers to the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) on 9 November 1992, *Official Report*, columns *587-88*, and 2 March 1993, *Official Report*, column *102*, and to the hon. Member for Islington, South and Finsbury (Mr. Smith) on 29 March 1993, *Official Report*, column *61*, all of which are relevant to the question.

Written Answers to Questions

Tuesday 20 April 1993

LORD CHANCELLOR'S DEPARTMENT

Welsh Boundary Commission

Mr. Hain: To ask the Parliamentary Secretary, Lord Chancellor's Department when the deputy chairman of the Parliametary Boundary Commission for Wales is to be appointed.

Mr. John M. Taylor: The appointment of the deputy chairman of the Parliamentary Boundary Commission for Wales will be made as soon as possible, following consultation with Opposition parties.

ATTORNEY-GENERAL

BCCI

Mr. Darling: To ask the Attorney-General if the Serious Fraud Office is still pursuing inquiries into possible criminal conduct of individuals connected with the Bank of Credit and Commerce International; and if he will make a statement.

The Attorney-General: Yes. Three persons have already been indicted at the Central Criminal Court on charges connected with the Bank of Credit and Commerce International. It is expected that a fourth person will be extradited from France in the near future. Other lines of inquiry are being pursued and the investigation will continue while there is still a realistic prospect of bringing criminal charges against persons in England.

Mr. Vaz: To ask the Attorney-General what steps have been taken by the Serious Fraud Office to interview *(a)* the British citizens in Abu Dhabi and *(b)* the persons in Pakistan who have indicated that they will co-operate with the Serious Fraud Office in furnishing information about BCCI.

The Attorney-General: Requests have been made to interview detainees and view documents in Abu Dhabi. So far, it has not been possible to arrange for such access.

I have taken the persons mentioned at *(b)* to be those about whom the hon. Member wrote to my hon. and learned Friend the Solicitor-General. His letter of 29 July 1992 to the hon. Member explained the basis on which it would be possible to interview those persons and, since the Serious Fraud Office is unable to contact the individuals save through the hon. Member, sought assistance in confirming their willingness to be interviewed on that basis. No such confirmation has been received.

NORTHERN IRELAND

Students

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many and what percentage of Northern Ireland students obtain employment outside college or university term time annually.

Mr. Hanley: The information requested is not readily available and could be obtained only at disproportionate cost.

Labour Relations Agency

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many persons are employed by the Labour Relations Agency; and how many employees are *(a)* Roman Catholic and *(b)* Protestant.

Mr. Atkins: As at 15 April 1993, 54 persons were employed by the Labour Relations Agency, of whom 25 were Roman Catholic and 29 were Protestant.

Electricity Interconnector

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what progress has been made towards establishing the electricity interconnector between Northern Ireland and the British mainland.

Mr. Atkins: I refer the hon. Gentleman to the reply I gave to the hon. Member for Wigan (Mr. Stott) on 15 March, *Official Report*, column *47*.

Housing

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what has been the amount of money spent on *(a)* new build, *(b)* improvement schemes and *(c)* maintenance schemes by the Northern Ireland Housing Executive in each of the estates under its control in the seven housing districts of Belfast in each of the last five years.

Mr. Atkins: This is a matter for the Northern Ireland Housing Executive, but I have been advised by the chief executive that the information is not readily available in the form requested and could be obtained only at disproportionate cost.

Squatters

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland how many squatters have had court proceedings taken against them by the Northern Ireland Housing Executive for illegal occupancy in each year since 1988.

Mr. Atkins: The chief executive of the Northern Ireland Housing Executive has advised that details of the number of squatters who have had court proceedings taken against them are available for only the last three years. The numbers are as follows:

	Number
1990-91	133
1991-92	227
1992-93	172

Punishment Shootings

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland how many punishment shootings occurred in Northern Ireland in each year since 1990.

Mr. Mates: There were 106 casualties as a result of terrorist shooting attacks within own communities in 1990, 76 in 1991 and 133 in 1992.

Explosions

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland how many explosions occurred in Northern Ireland in each year since 1990; and how many deaths and injuries were sustained by the security forces in these years.

Mr. Mates: The number of explosions which have occurred and the number of members of the security forces who have been killed or injured in each year since 1990 in Northern Ireland as a result of the security situation is as follows:

Year	*Explosions*[1]	*Security force deaths*	*Security force injuries*
1990	167	27	428
1991	230	19	302
1992	222	9	468

[1] Excludes incendiary devices

Local Government Personnel

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what was the total number of local government personnel in Northern Ireland in each year since 1990; and what was the total cost in salaries and wages in each case.

Mr. Mates: The information, which is available only for financial years, is as follows:

Year	*Number of personnel*	*Salary/Wages cost £ million*
31 March 1990	9,324	95·2
31 March 1991	9,082	97·6
31 March 1992	8,935	101·0

Information for the year ended 31 March 1993 is not yet available.

NATIONAL FINANCE

Capital Projects

Mr. John Greenway: To ask the Chancellor of the Exchequer what arrangements he has made to monitor the extent to which the private sector is participating in the Government's programme of capital projects.

Mr. Portillo: Departments are being asked to notify the Treasury on a regular basis of cases being considered, or in hand, where the total expenditure involved by the public and/or private sector exceeds £5 million. In addition, the Treasury expects to obtain information about other projects through its normal contacts with Departments.

Value Added Tax

Mr. Spellar: To ask the Chancellor of the Exchequer if he will make a statement as to the reasons for the increase in value added tax write-offs between 1990 and 1991.

Sir John Cope: The increase in value added tax write-offs between 1990 and 1991 was attributable primarily to an increase in the number of VAT registered traders being declared insolvent. The figures for 1991 also include some £80 million written off following a special review of long standing debts on the VAT ledger.

Mr. Jon Owen Jones: To ask the Chancellor of the Exchequer in what circumstances the 20 per cent. penalty on value added tax debt is incurred.

Sir John Cope: The maximum rate of surcharge affects only those who persistently fail to submit returns and pay tax on time. As a result of proposals announced in the recent Budget statement and subject to the passage of the Finance Bill, no surcharges of 20 per cent. will be issued for tax periods ending on or after 1 April 1993. Prior to 1 April 1993, a taxpayer would incur a 20 per cent. surcharge only if at least six returns or payments were submitted late.

Exchange Rates

Mr. Redmond: To ask the Chancellor of the Exchequer if he will list the current rate of currency exchange to the pound sterling for *(a)* Bermuda, *(b)* Gibraltar, *(c)* Hong Kong, *(d)* the Cayman Islands, *(e)* Montserrat, *(f)* St. Helena and *(g)* Turks and Caicos.

Mr. Nelson: At the close of the London Market on Friday 16 April the sterling exchange rates were:

Area	*Currency*
(a) Bermuda	Bermudian $ 1·52
(b) Gibraltar	Gib £ 1·00
(c) Hong Kong	HK $ 11·7898
(d) the Cayman Islands	CI $ 1·2551
(e) Montserrat	E Carr $ 4·1099
(f) St. Helena	£ 1·00
(g) Turks and Caicos	US $ 1·5250

The Gibraltar pound is fixed at parity with sterling. The currency in St. Helena is sterling, and that in Turks and Caicos is the US dollar.

AGRICULTURE, FISHERIES AND FOOD

Dioxins

Mr. Barnes: To ask the Minister of Agriculture, Fisheries and Food what maximum levels of concentrations of dioxins and furans within samples of soil and herbage are allowable before these trigger further surveys within an area into the concentrations of dioxins and furans in food and beverages; and if he will make a statement.

Mr. Soames: No specific maximum concentrations of dioxins and furans in soil and herbage have been set as a

trigger for a corresponding survey of locally produced foods. The Ministry's general approach is to consider the need for a survey of local foodstuffs only when the concentrations or patterns of dioxins and furans in soil or herbage in a specific area differ significantly from normal background levels.

Mr. Barnes: To ask the Minister of Agriculture, Fisheries and Food what are the maximum tolerable concentrations of dioxins and furans which are allowable in differing types of milk, milk products, meat, meat products, fish, fats, oils, eggs, fruit, vegetables, cereals, cereal products, water and other beverages; and if he will make a statement.

Mr. Soames: The Ministry has established a maximum tolerable concentration—MTC—of dioxins and furans in whole milk of 0·7 ng TEQ/kg. Action is necessary to prevent direct consumption of milk if it contains dioxins and furans at concentrations above the MTC. No MTCs have been set for dioxins and furans in other foods listed.

Bovine Spongiform Encephalopathy

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food if he will list the number of confirmed cases of BSE during the first three months of 1993 that were *(a)* under two years of age, *(b)* aged two to three years, *(c)* aged three to four years, *(d)* aged five to six years and *(e)* aged seven or more years.

Mr. Soames: The number of cases of BSE confirmed in Great Britain in cattle in which the age has so far been determined in the first three months of 1993 by age at onset of clinical signs of disease, is as follows:

Age Band (Years)	*Number of cases*
Under 2	0
2 and less than 3	5
3 and less than 4	189
4 and less than 5	1,803
5 and less than 6	3,266
6 and less than 7	1,206
7 and over	437

The majority of these cases will have been clinically affected and reported in 1992, and consequently the data cannot be used as an expression of incidence in the first quarter of 1993.

Mrs. Browning: To ask the Minister of Agriculture, Fisheries and Food if he will give his Ministry's estimated annual figures for BSE in beef cattle for the next five years.

Mr. Soames: The number of cases of BSE occurring in beef cattle has always been a small part of the total. However, because it is still not possible to calculate accurately the extent to which the national herd was exposed to BSE agent through feed, accurate predictions of future incidence cannot be made.

Slaughterhouses

Mr. Nicholls: To ask the Minister of Agriculture, Fisheries and Food whether he is able to report on the outcome of the independent review of slaughterhouses, and of the recent consultations on the Government's proposals to limit meat inspection charges; and if he will make a statement.

Mr. Gummer *[pursuant to his reply, 31 March 1993, c. 251-52]:* I have now considered recommendations from my officials to refuse to grant licences to slaughterhouses in England. I am delighted that, following very thorough scrutiny of all the applications and an intensive programme of advice from my veterinary officers specialising in meat hygiene, we have been able to license 438 slaughterhouses, almost all the premises for which applications were made. I have refused only seven applications, all of them from premises which had failed on successive inspections to comply with the basic hygiene requirements of the regulations.

A small number of slaughterhouses which have not yet agreed a work plan to upgrade their premises have been given a time-limited licence to 31 May to enable outstanding problems to be resolved. No further licence will be issued unless by the end of that period the operator has agreed to a satisfactory work plan. The state veterinary service will continue to be flexible in finding practical solutions in individual premises. But we will not allow businesses which have invested in meeting the new structural standards to be disadvantaged by unfair competition from plants where structure-related hygiene problems persist.

Marine Pollution

Mr. Llew Smith: To ask the Minister of Agriculture, Fisheries and Food what progress has been made in fulfilment of paragraphs B4.1 and B4.2 on radioactive substances in annex 3 of the action plan of the ministerial meeting of the Oslo and Paris Commissions on the Prevention of Marine Pollution, 21 and 22 September 1992.

Mr. Maclean: I have been asked to reply.

The question of criteria for assessing and/or reporting on best available techniques for the prevention and elimination of pollution by radioactive substances in the north-east Atlantic—paragraph B.4.1—is one which has been the subject of extended debate among the contracting parties of the Paris convention. Further discussion of the possibility of developing such criteria will no doubt continue. The adoption of further measures—paragraph B.4.2—will be considered as and when necessary. The United Kingdom is applying the best available techniques and sees no need for any measures to be adopted by the Paris commission.

DEFENCE

Departmental Property (Scotland)

Mr. Malcolm Bruce: To ask the Secretary of State for Defence if he will make a statement on the disposal of his Department's property in Scotland.

Mr. Archie Hamilton: It is the Government's policy that the defence estate should be no larger than necessary for defence purposes. In order to ensure the best return is achieved for the taxpayer it is our normal policy to offer surplus property for sale on the open market although special provisions apply to the sale of surplus housing.

Army Personnel Centre

15. **Mr. Michael Brown:** To ask the Secretary of State for Defence what plans he has for the relocation of the Army personnel centre; and if he will make a statement.

Mr. Archie Hamilton: Work is still in hand to determine the location of the Army personnel centre, but I hope to be in a position to make an announcement soon.

United Kingdom Air Defence

16. **Mr. Bill Walker:** To ask the Secretary of State for Defence if he will give details of the Royal Air Force assets which are deployed in the air defence of the United Kingdom; and what they were in *(a)* 1983 and *(b)* 1973.

Mr. Archie Hamilton: Currently we have seven Tornado air defence variant squadrons, three Rapier squadrons and one Sentry airborne early warning squadron deployed in the air defence of the United Kingdom. In addition, 50 dual-role Hawk trainer aircraft are available as interceptor day fighters. This compares to a United Kingdom air defence force in 1983 of five Phantom and two Lightning squadrons, one Bloodhound and three Rapier squadrons and one Shackleton airborne early warning squadron. Seventy two dual-role Hawk trainer aircraft were then available as interceptor day fighters. In 1973 we had one Phantom and five Lightning squadrons, one Bloodhound squadron and one Shackleton AEW squadron.

Amphibious Warfare

17. **Mr. Bates:** To ask the Secretary of State for Defence what steps he intends to take to improve the United Kingdom amphibious warfare capability.

Mr. Aitken: We are committed to improving Britain's amphibious warfare capability. We recently announced that we are going ahead with a new helicopter carrier and we expect to place an order later this year. We are proceeding with our plans to upgrade our three older landing ships logistic, Sir Bedivere, Sir Percival and Sir Geraint. We are also continuing with project definition studies for replacements for our two assault ships.

Nuclear Tests

18. **Mr. Bennett:** To ask the Secretary of State for Defence if he will list the discussion his Department's ministers and officials have had with the United States Government about nuclear tests.

Mr. Rifkind: We are in close contact with the United States Government on nuclear testing, at both ministerial and official level.

25. **Mr. Connarty:** To ask the Secretary of State for Defence what recent discussions he has had with his United States counterpart regarding nuclear testing.

Mr. Rifkind: I shall be discussing a wide range of issues with Mr. Aspin later this week.

Communications with Industry

19. **Mr. Congdon:** To ask the Secretary of State for Defence what steps his Department is taking to improve its communications with industry.

Mr. Aitken: We have taken a number of initiatives to improve communications between my Department and industry. They include special conferences, meetings, briefings and industrial visits all with a new emphasis on providing the maximum information to industry, subject to the constraints of security and commercial confidentiality.

Infantry Strength

20. **Mr. Pawsey:** To ask the Secretary of State for Defence what will be the total infantry strength in 1994; and what the figure was in 1984.

Mr. Archie Hamilton: The total trained strength of the infantry on 1 April 1994 is expected to be about 29,000. The total trained strength of the infantry on 1 April 1984 was 38,373.

Bosnia

21. **Dr. Blackburn:** To ask the Secretary of State for Defence how many tons of food and other humanitarian aid have been escorted by United Kingdom forces on behalf of the United Nations in Bosnia.

Mr. Archie Hamilton: As at 18 April, 474 convoys escorted by British troops have carried 33,224 tonnes of humanitarian aid. A further 6,751 tonnes of aid have been flown into Sarajevo by 449 sorties of RAF Hercules.

Scott Inquiry

22. **Mr. Dalyell:** To ask the Secretary of State for Defence how many pages of evidence he has submitted to Lord Justice Scott's inquiry.

Mr. Aitken: I refer the hon. Member to the reply I gave to the hon. Member for South Shields (Dr. Clark) on 26 March 1993, *Official Report*, column *759*.

European Fighter Aircraft

23. **Mr. Mans:** To ask the Secretary of State for Defence when he next expects to meet the Spanish Defence Minister to discuss the EFA.

Mr. Aitken: My right hon. and learned Friend has no plans at present to discuss Eurofighter 2000 with Senor Garcia Vargas. I met my Spanish opposite number, Senor Flos Bassols, along with the German and Italian State Secretaries on 5 April. We reviewed the progress that has been made in the task of reorientating the Eurofighter 2000 project in line with the agreement reached between my right hon. and learned Friend and the other three Ministers of Defence on 10 December 1992.

Nuclear Missile Capabilities

24. **Mr. David Evans:** To ask the Secretary of State for Defence if he will list those countries which possess a nuclear missile capable of striking Britain.

Mr. Archie Hamilton: Within the Commonwealth of Independent States, Russia, Ukraine, Kazakhstan and Belarus have such missiles on their territories—these are centrally controlled. The only other country outside NATO with such a capacity is China.

Peace Dividend

26. **Dr. Wright:** To ask the Secretary of State for Defence if he will make an assessment of the peace dividend.

Mr. Archie Hamilton: Under the plans set out in the 1992 Autumn Statement, Cm 2096, the underlying defence budget will decline by around 12 per cent. in real terms between 1990-91 and 1995-96.

Market Testing

27. **Mr. Lewis:** To ask the Secretary of State for Defence if he will report on progress with market testing in the armed forces.

Mr. Aitken: I refer the hon. Member to the answer I gave him on 9 March 1993, *Official Report*, columns *547-48*.

Aldermaston

Mr. Alex Carlile: To ask the Secretary of State for Defence what inquiries were made about the health and safety record of companies bidding to take over the running of the Aldermaston nuclear weapons plant; and if he will make a statement.

Mr. Aitken: Comprehensive and detailed inquiries were made about all aspects of the companies which bid for the contract to operate the atomic weapons establishment. These included health and safety factors, which were particularly important in judging the competition.

British Army of the Rhine

Mr. Harry Greenway: To ask the Secretary of State for Defence how many troops are currently serving in Germany; at what cost to the Exchequer; and if he will make a statement.

Mr. Archie Hamilton: The military manpower strength of the British Army of the Rhine is currently about 40,000 and the defence budget provision for BAOR is some £1,275 million for 1993-94.

Yugoslavia

Sir Michael Neubert: To ask the Secretary of State for Defence on how many occasions to date British troops have come under fire in former Yugoslavia.

Mr. Archie Hamilton: To date, there have been about 70 incidents in which British troops or the convoys they were escorting have come under fire or sustained injury or damage as a result of military type activities by indigenous forces. Except in a small number of cases it is not possible to distinguish between incidents in which UNPROFOR vehicles and/or personnel have been deliberately aimed at and those where they have sustained collateral damage as a result of an attack on a nearby target.

Outrider Laser Weapon

Mr. Menzies Campbell: To ask the Secretary of State for Defence if it is his intention to procure for British forces the Outrider laser weapon system.

Mr. Aitken: The Outrider combat protection system is a United States research programme involving laser technology. The United Kingdom is also involved in research in this field, including in collaboration with the United States. No decisions have been taken on the procurement by the United Kingdom of systems which might result from such research.

Reserve Forces

Sir Keith Speed: To ask the Secretary of State for Defence what are the present and proposed tasks for *(a)* the Royal Naval Reserve, *(b)* the Royal Marines Reserve, *(c)* the Territorial Army and *(d)* the RAF Reserve; and if he will make a statement.

Mr. Archie Hamilton: The Royal Naval Reserve exists to augment the Royal Navy with trained personnel in times of tension and general war. Its present major tasks are the defence of ports and anchorages; naval control of shipping; the provision of naval parties for ships taken up from trade; and the manning of ships of the 10th mine counter-measures squadron. The main purpose of the Royal Marines Reserve is to provide trained reinforcements to bring units of commando forces up to full war establishment on mobilisation. The Territorial Army provides formed units and sub-units, and some individuals, to complete the mobilised army order of battle. Some units would form part of the Allied Command Europe rapid reaction corps, and others contribute to the direct defence of the United Kingdom. The mobilisation tasks of the Royal Auxiliary Air Force and Royal Air Force Volunteer Reserve are to support the Royal Air Force with units, squadrons and flights in the maritime headquarters, ground defence, air movements, aeromedical evacuation, intelligence support, photographic interpretation, foreign language interrogation, and public relations roles, and with a small number of air electronics operators for Nimrod maritime patrol duties.

Work is continuing on the future role of the Reserves and proposals will be announced to the House later in the year.

Transport Aircraft

Mr. Alexander: To ask the Secretary of State for Defence what representations he has received on the future development of large transport aircraft and the replacement of the Hercules C130; and if he will make a statement.

Mr. Aitken: We have received a number of representations on this subject from hon. Members and industry. I can confirm that we intend to replace or modernise the Royal Air Force's C-130 fleet. We have no plans to participate in a new development programme, as we believe that the technology already exists to meet our requirements.

WALES

Dredging

Mr. Gareth Wardell: To ask the Secretary of State for Wales on what date the Llanelli Sand Dredging Company commenced dredging on the Helwick bank; and if he will indicate the tonnage of sand dredged on a weekly basis to date.

Mr. Gwilym Jones: The dredging licence issued by the Crown Estate commenced on 1 February 1993. Monitoring of the licence is the responsibility of the Crown Estate, but I understand that so far only limited extraction has taken place.

Junior Doctors

Mr. Morgan: To ask the Secretary of State for Wales (1) what guidelines he has issued and will issue to Welsh health authorities and trusts in relation to the work and rest period within the 83-hour maximum for junior hospital doctors;

(2) what provisions he will make regarding the work content and rest period content within the 83-hour maximum working time for junior hospital doctors.

Mr. Gwilym Jones: The new limit on junior hospital doctors' hours came into effect and has been operated by all hospitals involved since 1 April 1993. Guidance agreed by all parties represented on the ministerial group on junior doctors hours on the new limits on total and continuous duty periods for junior doctors together with details of minimum periods of off duty had previously been distributed to all health authorities, NHS trusts and individual doctors. A copy is in the Library of the House.

Mr. Morgan: To ask the Secretary of State for Wales what additional medical staff have been appointed by Welsh health authorities and trusts to facilitate adherence to the 83-hour maximum hours for junior hospital doctors.

Mr. Gwilym Jones: Funds for a total of 78 posts have been provided to health authorities and trusts to facilitate the 83-hour target for junior hospital doctors. This is in addition to any staff that authorities and trusts may have appointed from their own resources.

Crime Prevention

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will incorporate the recommendations of the Morgan report relating to the local delivery of crime prevention in the functions of the new unitary local authorities in Wales.

Mr. David Hunt: I refer the hon. Gentleman to the reply given to the hon. Member for Hampstead and Highgate (Ms Jackson) by the Minister of State, Home Department, on 16 December 1992, *Official Report*, column *220*.

Welsh Coast

Mr. Llew Smith: To ask the Secretary of State for Wales what response he has made to Friends of the Earth, Cymru, in regard to their report, "The Threats to the Welsh Coasts", published in March, a copy of which was sent to him.

Sir Wyn Roberts: I have not as yet received a copy of the report.

Timeshare Dwellings

Mr. Barry Jones: To ask the Secretary of State for Wales how many representations he has had concerning people in Wales and the orders relating to council tax and timeshare dwellings—S.I., 1993, Nos. 526 and 542; and if he will make a statement.

Mr. Gwilym Jones: I have received 16 letters.

Mr. Barry Jones: To ask the Secretary of State for Wales if he will meet representatives of those people in Wales who are concerned about the impact of orders relating to council tax and timeshare dwellings—S.I., 1993, Nos. 526 and 542.

Mr. Gwilym Jones: Before the order for England and Wales was made full consultation was undertaken with representatives of the timeshare industry.

South Glamorgan Health Authority

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the chairman of the South Glamorgan health authority concerning the cost to the authority's 1993-94 budget of further proposed moves towards trust status; and if he will make a statement.

Mr. Gwilym Jones: In the event of a formal invitation to prepare an application for NHS trust status, health authorities are aware that the Welsh Office is prepared to consider bids for a financial contribution towards the cost of the application process.

Orthopaedic Operations

Mr. Flynn: To ask the Secretary of State for Wales what has been the total cost in Wales of *(a)* hip replacement and *(b)* knee replacement operations during the last 10 years for which records are available.

Mr. Gwilym Jones: The information requested is not available centrally.

Health Service Costs

Mr. Morgan: To ask the Secretary of State for Wales what estimate he has agreed with the directors of finance of the Welsh health authorities for the rise in health prices for 1993-94.

Mr. Gwilym Jones: The allocations to health authorities for 1993-94 includes provision for pay increases of up to 1·5 per cent. and forecast price inflation of 2·75 per cent. It is for directors of finance to calculate the effects of inflation locally taking into account the composition of pay and non-pay costs within their respective authorities' expenditure on services.

Mr. Morgan: To ask the Secretary of State for Wales what representations he has received in relation to the level of cost adjustments required to compensate health authorities for the Towards 2000 proposals.

Mr. Gwilym Jones: The introduction of the Towards 2000 arrangements for the central planning and funding of pre-registration education and training have been preceded by extensive research and detailed discussion with all health authorities.

This research and subsequent discussions have addressed changes in the methodology of funding education and training together with other matters of detail. All adjustments of funds have been undertaken based on data provided by health authorities.

Departmental Reports

Mr. Flynn: To ask the Secretary of State for Wales what were the total costs of the 10 most expensive reports published by his Department during the financial years *(a)* 1991-92 and *(b)* 1992-93.

Sir Wyn Roberts: Comprehensive information about reports and similar documents produced by my Department could be obtained only at disproportionate cost.

Wind Power

Mr. Flynn: To ask the Secretary of State for Wales what is his calculation of the amount of electricity produced in Wales from wind power during each of the past five years and his projection of the output during the next five years.

Sir Wyn Roberts: Since 1990, figures on the amount of electricity produced in Wales from wind power have been collected by the Welsh Office, but cannot be released for reasons of commercial confidentiality. Prior to 1990, there was no centrally recorded generation of electricity from wind power in Wales.

Planning Inspectorate

Mr. Richards: To ask the Secretary of State for Wales what performance targets he has set for the Planning Inspectorate agency's work in Wales for the financial year 1993-94.

Mr. Gwilym Jones: The key objectives for the agency in Wales in 1993-94 will be to continue to preserve the impartiality and quality of the inspectorate's work while seeking further to improve efficiency. The agency's key performance targets in Wales will be:

Timeliness

(a) Eighty per cent. of planning appeals by written representations to be decided within 18 weeks.

(b) To provide an inspector for local plan inquiries on request within 26 weeks of the end of the objection period.

Financial

(a) Unit costs of planning appeals decided by written representations not to exceed £690.

(b) Recover 90 per cent. of receipts due within eight weeks of invoice date.

Efficiency

Generate a 3 per cent. efficiency improvement in the use of running costs as compared with 1992-93.

Quality

High Court appeals and/or other justified complaints allowed against Inspectors' decisions not to exceed 1 per cent. of intake.

Volume

To determine 1,150 planning and enforcement appeals, subject to intake not declining.

Information and Guidance

To complete a second satisfaction survey by 31 December 1993.

These and other performance targets for the agency's work in Wales will be included in its business plan for 1993-94 which will be published shortly.

Separate timeliness and volume targets for the agency's work in England are being announced today by my hon. Friend the Minister for Housing, Planning and Construction.

EDUCATION

Students

Mrs. Mahon: To ask the Secretary of State for Education what assessment he has made of the numbers of undergraduate university students taking up employment during term time; and if he will increase student grants and end student loans.

Mr. Boswell: The student income and expenditure survey currently under way on behalf of the education Departments seeks information about the income of full-time and sandwich students, including term-time earnings. My right hon. Friend has no plans to change the current student support arrangements which work well and which have provided substantially increased resources to students.

Pupil Costs

Mr. Redmond: To ask the Secretary of State for Education when he expects to have available details of the unit cost per pupil in each local education authority for 1991-92 for *(a)* nursery, *(b)* primary and *(c)* secondary pupils.

Mr. Forth: Figures for expenditure on nursery and primary pupils are not collected separately. The table gives the unit cost for nursery and primary combined, and secondary pupils by local education authority for 1991-92 for those English LEAs that have returned details of their expenditure to the Department of the Environment. The figures are subject to final checking by the Department of the Environment and the Department for Education.

Unit cost per pupil in each LEA in England 1991-92 (£)

Local Education Authority	*Nursery/ Primary*	*Secondary*
City	2,595	0
Camden	1,943	2,432
Greenwich	1,830	2,296
Hackney	n/a	n/a
Hammersmith	2,047	2,739
Islington	n/a	n/a
Kensington and Chelsea	2,287	3,200
Lambeth	2,083	2,978
Lewisham	1,717	2,376
Southwark	1,828	2,460
Tower Hamlets	2,253	2,946
Wandsworth	2,174	3,215
Westminster	3,544	2,579
Barking	1,528	2,247
Barnet	1,654	2,295
Bexley	1,372	2,097
Brent	1,573	2,477
Bromley	1,399	2,437
Croydon	1,554	2,356
Ealing	1,754	2,621
Enfield	1,607	2,287
Haringey	n/a	n/a
Harrow	1,646	2,376
Havering	1,375	2,234
Hillingdon	1,597	2,628
Hounslow	1,579	2,168
Kingston upon Thames	1,496	2,447
Merton	1,562	2,676
Newham	1,603	2,433
Redbridge	1,481	2,281
Richmond upon Thames	1,655	2,111
Sutton	1,448	2,221
Waltham Forest	1,603	2,609
Birmingham	1,370	2,151
Coventry	1,380	2,192

Local Education Authority	Nursery/ Primary	Secondary
Dudley	1,416	2,137
Sandwell	1,488	2,284
Solihull	1,346	2,109
Walsall	n/a	n/a
Wolverhampton	1,515	2,342
Knowsley	1,435	2,271
Liverpool	1,410	2,387
St. Helens	1,302	2,073
Sefton	1,286	2,021
Wirral	1,312	2,140
Bolton	1,358	2,119
Bury	1,269	1,868
Manchester	1,399	2,293
Oldham	1,535	2,193
Rochdale	1,300	2,137
Salford	1,293	2,183
Stockport	1,334	2,122
Tameside	1,409	2,119
Trafford	1,271	2,113
Wigan	1,242	2,271
Barnsley	1,350	2,047
Doncaster	1,286	1,962
Rotherham	1,473	2,161
Sheffield	1,484	2,228
Bradford	1,628	1,804
Calderdale	1,551	2,001
Kirklees	1,384	2,036
Leeds	1,631	1,979
Wakefield	1,457	2,076
Gateshead	1,573	2,140
Newcastle upon Tyne	1,615	2,028
North Tyneside	n/a	n/a
South Tyneside	1,389	2,088
Sunderland	1,412	2,065
Isles of Scilly	n/a	n/a
Avon	1,410	2,063
Bedfordshire	1,475	2,020
Berkshire	1,480	2,165
Buckinghamshire	1,399	2,160
Cambridgeshire	1,401	2,007
Cheshire	1,329	2,094
Cleveland	1,353	2,221
Cornwall	1,380	1,944
Cumbria	1,443	2,173
Derbyshire	1,411	2,165
Devon	1,376	1,999
Dorset	1,371	1,945
Durham	1,384	2,051
East Sussex	1,388	2,067
Essex	1,324	2,111
Gloucestershire	1,379	1,811
Hampshire	1,395	2,108
Hereford and Worcester	1,446	1,955
Hertfordshire	1,472	2,175
Humberside	1,417	2,082
Isle of Wight	1,447	1,926
Kent	n/a	n/a
Lancashire	1,477	2,168
Leicestershire	1,444	2,210
Lincolnshire	1,330	2,096
Norfolk	1,427	2,104
North Yorkshire	1,381	2,153
Northamptonshire	1,332	1,965
Northumberland	1,455	1,942
Nottinghamshire	1,591	2,482
Oxfordshire	1,574	2,092
Shropshire	1,469	2,332
Somerset	1,322	1,927
Staffordshire	1,384	2,043
Suffolk	1,561	2,016
Surrey	1,486	2,254
Warwickshire	1,277	2,111
West Sussex	1,292	2,156
Wiltshire	1,402	2,017

Notes to tables

1. n/a indicates that returns of expenditure have not yet been received from the local education authority, or that returns are subject to follow-up inquiry.
2. Figures are derived from local education authorities' returns of their net institutional expenditure to the Department of the Environment and of their pupil numbers to the Department for Education.
3. Net institutional expenditure covers the direct costs in schools of salaries and wages, premises and certain supplies and services. It does not include the costs of school meals, home to school transport, local education authority central administration, and financing costs of capital expenditure. Figures include unspent balances held by schools at the year end under local management of schools schemes.

Universities (Research)

Mr. Pawsey: To ask the Secretary of State for Education if he will bring forward proposals to alter the criteria used in the universities research assessment exercise to ensure that those universities whose work is geared towards the needs of the industry and the economy are favoured; and if he will take steps to alter the membership of assessment panels to increase representation from industry.

Mr. Boswell: Arrangements for research assessment are a matter for the higher education funding councils. They will be consulting institutions and others on arrangements for future assessment exercises. Universities and colleges were free to submit evidence of the full range of their research in the research assessment exercise undertaken last year by the Universities Funding Council, including that related to the needs of industry.

Fuel (VAT)

Mrs. Mahon: To ask the Secretary of State for Education if he will uprate students' mandatory grants from April 1994 to take account of the imposition of value-added tax on fuel; and if he will make a statement.

Mr. Boswell: I refer the hon. Member to the reply that I gave to the hon. Member for Deptford (Ms Ruddock) on 24 March, *Official Report*, column *603*.

PRIME MINISTER

Council of Ministers

Mr. Barnes: To ask the Prime Minister what were the details of the last formal vote that was taken in a meeting of a Council of Ministers in the European Community; and if he will list the date of each subsequent meeting at which no formal votes were taken.

The Prime Minister: The last formal vote in the Council of Ministers was that taken on the proposed arrangements for bananas in the single market during the Agriculture Council on 13 February. Details were given by my hon. Friend the Minister of State, Ministry of Agriculture, Fisheries and Food, on 3 March at column *192*. No formal votes were taken at the following Councils: ECOFIN on 15 February, Consumer Affairs on 2 March, Foreign Affairs on 8 and 9 March, ECOFIN on 15 March, Transport on 15 March, Agriculture on 16 and 17 March, Fisheries on 18 March, Environment on 22 and 23 March, Foreign Affairs on 5 April, Employment and Social Affairs on 6 April, and ECOFIN on 19 April.

49 Whitehall

Mr. Rogers: To ask the Prime Minister if he will list those Government Departments having offices at No. 49 Whitehall, London SW1.

The Prime Minister: There is no Government occupation of 49 Whitehall. I assume that the hon. Member refers to 49/53 Parliament street, SW1 which is occupied by the Office of Public Service and Science—major occupier—the Inland Revenue and the Department of Social Security.

Derbyshire

Q10. **Mr. Hendry:** To ask the Prime Minister if he plans to pay an official visit to Derbyshire.

The Prime Minister: I am making plans for a series of visits to all parts of the country and hope to include Derbyshire among them.

NATIONAL HERITAGE

Tourist Boards

Mr. Redmond: To ask the Secretary of State for National Heritage, pursuant to his answer of 8 March, *Official Report*, column *390*, when the hon. Member for Don Valley can expect a letter from the chief executives of the English Tourist Board and the British Tourist Board in respect of their future.

Mr. Key: I will write to the hon. Member.

Tourism

Mr. Llwyd: To ask the Secretary of State for National Heritage how many visits of four nights' duration or longer were undertaken by British tourists in *(a)* Britain and *(b)* abroad on each year since 1985.

Mr. Key: The available information is contained in the table.

(a) Domestic tourists in the Great Britain[1]/United Kingdom[2]: The number of visits of four nights' duration or longer is as follows:

	Trips millions
1985[1]	47
1986[1]	51
1987[1]	49
1988[1]	49
1989[2]	43
1990[2]	39
1991[2]	40

Sources:
1985-1988 figures—British Tourism Survey Monthly.
1989-1991 figures—United Kingdom Tourism Survey.

[1] The British Tourism Survey Monthly (covering the period 1985-1988) refers to tourist trips in Great Britain.
[2] The United Kingdom Tourism Survey (covering the period 1989-1991) refers to tourist trips in the United Kingdom.

(b) Visits by United Kingdom residents Abroad[1]: The number of visits of five nights' duration or longer[2] are shown below:

	Trips (millions)
1985	15
1986	18
[3]1987	—
1988	21
1989	22
1990	17
1991	21

Source:
International Passenger Survey.

[1] The figures exclude visits to the Irish Republic.
[2] It is not possible to provide figures for trips of four nights' duration or longer from 1985 to 1991. The International Passenger Survey does, however, supply data on trips of five nights' duration or longer for the period.
[3] The 1987 figure for the number of visits of five nights' duration or longer is not available.

FOREIGN AND COMMONWEALTH AFFAIRS

Sex Trade, Thailand

Mr. John D. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Thailand about the sex trade in women and children in that country; and if he will make a statement.

Mr. Goodlad: Her Majesty's ambassador in Bangkok has raised on several occasions with the Thai authorities our concern about the problem of the sex trade in Thailand, particularly the forced prostitution of children. We have been assured that the Thai Government are looking seriously at ways of tackling the problem. We will continue to encourage them to take effective measures.

Abu Dhabi

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he has taken since 1 March to secure the release of the British citizens detained in Abu Dhabi.

Mr. Lennox-Boyd: We have made two further representations to the Abu Dhabi authorities about the British citizens detained in Abut Dhabi pending conclusions of the investigation into the affairs of BCCI. On 21 March, Her Majesty's ambassador in Abu Dhabi called on the United Arab Emirates' Minister of State for Foreign Affairs. On 6 April the Minister of State, my right hon. and learned Friend the Member for Grantham (Mr. Hogg) called the UAE ambassador in London to the Foreign and Commonwealth Office. We were told by the UAE ambassador on 16 April that the prosecution case should be ready by mid-July. We will continue to press the UAE authorities either to charge or release the men.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to visit Abu Dhabi.

Mr. Douglas Hogg: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has at present no plans to do so.

East Timor

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he had on the issue of East Timor at his recent meeting with the Foreign Minister of Indonesia; and if he will make a statement.

Mr. Goodlad: In my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs' discussions with the Indonesian Foreign Minister in Jakarta earlier this month, he reiterated our concern about human rights in East Timor. He encouraged the Indonesians—as we similarly encourage the Portuguese—to continue to seek an acceptable solution to the East Timor issue through their dialogue under the auspices of the United Nations Secretary-General.

Inhumane Weapons

Mr. Jon Owen Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans exist for the British Government to ratify the United Nations inhumane weapons convention 1981.

Mr. Douglas Hogg: The situation remains as set out in my right hon. Friend the Prime Minister's reply to the hon. Member for Leyton (Mr. Cohen) on 9 March, *Official Report*, column *517*.

Bosnia

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs how many meetings he has had with hon. Members about the situation in Bosnia; and how many requests have been made for such meetings.

Mr. Douglas Hogg: Since the London conference in August 1992, my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs, has held 11 meetings involving hon. Members specifically to discuss the situation in the former Yugoslavia. The conflict in Bosnia was discussed at all of these meetings and many others. Records are not kept of the number of requests for meetings.

HOME DEPARTMENT

Manchester Prison

Ms Ruddock: To ask the Secretary of State for the Home Department how many mobile and non-mobile staff at Manchester prison have thus far opted not to be redeployed within the Prison Service in the event of contracting out.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the Prison Service who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Ms Joan Ruddock, dated 19 April 1993:

The Home Secretary has asked me to write to you directly in reply to your recent Parliamentary Question asking how many mobile and non-mobile staff at Manchester prison have thus far opted not to be redeployed within the Prison Service in the event of contracting out.

Staff have not yet been asked to state their preference for redeployment in the prison service or transfer to the contractor should a private operator win the market test of Her Majesty's Prison Manchester.

Ms Ruddock: To ask the Secretary of State for the Home Department what advice on the application of the Transfer of Undertakings (Protection of Employment) Regulations 1981 has been given to companies tendering for Manchester prison; and what additional costs will be involved.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Ms Joan Ruddock, dated 19 April 1993:

The Home Secretary has asked me to write to you in response to your recent Parliamentary Question about the advice on the application of the Transfer of Undertakings Regulations 1981 given to companies tendering for Manchester Prison.

Tenderers have been informed that the Transfer of Undertakings (Protection of Employment) Regulations 1981 (TUPE) will apply to the market testing of HM Prison Manchester. They have been informed that should a private operator win the contract the Prison Service intends to give staff at Manchester the option of redeployment and have been asked to provide information on the effect the application of TUPE will have on their bids.

Any effect on costs will not be known until the tendering exercise has concluded and the number of staff transferring, in the event of a private operator winning the contract, is known.

Ms Ruddock: To ask the Secretary of State for the Home Department which staff and union agreements will now be taken into account by companies tendering for Manchester prison.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the Prison Service who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Ms Joan Ruddock, dated 19 April 1993:

The Home Secretary has asked me to write to you directly in reply to your recent Parliamentary Question asking which staff and union agreements will now be taken into account by companies tendering for Manchester Prison.

Companies tendering for the operation contract for HM Prison Manchester have been supplied with information about numbers of staff in-post, pay and the main agreements with the trades unions so that they can adjust their bids in the light of the application of the Transfer of Undertakings (Protection of Employment) Regulations 1981. Full details of the terms and conditions of staff and agreements with the trades unions will be made available to the preferred bidder before any contract is awarded.

Ms Ruddock: To ask the Secretary of State for the Home Department what guidance was offered by the prison department to staff preparing the in-house bid at Manchester prison.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Ms Joan Ruddock, dated 19 April 1993:

The Home Secretary has asked me to write to you directly in reply to your recent Parliamentary Question about guidance to the Manchester prison in-house bid team.

The Prison Service bid for the management of Manchester Prison has made appropriate use of an extensive range of central services—including guidance and advice from headquarters. It has received the same advice and guidance from the Unit responsible for the competitive tendering process as has been available to other tenderers.

Ms Ruddock: To ask the Secretary of State for the Home Department if he will list the companies that have been invited to submit tenders for the running of Manchester prison.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the Prison Service who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Ms Joan Ruddock, dated April 1993:

The Home Secretary has asked me to write to you in response to your Parliamentary Question about the companies that have been invited to tender for the running of Manchester Prison.

In October 1992 the following organisations were invited to tender for the operating contract at HMP Manchester:

— HM Prison Service
— Premier Prison Services Ltd.
— Securicor Custodial Services Ltd.
— Group 4 Remand Services Ltd.
— Securiguard Services Ltd.
— UK Detention Services Ltd.
— Contract Prisons plc
— Reliance Security Services Ltd.
— Sodexho

Contract Prisons plc and Reliance Security Services Ltd withdrew at an early stage.

Racial Attacks

Ms Abbott: To ask the Secretary of State for the Home Department what was the number of reported or recorded racial attacks in the latest year available; what are the rates of prosecution and conviction; in what number of cases racial motivation has been raised by the Crown prosecution service during court proceedings; out of the total number of cases of assault involving racial motivation, how many defendants were juveniles; and how many defendants in cases recorded as involving racial motivation were granted bail, and of these, how many were defendants in cases of murder.

Mr. Jack: The only information held centrally relates to the number of reported racial incidents and I refer the hon. Member to the reply given to a question from the hon. Member for Lewisham, Deptford (Ms Ruddock) on 23 March at column *529*.

Contracting Out

Ms Ruddock: To ask the Secretary of State for the Home Department whether existing trade union negotiating rights and agreements will be recognised in the event of Manchester prison or any other Home Office function or division being contracted out.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Ms Joan Ruddock, dated 19 April 1993:

The Home Secretary has asked me to write to you in response to your Parliamentary Question about trade union recognition if the management of Manchester prison were to be contracted out.

When the Transfer of Undertakings (Protection of Employment) Regulations 1981 (TUPE) apply to the contracting out of a Home Office activity existing trade union recognition and collective agreements will transfer to the new employer. As a general rule whether or not TUPE applies depends on the facts of each case. Should a private operator win the market test for HM prison Manchester, TUPE will apply.

Police Vehicles (Accidents)

Mr. Dowd: To ask the Secretary of State for the Home Department, how many accidents involving Metropolitan police vehicles there were during the last three years; and how many fatalities and injuries there were as a result.

Mr. Charles Wardle: The information requested is as follows:

Year	*1990*	*1991*	*1992*
Total incidents	5,621	5,958	6,263
(i)	1,638	1,954	1,962
(ii)	2,409	2,399	2,268
(iii)	1,178	1,331	1,097
(iv)	393	274	936
Number of fatalities	7	3	8
Number of injuries	1,171	1,222	1,307

Notes:

(i) Police driver assessed as blameworthy.
(ii) Police driver assessed as not blameworthy.
(iii) Assessed as "For Record Only"—eg: The police driver was not in the vehicle at the time of the incident.
(iv) Liability not yet determined or incidents not followed up.

Prisoner Escort Services

Mr. Blair: To ask the Secretary of State for the Home Department if he will meet Group 4 Security concerning the prison escort services it is providing.

Mr. Peter Lloyd: No. The director general of the Prison Service met Group 4 Court Services Ltd. on 15 April and a further meeting is scheduled for a month's time.

Mr. Tipping: To ask the Secretary of State for the Home Department what discussions he has had about the prison escort service in the east midlands; and if he will make a statement.

Mr. Peter Lloyd: I have been kept fully informed of the position by the director general of the Prison Service.

Police and Fire Services (Radio Communications)

Sir John Wheeler: To ask the Secretary of State for the Home Department when he received the report of the major review into radio communications in the police and fire services; and if he will make a statement.

Mr. Kenneth Clarke: Copies of this report have been placed in the Library, and will be made available to those with an interest, both in the emergency services and industry. I welcome this report. It sets out a strategy for

the development of radio communications for the police and fire services which would enable these services to make the most efficient use of the radio spectrum and take advantage of the latest advances in technology and thus to ensure that their radio systems operate as effectively and efficiently as possible, and give good value for money.

There are, however, a number of issues which require further work before decisions can be taken on which new systems are best suited to emergency service use and how they might best be implemented. This work will constitute a development programme which would be undertaken by my Department under the direction of a steering group including representatives from the police and fire services.

Market Testing

Mr. Michael: To ask the Secretary of State for the Home Department if he will publish *(a)* the Coopers and Lybrand Study of 1992 and *(b)* the privatisation return of the same year which identified Home Office businesses thought suitable for market testing.

Mr. Kenneth Clarke: No. Both documents were produced for internal management purposes and the former was classified "commercial-in-confidence".

Mr. Michael: To ask the Secretary of State for the Home Department what percentage of Home Office jobs will be the subject of market testing exercises with a view to contracting out between September 1993 and March 1995.

Mr. Kenneth Clarke: A provisional Home Office market testing programme for 1993-94 has been drawn up, but I have not yet settled the final programme which I will announce in due course.

Fire Services

Mr. Tipping: To ask the Secretary of State for the Home Department what plans he has to merge and create larger fire services; and if he will make a statement.

Mr. Peter Lloyd: Apart from any combinations of fire authorities which appear necessary as a consequence of the reviews of local government in England and Wales, my right hon. and learned Friend has no present plans to combine fire authorities. Our proposals to replace the present eight fire authorities in Wales with three combined fire authorities are set out in the White Paper on the future of local government in Wales.

Explosion (Liverpool)

Mr. Parry: To ask the Secretary of State for the Home Department if he will call for a report from the Merseyside police on their investigations into the explosion in Liverpool 8; and if he will make a statement.

Mr. Kenneth Clarke: I am not aware of any such explosion.

Criminal Injuries

Mr. Parry: To ask the Secretary of State for the Home Department what is the average time taken by the Criminal Injuries Compensation Board to reach a decision and advise a client's solicitor; and if he will make a statement.

Mr. Jack: The Criminal Injuries Compensation Board does not maintain detailed statistics on the time taken for a first decision to be made on cases. However, it has been established that some 80 per cent. of cases reach that stage within one year of the application having been received. The number of cases in which a first offer is made and accepted stands at about 50 per cent.

Long Lartin Prison

Mr. Michael Spicer: To ask the Secretary of State for the Home Department how many attempted escapes there have been at Long Lartin prison over the last five years; and what category of prisoners were involved.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director-general of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Michael Spicer, dated 20 April 1993:

The Home Secretary has asked me to write to you in response to your Parliamentary Question asking for details of how many incidents of attempted escape there have been at HM Prison Long Lartin over the last five years and what categories of prisoner were involved.

I regret that this information was not recorded centrally until 1 January 1990, but from information derived from the number of incidents reported to the Incident Management Support Unit, a part of the Directorate of Custody, the information available is as follows:

Date	*Number of prisoners involved*	*Category of prisoner*
April 1990	9	Not recorded
September 1991	2	Both 'A'
October 1991	1	'B'

Election Deposits

Mr. Winnick: To ask the Secretary of State for the Home Department if he will set out by political party how many deposits were lost in the 1992 general election.

Mr. Peter Lloyd *[holding answer 19 April 1993]:* The table gives details of lost deposits by party. A deposit is forfeited if a candidate fails to secure 5 per cent. of the total valid votes polled in the parliamentary constituency.

Political party	*Number of lost deposits*
Conservative	8
Labour	5
Liberal Democrat	11
Liberal	70
Plaid Cymru	25
Green	251
Natural Law	307
National Front	14
Sinn Fein	5
Others[1]	207

[1] Political parties with less than five lost deposits.

OVERSEAS DEVELOPMENT

Falkland Islands

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the total spending by the Government in providing aid, assistance and investment in the Falkland Islands in each of the past 10 years for which figures are available.

Mr. Lennox-Boyd: Gross public expenditure on aid to the Falkland Islands since 1983-84 is as follows. Information on expenditure in 1992-93 is not yet available.

	£ thousand
1983-84	7,469
1984-85	8,394
1985-86	10,198
1986-87	11,021
1987-88	6,735
1988-89	3,389
1989-90	2,487
1990-91	1,430
1991-92	1,286
Total	52,409

Additional assistance was provided by the diplomatic wing as follows:

Assistance Under-Secretary's Programme Budget

	£ thousand
1989-90	2
1990-91	10
1991-92	11

Foreign and Commonwealth Office scholarship awards scheme

	£'000
1990-91	10
1991-92	3
1992-93	12

Further investment in the Falkland Islands has come from the presence of the British forces garrison since the end of the war in 1982. The construction of living accommodation and the new airfield at Mount Pleasant have resulted in some capital expenditure in the local economy. Similarly, the presence of the garrison has resulted in personal expenditure by service men in the local economy, and the new airfield has allowed the expansion of tourism. These benefits are difficult to quantify. Detailed information on Ministry of Defence expenditure on defence of the Falkland Islands can be found in the statements on the defence estimates for the years in question. Much of this expenditure would have been incurred in the United Kingdom.

EMPLOYMENT

Unpaid Women Workers

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Employment if she will make it her policy to collect data on the number of women working unpaid within family enterprises in the United Kingdom.

Mr. McLoughlin: Such data are already collected by the labour force survey, quarterly for Great Britain and annually for Northern Ireland.

TRANSPORT

Channel Tunnel Rail Link

Mr. Kynoch: To ask the Secretary of State for Transport when he expects the environmental appraisal appendix to Union Railways' report on the channel tunnel rail link to be published.

Mr. Freeman: The appendix has now been published and copies are available in the Vote Office.

Jubilee Line

Mr. Morgan: To ask the Secretary of State for Transport, pursuant to his answer of 28 January, *Official Report*, column *800*, what information he has received from London Transport and the administrators of Olympia and York in relation to *(a)* the private sector contribution, *(b)* European investment bank contribution and *(c)* United Kingdom public sector funding to the Jubilee line, set out in each of the first 10 years after any decision to proceed, and the residual figures for those three categories for the period thereafter.

Mr. Norris: The European investment bank has agreed to finance some £98 million—the first and largest instalment—of the private sector's contribution to the cost of the Jubilee Line extension. I hope that it will enable the private sector to conclude with London Transport and London Underground Ltd a satisfactory funding agreement covering the basis on which the contribution will be made. Government funding has been ready for some time, and once the private sector funding agreement is in place we will be able to authorise the start of construction.

Railway Rolling Stock

Sir Keith Speed: To ask the Secretary of State for Transport, pursuant to his answer of 15 March, *Official Report*, column *98*, what proposals he has now received from British Rail about the rolling stock it wishes to order using the leasing facilities announced in the autumn statement.

Mr. Roger Freeman: I refer my hon. Friend to the answer I gave to the hon. Member for Warrington, North (Mr. Hoyle) on 19 April, at column *7*.

M1/M62 Link

Mr. Hinchliffe: To ask the Secretary of State for Transport when he expects to make an announcement on the results of the public consultation exercise concerning proposals for an M1/M62 motorway link; and if he will make a statement.

Mr. Kenneth Carlisle: The implications of the large number of responses to the public consultation are still being assessed. When this work is complete we shall make a decision on the way forward with the proposed new road. It will be a few more months before we are able to announce the outcome.

Tugboat Crews

Mr. Flynn: To ask the Secretary of State for Transport what proposals he has to strengthen controls on the qualifications, including local knowledge and experience, of tugboat crews.

Mr. Norris: None. Masters, mates and engineer officers of sea-going tugs are required to hold certificates of competency in accordance with the deck or marine engineer officer regulations. Tugs that do not proceed beyond the limits of smooth or partially-smooth waters are not required to carry any officers with formal qualifications. The accident record of these vessels does not give cause to impose further legislative requirements.

Mr. Flynn: To ask the Secretary of State for Transport what reports he has received of accidents and dangers arising from the employment of labour inexperienced in the area in operating tugs from Newport docks in the past four weeks.

Mr. Norris: None that involved any lack of local knowledge.

Mr. Flynn: To ask the Secretary of State for Transport if he will recommend that recordings of messages between tugs and coastguards be retained for at least six months during the period of industrial action at Newport docks.

Mr. Norris: It is HM coastguard's policy to retain archive tape recordings of rescue centre telephone and radio messages for 30 days. Should an incident occur that may require the submission of a tape or associated transcript to an appropriate inquiry, such recordings are kept for a period dictated by the particular case. I see no reason to change this policy during industrial action at Newport docks.

Roads and Bridges (Damage)

Mr. Flynn: To ask the Secretary of State for Transport what is his latest assessment of the percentage of damage and wear to motorways, roads and bridges caused by *(a)* lorries, *(b)* other vehicles and *(c)* other reasons.

Mr. Kenneth Carlisle: For motorways and other roads, the vast majority of damage and wear is caused by vehicles over 1·5 tonnes unladen weight such as heavy goods vehicles, buses and coaches. Damage and wear from motor cars and from other causes including weather and spillages is negligible compared with that from commercial vehicles. Bridges deteriorate for a variety of reasons not necessarily related to traffic. No percentage breakdown is readily available.

Road Safety (Blind People)

Mr. Llew Smith: To ask the Secretary of State for Transport what representations he has received from, and what discussions he had with, the Royal National Institute for the Blind in preparation of his new code of practice for signing and guarding road and pavement works.

Mr. Kenneth Carlisle: In July 1991, the Department consulted a large number of organisations, including the RNIB, on its proposal to issue a code of practice on safety measures under the New Roads and Street Works Act 1991. Comments were received from organisations representing visually impaired people, but not directly from the RNIB. In February 1992, the Department convened a meeting of manufacturers of pedestrian barrier systems and visually impaired pedestrians, at which a representative of the RNIB was present. The views expressed by the RNIB on this occasion were taken into account in drawing-up the code of practice, now published as "Safety at Street Works and Road Works".

Marine Archaeology

Mr. Dalyell: To ask the Secretary of State for Transport if he will place in the Libary the letter of 31 March from the Minister for Aviation and Shipping to the hon. Member for Linlithgow regarding marine archaeology, ref. L/PSO/6890/93.

Mr. Norris: I have done so today.

Mr. Dalyell: To ask the Secretary of State for Transport if he will make a statement on his proposals for marine archaeology in relation to the current discussions on the special salvage convention 1990.

Mr. Norris: It is our intention to ratify the 1989 salvage convention and to consult relevant bodies prior to ratification. The convention allows any state to reserve the right not to apply the convention when the property involved is maritime cultural property of prehistoric, archaeological or historic interest. At the conference that adopted the convention, we supported the view that material of this nature should be excluded from the scope of the convention. That remains our view.

MV Braer

Mr. Wallace: To ask the Secretary of State for Transport what representations he has received urging him to set up a formal investigation under merchant shipping legislation into the grounding of the MV Braer on Shetland in January.

Mr. Norris: In addition to the one from the hon. Member, representations have been received from the hon. Member for Stoke on Trent, North (Ms Walley) and jointly, from the Shetland Conservative Association, the Shetland Labour party, the Shetland Liberal Democrats, the Shetland Movement and the Shetland Scottish National party. My right hon. and noble Friend, the Minister for Aviation and Shipping, has also received several representations. In addition to those made to him directly by islanders in the course of his three visits to Shetland following the grounding of the Braer, he has also received a petition containing some 6,000 names which calls for a formal investigation.

Road Pricing

Mr. Llew Smith: To ask the Secretary of State for Transport what recent studies he has published on road pricing and the technological options for its implementation.

Mr. Kenneth Carlisle: The Department of Transport published "London Congestion Charging—A Review of Technology for Road Use Pricing in London" on 31 March. This was an independent report commissioned by the Department from the University of Newcastle.

Her Majesty's Coastguard Helicopters

Mr. Wilson: To ask the Secretary of State for Transport if he will list the occasions in the past three years on which *(a)* Ministers and *(b)* hon. Members have been conveyed by Her Majesty's coastguard helicopter, or by private helicopter companies on contract to Her Majesty's coastguard.

Mr. Norris: The information is as follows:
(a) Minister:

Occasion	*Location of coastguard helicopter*	*Minister*
10 June 1990	Lee on Solent	Cecil Parkinson
11 September 1991	Stornoway	Patrick McLoughlin
1 May 1992	Lee on Solent	Lord Caithness
6 January 1993	Sumburgh	Lord Caithness
8 January 1993	Sumburgh	Lord Caithness and John MacGregor
9 January 1993	Sumburgh	Ian Lang and Sir Hector Monro
30 March 1993	Sumburgh	Lord Caithness

(b) Hon. Members – Nil.

Leicester Eastern Bypass

Mr. Vaz: To ask the Secretary of State for Transport when he expects to receive the report by Travers Morgan into the proposal for an eastern bypass for Leicester.

Mr. Kenneth Carlisle: A technical appraisal report should be submitted early in 1994.

Minches (Tankers)

Mr. Dafis: To ask the Secretary of State for Transport if he will take action in addition to the voluntary control arrangements for tankers using the Minches pending the recommendations of the Donaldson inquiry.

Mr. Norris: Any further action to control the movement of tankers must have regard to the outcome of the maritime safety committee meeting at the International Maritime Organisation, Lord Donaldson's inquiry and international law on the right of innocent passage.

Feja Svea

Mr. Dafis: To ask the Secretary of State for Transport what further tanker control mechanisms he has recommended to avoid pollution incidents following the grounding of the tanker Feja Svea off the Teesside coast.

Mr. Norris: The grounding of the Feja Svea in severe weather conditions is being investigated by the marine accident investigation branch. The report and any recommendations will be considered when they are available.

TRADE AND INDUSTRY

Export Controls

Mr. Llew Smith: To ask the President of the Board of Trade what powers he has to ensure that equipment granted an export licence so that it may be displayed at an arms exhibition or in trials overseas is returned to the United Kingdom.

Mr. Needham: It is a condition of licences granted for temporary export that the exporter return the goods within a specified period. Under article 5(3) of the Export of Goods (Control) Order 1992, failure to comply with any condition attaching to a licence is an offence, punishable by fine or imprisonment or both. If necessary, my Export Control Organisation may ensure compliance by visits to exporters' premises to check documentation and/or physical presence of the goods.

Car Imports

Mr. Spellar: To ask the President of the Board of Trade if he will make a statement regarding agreement with the Japanese vehicle manufacturers on car imports.

Mr. Sainsbury: In accordance with the EC/Japan cars agreement reached in July 1991, the EC Commission and MITI have agreed forecasts for Japanese car and light van exports to the Community for 1993. The figure agreed for the United Kingdom is in line with the levels agreed under the previous arrangements between the United Kingdom and Japanese manufacturers.

"The Prospects for Coal"

Mr. Simon Hughes: To ask the President of the Board of Trade when the Government will publish a full outline of their renewable energy strategy document as stated in the White Paper, "The Prospects for Coal."

Mr. Eggar: The Government will publish a renewable energy strategy review document later this year, in the light of the report of the Renewable Energy Advisory Group and the coal review.

Astra plc

Mr. Rogers: To ask the President of the Board of Trade whether his inspectors have received all papers removed from Astra plc by the MoD police.

Mr. Neil Hamilton: The inspectors have confirmed to me that they have had access to papers of the company held by the Ministry of Defence police.

Mr. Rogers: To ask the President of the Board of Trade when the DTI inspectors began work on Astra plc; and what reasons account for the time taken by the inspectors to prepare their report.

Mr. Neil Hamilton: The inspectors commenced work on appointment on 16 August 1990 and their report was signed on 7 April 1993. In particular, the inspectors considered substantial representations received during the course of fairness procedures.

British Coal Superannuation Scheme

Mr. Redmond: To ask the President of the Board of Trade what considerations underlay his Department's decision to indemnify British Coal against any adverse legal consequences of its action in respect of the trustees of the British Coal staff superannuation scheme.

Mr. Eggar: No indemnity has been given or offered to British Coal for such legal costs.

Mr. Tipping: To ask the President of the Board of Trade what recent discussions he has had with the chairman of British Coal about the staff superannuation scheme; and if he will make a statement.

Mr. Eggar: None.

Mr. Tipping: To ask the President of the Board of Trade what discussions he has had recently with the chairman of British Coal about surpluses in the corporation's staff superannuation fund.

Mr. Eggar: I refer the hon. Member to the reply I gave him today.

Defence Diversification

Mr. Chisholm: To ask the President of the Board of Trade how much money has been provided by the EC Konver initiative for defence diversification in the United Kingdom.

Mr. Sainsbury: I refer the hon. Gentleman to the answer I gave the hon. Member for Blaenau Gwent (Mr. Smith) on 15 April 1993, *Official Report*, column *715*.

Postal Services

Mr. Bowis: To ask the President of the Board of Trade when he expects to publish his response to the European Green Paper on Post.

Mr. Leigh: Following wide-ranging consultations on the Green Paper, the Government are completing a detailed response which will shortly be put to the European Commission. I will at that time arrange for a copy to be placed in the Library of the House.

Mr. Bowis: To ask the President of the Board of Trade what consideration he has given to maintaining current exemptions from the provisions of *(a)* road traffic, *(b)* customs and excise and *(c)* health and safety legislation for the Post Office after privatisation.

Mr. Leigh: No decision has been taken as to whether to privatise the Post Office. If such a decision where made, these matters would need to be considered in detail.

Regulations

Mr. Sproat: To ask the President of the Board of Trade if he will place in the Library a list of the regulations of all Departments which impact on business.

Mr. Neil Hamilton: A consolidated list of all regulations and forms, grouped by Department, which Departments have identified as having an impact on business has today been placed in the Library of the House.

Post Office

Mr. Cousins: To ask the President of the Board of Trade, pursuant to his answers of 25 February, *Official Report*, columns *705-6*, if he will express the values of the Post Office 1993-94 capital investment programme in September 1992 prices.

Mr. Leigh *[holding answer 15 April 1993]:* The value of the Post Office's planned capital investment programme for 1993-94, expressed in 1992-93 prices, is £312·4 million.

Mr. Cousins: To ask the President of the Board of Trade if he will provide a breakdown of current Post Office employee numbers by British standard region and nation.

Mr. Leigh *[holding answer 15 April 1993]:* A breakdown of Post Office employees by British standard region is not available since the Post Office businesses do not operate on such a regional basis. The breakdown by nation of the March 1993 employee figure was:

	Number
England	164,800
Scotland	14,300
Wales	7,800
Northern Ireland	3,600
Total	190,500

Mr. Cousins: To ask the President of the Board of Trade what was the total number of Post Office employees in each year since 1988.

Mr. Leigh *[holding answer 15 April 1993]:* The total number of Post Office employees in each year since 1988, rounded to the nearest thousand and excluding Girobank, was:

At 31 March	*Number*
1989	201,000
1990	205,000
1991	206,000
1992	197,000
1993	191,000

All part-time staff counted as half.

HEALTH

NHS Wages

Ms Primarolo: To ask the Secretary of State for Health if she will list the total wage bill of the national health service in each of the last five years, and projected for the next two years, broken down into the principal groups of staff, including consultants, junior doctors, and nurses.

Dr. Mawhinney: The available information is shown in the table and applies to hospital and community health services staff only.

Hospital and community health services paybill costs

£ billion

	1987-88	*1988-89*	*1989-90*	*1990-91*	*1991-92*	*[1]1992-93*	*[2]1993-94*
Nurses and midwives	3·92	4·64	4·90	5·26	5·77	6·4	n/a
Consultants	0·59	0·66	0·71	0·79	0·89	n/a	n/a
Junior doctors	0·48	0·53	0·60	0·64	0·71	n/a	n/a
Other medical	0·15	0·16	0·17	0·18	0·25	n/a	n/a

	1987-88	1988-89	1989-90	1990-91	1991-92	[1] 1992-93	[2] 1993-94
Combined medical and dental	1·22	1·35	1·48	1·61	1·85	2·1	n/a
Administration and clerical	0·89	0·98	1·04	1·19	1·38	n/a	n/a
Professional science and technology	0·86	0·95	1·03	1·19	1·30	n/a	n/a
Ancillary	0·83	0·84	0·85	0·87	0·90	n/a	n/a
General and senior managers	0·03	0·03	0·16	0·25	0·38	n/a	n/a
Ambulance staff	0·21	0·22	0·20	0·24	0·28	n/a	n/a
Other[3]	0·50	0·55	0·60	0·60	0·71	n/a	n/a
Administration and clerical to other total[3]	3·32	3·57	3·88	4·34	4·95	5·3	n/a
TOTAL	8·46	9·56	10·25	11·21	12·57	13·8	14·0

[1] 1992-93 estimated.
[2] 1993-94 projected.
[3] Includes nurses and midwives and medical and dental agency staff costs.

NHS Beds

Ms Primarolo: To ask the Secretary of State for Health how many *(a)* national health service hospital beds and *(b)* national health service private hospital beds there were in each region in each year since 1979.

Mr. Sackville: The information is shown in the tables. Over the same period, total hospital in-patient activity rose by 29 per cent.

Average of daily number of available beds, 1979 to 1991-92

Regions	1979	1980	1981	1982	1983	1984	1985	1986	1987-88	1988-89	1989-90	1990-91	1991-92
Northern	25,305	25,283	24,192	24,679	24,728	24,332	23,773	23,240	22,469	21,520	21,024	20,195	19,456
Yorkshire	29,946	29,298	28,959	28,488	28,034	27,470	26,793	25,676	24,001	22,731	21,702	20,387	18,968
Trent	31,712	31,516	30,944	30,744	30,481	30,000	29,391	28,902	27,568	25,992	24,554	22,882	21,723
East Anglian	13,094	13,088	13,038	12,914	13,001	12,727	12,534	12,452	12,180	11,827	11,291	10,797	10,418
North West Thames	27,905	27,116	26,947	25,852	25,342	24,529	23,816	22,905	21,119	20,145	19,221	18,105	17,414
North East Thames	29,443	28,703	28,357	29,298	28,741	27,951	26,854	25,982	24,369	23,290	22,199	20,608	18,727
South East Thames	28,408	27,720	27,217	26,816	26,357	25,260	24,297	23,096	21,250	19,552	18,461	17,333	16,442
South West Thames	26,242	25,417	25,267	24,021	23,719	22,994	22,210	21,141	20,140	19,073	17,888	16,980	16,678
Wessex	19,021	18,844	18,662	18,547	18,310	18,074	17,654	17,170	15,316	14,826	14,458	13,939	13,701
Oxford	13,664	13,422	13,247	13,113	12,817	12,722	12,555	12,216	11,584	11,027	10,746	10,220	9,693
South Western	24,456	24,245	24,143	23,861	23,459	22,676	21,932	21,259	20,145	19,166	18,310	17,511	16,677
West Midlands	36,263	35,782	35,437	35,228	34,544	33,761	33,108	32,286	30,351	28,784	27,897	26,591	24,774
Mersey	21,982	21,332	21,025	20,519	19,849	19,028	18,464	17,959	16,665	15,776	14,685	13,290	12,091
North Western	30,812	30,839	30,662	30,677	30,384	29,756	29,021	28,406	27,320	26,409	25,204	24,057	22,974
Special Health Authorities and Boards of Governors	3,419	3,376	3,407	3,346	3,327	3,236	3,086	3,025	2,860	2,780	2,669	2,544	2,619
England[1]	361,670	355,978	351,505	348,104	343,091	334,513	325,487	315,714	297,338	282,897	270,309	255,438	242,356

[1] Numbers may not add up to England total due to rounding.
Source: SD2A, SH3 returns for years (1979, 1980, 1981.)
KHO3 returns for years 1982 to 1992.

Number of authorised pay beds in NHS hospitals

Regions	1979	1980	1981	1982	1983	1984	1985	1986	1987-88	1988-89	1989-90	1990-91
Northern	56	56	78	103	103	105	95	101	96	99	97	97
Yorkshire	140	140	154	182	199	199	193	193	187	192	188	188
Trent	130	130	150	143	143	143	138	136	128	136	136	136
East Anglian	90	90	94	106	106	108	108	108	96	108	108	108
North West Thames	339	339	352	292	292	292	287	285	271	285	283	283
North East Thames	278	278	286	398	404	410	413	411	347	393	411	411
South East Thames	263	263	302	332	337	337	339	341	322	333	333	333
South West Thames	156	156	168	180	182	194	182	180	141	180	180	180
Wessex	99	99	106	117	120	120	116	116	105	115	116	116
Oxford	164	164	180	180	180	180	183	193	188	193	194	194
South Western	78	78	82	102	104	104	104	102	96	100	100	100
West Midlands	181	181	217	258	267	276	273	270	209	281	276	276
Mersey	67	67	92	112	123	123	123	129	123	129	129	129
North Western	170	170	214	231	244	245	243	237	207	233	233	227
Special Health Authorities and Boards of Governors	194	194	202	183	183	183	178	178	177	160	178	178
England[1]	2,405	2,405	2,677	2,919	2,987	3,019	2,975	2,980	2,693	2,937	2,962	2,956

[1] Numbers may not add to England total due to rounding.
Source: SD2A. KHO2 returns.

Prescribing Errors

Mr. Janner: To ask the Secretary of State for Health how many *(a)* men, *(b)* women and *(c)* children are known (i) to have been injured and (ii) to have died as a result of pharmacists' errors in the provision of drugs or medicines, in each of the last five years for which records are available.

Dr. Mawhinney: This information is not available centrally. All the evidence suggests that professional standards in community pharmacies remain high and dispensing errors are kept to a minimum. The Royal Pharmaceutical Society employs a team of inspectors whose role is to ensure that those standards are maintained.

Mr. Janner: To ask the Secretary of State for Health (1) if she will now institute new requirements for pharmacists, whether by checking or otherwise, to minimise or to remove the risks of error in their provision of drugs or medicines in accordance with doctors' prescriptions;

(2) what assessment she has made of whether United Kingdom requirements for the checking of prescriptions issued by doctors before the drugs or medicines are given to patients are *(a)* adequate and satisfactory and *(b)* in accordance with EC requirements;

(3) if she will carry out an inquiry into the methods for checking of prescriptions by pharmacists, to remove or minimise the possibility or error in the provision of drugs or medicines in accordance with doctors' prescriptions.

Dr. Mawhinney: The code of ethics of the Royal Pharmaceutical Society includes guidance which is designed specifically to eliminate errors in the checking and dispensing of prescriptions. The society employs a team of inspectors whose role is to identify any lapses in standards of performance. These arrangements have helped to keep errors in the dispensing of prescriptions to a minimum and I see no reason to change them.

Mr. Janner: To ask the Secretary of State for Health what records she keeps to ascertain how many pharmacists query doctors' prescriptions, whether because the same are illegible or otherwise.

Dr. Mawhinney: This information is not available centrally. Pharmacists are encouraged to maintain good communications with general practitioners to ensure that, where questions arise, patients get their correct medicine.

Health Boards

Mr. Redmond: To ask the Secretary of State for Health what provision there is for chairmen of health authorities or trusts to be paid a financial settlement on termination of office.

Dr. Mawhinney: Paragraph 9(3) of schedule 5 to the National Health Service Act 1977 provides for the Secretary of State to make a payment of compensation to chairmen of health authorities, with the approval of the Treasury, where it appears that there are special circumstances for that person to receive compensation.

There is no such legislative provision in respect of chairmen of NHS trusts.

Mr. Redmond: To ask the Secretary of State for Health when she expects to start reviewing the actual time contribution of chairmen and non-executive directors of national health service trusts and the basis on which their emoluments are assessed; if her review will be published; and if she will make a statement.

Dr. Mawhinney: I refer the hon. Member to the reply I gave him on 8 March at column *386*.

Mr. Redmond: To ask the Secretary of State for Health if she will consider holding centrally information on the professional qualifications and previous employment of national health service trust and health authority chairmen.

Dr. Mawhinney: We do not specifically seek information on the professional qualifications of chairmen of health authorities and national health service trusts. However, these details and previous employment are usually included in a candidate's curriculum vitae. Those appointed are not required to notify any changes to such personal details after their appointment. I do not propose to alter these arrangements.

Mr. Redmond: To ask the Secretary of State for Health if she will consider holding centrally information on the number of chairmen and non-executive directors who declined to receive emoluments in respect of membership of *(a)* regional health authorities, *(b)* district health authorities, *(c)* family health service authorities and *(d)* hospital trusts.

Dr. Mawhinney: No.

Nurses

Mr. Redmond: To ask the Secretary of State for Health if she will consider holding centrally information on *(a)* newly qualified nurses seeking employment and *(b)* nursing vacancies.

Mr. Sackville: We have no plans to do so. Managing the recruitment of qualified nurses is a matter for regional health authorities and local employers.

Drug and Alcohol Misuse

Ms Lynne: To ask the Secretary of State for Health if she will list the new projects which are being funded in 1993 from the specific grant for drug and alcohol misusers.

Dr. Mawhinney: The alcohol and drugs specific grant awards for 1993-94 were announced on 1 April. A copy of the press release is available in the Library and the 43 projects receiving an award for the first time have been identified. A further 65 projects which received funding in 1992-93 are also being supported.

NHS Trusts

Ms Lynne: To ask the Secretary of State for Health what opportunities there are for public scrutiny of self-governing trusts; and how many trusts hold open public meetings.

Dr. Mawhinney: National health service trusts are obliged by law to hold at least one public meeting each year at which they present their annual report and

accounts. They are also required to publish their strategic direction and business plans. The local community health council has the right to visit NHS trust facilities and service contracts with health authorities are publicly available. Many trusts go beyond these requirements.

NHS Sight Tests

Mr. Flynn: To ask the Secretary of State for Health if she will extend the exemption from payments for NHS sight tests to deaf and hard of hearing people.

Dr. Mawhinney: We have no plans to do so.

SOCIAL SECURITY

Social Fund

Mr. Simpson: To ask the Secretary of State for Social Security (1) how many applicants to the social fund in Nottinghamshire have two or more social fund loans outstanding;

(2) what percentage of social fund loans are *(a)* being repaid at 5 per cent. of the income support applicable amount and *(b)* have been rescheduled to allow for a lower repayment rate in each of the West, East and North Nottinghamshire benefit areas during 1992-93.

Mr. Scott: The information requested is not readily available and could be obtained only at disproportionate cost.

Mr. Simpson: To ask the Secretary of State for Social Security if he has any plans to introduce a regulatory grant system to replace the social fund.

Mr. Scott: We have no plans to do so.

Mr. Simpson: To ask the Secretary of State for Social Security what plans he has to review access to social fund loans and grants for *(a)* applicants who cannot demonstrate an ability to repay loans and *(b)* applicants who have an income just above the income support threshold but who do not qualify for social fund help.

Mr. Scott: We have no such plans to change the basic principles of the current social fund scheme which has succeeded in helping very large numbers of needy people while helping to keep expenditure under control.

Mr. Simpson: To ask the Secretary of State for Social Security what plans he has to increase the social fund budget in line with unemployment.

Mr. Scott: The social fund gross discretionary budget has risen by over 50 per cent. since April 1991. This substantial increase is substantially greater than the rise in unemployment.

Mr. Simpson: To ask the Secretary of State for Social Security what is the average waiting time from first application for a social fund local review to decision by the social fund inspectorate for *(a)* budgeting loans, *(b)* crisis loans and *(c)* community care grants.

Mr. Scott: The information is not available.

Mr. Simpson: To ask the Secretary of State for Social Security if he will implement the recommendation of the Social Security Advisory Committee in connection with crisis loans, in respect of the payment in advance rather than in arrears of income support.

Mr. Scott: We have no plans to do so.

Mr. Simpson: To ask the Secretary of State for Social Security what representations he has received from welfare rights advisers in Nottinghamshire on the working of the social fund; and what response he has made.

Mr. Scott: We receive many representations on the working of the social fund. We have received none recently from Nottinghamshire welfare rights advisers. I understand that there is regular liaison between the district offices and many of the advisers in the area.

Pensions

Mr. Booth: To ask the Secretary of State for Social Security how many pensioner households were below the 1979 supplementary benefit level in 1979; and how many were below the 1979 level in the latest year for which the figure is available.

Mr. Burt: Official estimates of the number of pensioner households below the 1979 supplementary benefit levels are only available for 1979. They were published in the low income families—LIF—series. Following a technical review in 1988, LIF was superseded by the households below average income—HBAI—series which provides estimates of the pattern of disposable income across the United Kingdom population and analyses change over time. The latest edition of HBAI, published in 1992, shows a reduction in the number of pensioners in the bottom 10 per cent. of the income distribution from 31 per cent. in 1979 to 14 per cent. in 1988-89, when measured after housing costs—36 and 23 per cent. respectively before housing costs—after adjustment for inflation. Copies of both publications are in the Library.

Giro Cheques

Ms. Helen Jackson: To ask the Secretary of State for Social Security if he will introduce legislation to ensure that Giro cheques that are reported lost can be stopped.

Miss Widdecombe: Under current legislation, the Department has the power to stop Giro cheques at any time before they are cashed.

War Widows

Mr. William Powell: To ask the Secretary of State for Social Security how many pensions are currently being paid to war widows; and how many of those relate to service up to 30 September 1921.

Miss Widdecombe: On 31 March 1993, there were 50,886 war widows' pensions in payment; of these, 2,274 related to service between 4 August 1914 and 30 September 1921.

Pensioners Living Abroad

Mr. Churchill: To ask the Secretary of State for Social Security what would be the cost of extending full inflation-proofed state retirement pensions to those British pensioners aged 80 years and over living in countries with which there is no agreement allowing the payment of United Kingdom pension increases.

Miss Widdecombe: The information is not readily available and could be obtained only at disproportionate cost.

European Court

Dr. Godman: To ask the Secretary of State for Social Security if he will list the names and addresses of all the newspapers to which the Parliamentary Under-Secretary of State sent a copy of his letter dated 7 April to the hon. Member for Greenock and Port Glasgow concerning, inter alia, the recent ruling of the European Court of Justice in case C328/91.

Mr. Scott: The letter was copied to the editors of the *Evening Times*, 195 Albion street, Glasgow G1 1QP, the *Greenock Telegraph*, 2 Crawfurd street, Greenock, and the *West Highland Free Press*, Industrial Estate, Broadford, Isle of Skye, IV49 9AP.

A copy of the letter was also sent to the news and current affairs editor at Scottish Television.

ENVIRONMENT

Greenhouse Gases

Mr. Llew Smith: To ask the Secretary of State for the Environment what recent decisions have been taken at the European Environment Council in regard to the monitoring of the production and discharge of greenhouse gases in the European Community.

Mr. Maclean: I refer the hon. Member to the answer given by my right hon. and learned Friend to my hon. Friend the Member for Reading, West (Sir A. Durant) on 26 March 1993, *Official Report* columns *737-39*.

Carbon Dioxide Emissions

Mr. Robathan: To ask the Secretary of State for the Environment what calculations he has made concerning the contributions that each of the various policy measures now in place could contribute to reducing carbon dioxide emissions between 1990 and 2000, as compared to the predictions made in Energy Paper 59.

Mr. Maclean: The annex to the climate change discussion document, placed in the Library of the House, described measures already in hand at the end of 1992 to reduce CO_2 emissions. The effect of most of these measures were included in the CO_2 projections set out in "Energy Paper 59"—EP 59.

The discussion document also identified a number of new measures, the effect of which would be to reduce emissions below the projected trend in EP 59, by some 3 to 5 MtC. The most important of these is the establishment of the Energy Saving Trust. I refer my hon. Friend to the answer I gave to the hon. Member for Islington, South and Finsbury (Mr. Smith) for a description of these measures and their estimated effect on emissions—*Official Report*, 22 March 1993, column *495*.

In his March Budget statement, my right hon. Friend the Chancellor of the Exchequer announced two measures which will play a significant part in the CO_2 programme. The introduction of VAT on domestic fuel and power, is estimated to lead savings in CO_2 emissions of some 1·5 MtC. The strategy of rising transport fuel duties, with a commitment to increase duties on average by at least 3 per cent. in real terms in future Budgets in addition to the 10 per cent. increases announced in the March Budget, is similarly expected to lead to savings in CO_2 emissions of some 1·5 MtC.

On the basis of EP 59 a projection for CO_2 emissions in the year 2000 of 170 MtC provides a reasonable baseline for our programme. This implies that savings of some 10 MtC will be needed to meet the convention commitment. Taking all the above developments together, some two thirds of Britain's programme is now in place.

Energy Efficiency

Mr. Dowd: To ask the Secretary of State for the Environment what guidelines he has issued to Greater London council successor bodies on energy efficiency.

Mr. Maclean: No guidelines were issued to GLC successor bodies on energy efficiency. However, my Department actively promotes cost effective energy efficiency measures throughout the public sector, including organisations in London. For example, on 10 March, the Energy Efficiency Office organised a conference on energy efficiency in buildings at the Guildhall in the City of London to which the chief executives of all London boroughs were invited.

Mr. Dowd: To ask the Secretary of State for the Environment what is his Department's current strategy on promoting energy efficiency in both new and existing public and private buildings across London.

Mr. Maclean: My Department has a number of programmes in place to promote cost effective energy efficiency measures in the industrial, commercial, domestic and public sectors of the economy. These are not targeted at specific geographical locations; however, events are held in London to directly influence people in the London area, and the south-east regional Energy Efficiency Office promotes energy efficiency in the region. The Office is also involved with many local energy management groups which provide a forum for energy managers to identify their common problems and to find solutions.

Packaging Standards Council

Mr. Llew Smith: To ask the Secretary of State for the Environment what recent communications he has received from, and what recent meetings he has had with, the Packaging Standards Council.

Mr. Maclean: My officials met representatives of the Packaging Standards Council on 15 April to discuss the council's first half-yearly report.

European Environment Ministers

Mr. Llew Smith: To ask the Secretary of State for the Environment what contribution his Department plans to make to the second pan-European conference of Environment Ministers, to be held in Lucerne on 28 to 30 April; what information he has received on the agenda of the meeting to date; and what documentation relevant to the conference he has received from the organising secretariat.

Mr. Maclean: My Department has participated fully in the preparatory process for the "Environment for Europe" conference in Luzern from 28 to 30 April. We have also

helped with a number of analytical studies for the environmental action programme for central and eastern Europe. I shall attend the conference on 28 and 29 April. My right hon. and learned Friend will attend from 29 to 30 April.

The main items on the agenda for discussion are the environmental action programme for central and eastern Europe; innovative instruments of environmental policy; and monitoring, compliance and enforcement in environmental policy.

The executive secretariat has circulated a text of an environmental action programme for central and eastern Europe.

Peat

Mr. Llew Smith: To ask the Secretary of State for the Environment what proposals he has to introduce a levy on peat extraction to fund peat-free substitute products.

Mr. Maclean: None at present.

Development Control

Mr. Llew Smith: To ask the Secretary of State for the Environment how many copies of his Department's joint publication, "Development Control—A Charter Guide", have been published; at what cost; and to whom it has been distributed.

Mr. Baldry: Just over 55,000 of this charter guide have been published, at a total cost of £9,400. Copies have been sent to all planning authorities in England and Wales, to the local authority associations, and to the relevant professional bodies.

Standard Spending Assessment

Mrs. Anne Campbell: To ask the Secretary of State for the Environment which components used in calculation of standard spending assessments are being revised in the current review being undertaken.

Mr. Robin Squire: The primary aim of the current review of standard spending assessments is to incorporate detailed information from the 1991 census into the underlying SSA formulae. We are taking this opportunity in consultation with local authority representatives to consider more widely the range of social factors used within SSAs and the weight placed upon them, the basis of the area cost adjustment, measures of population density and sparsity and the inclusion of day visitors. We are also prepared to consider representations about other aspects of SSAs.

Mrs. Anne Campbell: To ask the Secretary of State for the Environment what representations he has received on the method of calculation of standard spending assessments.

Mr. Robin Squire: We have so far received 33 letters from local authorities responding to our invitation to make representations on the review of standard spending assessments for 1994-95 and to provide evidence to support any proposed changes.

There will be regular meetings between my officials and representatives of the local authority associations until September to discuss the technical aspects of the review.

Council Tax

Mr. Dobson: To ask the Secretary of State for the Environment (1) what estimate he has made as to the amounts payable by his Department to each of the London boroughs for transitional relief in 1993-94;

(2) what estimate he has as to the total amount which will be payable to local authorities in 1993-94 in respect of the transitional relief scheme which accompanied the introduction of the council tax.

Mr. Robin Squire: Using information on household liability drawn from the family expenditure survey, we estimated that the cost of transitional relief nationally would be £340 million in 1993-94. We have made no estimates of the amount of transitional relief grant payable to individual authorities. Local authorities are currently submitting claims in respect of income forgone in respect of 1993-94. Ninety per cent. of each authority's claim will be paid in the current financial year, and the remainder in 1994-95.

Mr. Dobson: To ask the Secretary of State for the Environment by what amount, and in respect of which authorities, his estimate of the amount payable in transitional relief to London boroughs has varied as a result of the changes to the transitional relief scheme of which local authorities were notified by his Department in a letter dated 1 March.

Mr. Robin Squire: We have made no revised estimate of the cost of the scheme since issuing the changes to the grant conditions in the letter of 1 March. A revised estimate of the cost of the scheme will be available once initial claims have been received from all authorities.

Council of Ministers

Mr. Chris Smith: To ask the Secretary of State for the Environment what matters will be discussed at the meeting of Europe's Environment and Energy Ministers in Luxembourg on 23 April; which Minister will represent his Department; and what target will be put before the meeting as Britain's accepted commitment for carbon dioxide reduction.

Mr. Maclean: The joint Council meeting is expected to be devoted principally to discussion of the Community's strategy on climate change, although there may also be some discussion of controls on ozone-depleting substances. I shall be representing the United Kingdom, along with my hon. Friend the Minister for Energy. Under the framework convention on climate change, the United Kingdom will be committed to taking actions aimed at returning emissions of carbon dioxide to their 1990 levels by 2000.

Private Water Supplies

Mrs. Browning: To ask the Secretary of State for the Environment what guidance has been given on the treatment of private water supplies.

Mr. Maclean: A manual on the treatment of private water supplies is being published today by HMSO. I have arranged for copies to be placed in the Library.

It has been produced by the Water Research Centre under a contract steered by the drinking water inspectorate and gives guidance on assessing the suitability of small scale treatment processes.

Housing Transfers

Mr. Stern: To ask the Secretary of State for the Environment when he will publish the names of the authorities to be included in the programme for housing transfers by councils in 1993-94.

Sir George Young: I am today announcing the names of the 13 local authorities that will be able to proceed with proposals to transfer their housing stock, on a voluntary basis subject to the approval of their tenants, to housing associations during 1993-94, in the first year of the new annual transfer programme.

I am delighted that 22 authorities responded to our invitation and am pleased that, because of lower than anticipated Exchequer costs of disposal, it has proved possible to programme 43,000 dwellings compared to the 25,000 dwellings I mentioned when I announced the programme arrangements last February.

The 13 authorities which have successfully gained a place on the 1993-94 disposals programme, together with the intended recipient housing associations are as follows:

- Castle Morpeth District Council (3,430 dwellings) to Cheviot Housing Association;
- Epsom and Ewell Borough Council (1,773 dwellings) to Rosebury Housing Association;
- Hambleton District Council (4,262 dwellings) to Hambleton Housing Association;
- Hart District Council (2,504 dwellings) to Hart Housing Association;
- Havant Borough Council (3,587 dwellings) to Hermitage Housing Association;
- Leominster District Council (1,874 dwellings) to Leomister Marches Housing Association;
- Maidstone Borough Council (4,040 dwellings) to Hazlitt Housing Associations and (4,009) dwellings to Lenway Housing Association;
- Mendip District Council (5,262 dwellings) to Mendip Housing Association;
- Penwith District Council (3,431 dwellings) to Penwith Housing Association;
- Rother District Council (3,479 dwellings) to Downland Housing Association;
- South Ribble District Council (3,600 dwellings) to Progress Housing Association;
- South Shropshire District Council (1,632 dwellings) to South Shropshire Housing Association; and
- Westminster (partial transfer of 649 dwellings) to the Peabody Trust.

The programme comprises some 43,000 dwellings in total, valued at more than £375 million.

Clause 121 of the Housing and Urban Development Bill, currently before Parliament, enables the Secretary of State to control housing stock disposals through such an annual programme. The Bill also contains transitional provisions which allow my right hon. and learned Friend to ensure that the necessary arrangements are in place for the introduction of the first year's programme, once the Bill has received Royal Assent.

Planning Inspectorate

Dr. Blackburn: To ask the Secretary of State for the Environment what performance targets he has set for the Planning Inspectorate agency for the financial year 1993-94.

Sir George Young: The key objectives for the agency in 1993-94 remain to preserve the impartiality and quality of the inspectorate's work while seeking further to improve efficiency. I have set the following further key targets for the agency's work in England:

Timeliness:
(a) 80 per cent. of planning appeals by written representations to be decided within 19 weeks;
(b) To provide an inspector for local plan inquiries on request within 26 weeks of the end of the objection period;

Financial:
(a) Unit costs of planning appeals decided by written representations not to exceed £690;
(b) Recover 90 per cent. of receipts due within eight weeks of invoice date;

Efficiency:
Generate a 3 per cent. efficiency improvement in running costs, as compared with 1992-93;

Quality:
High Court Appeals and/or other justified complaints allowed against inspector's decisions not to exceed 1 per cent. of intake;

Volume:
To determine 19,000 appeals, subject to intake not declining;

Information and Guidance:
To complete a second customer survey by 31 December 1993.

These and other performance targets for the agency will be included in its business plan for 1993-94 which will be published shortly.

Separate targets for the agency's work in Wales are being announced today by my hon. Friend the Parliamentary Under-Secretary of State for Wales.

Regulations

Mr. Sproat: To ask the Secretary of State for the Environment if he will place in the Library a list of all the regulations for which his Department is currently responsible with a descriptive title for each individual regulation.

Mr. Redwood *[pursuant to the reply, 12 February 1993, c. 831]:* My hon. Friend the Parliamentary Under-Secretary of State for Corporate Affairs has today placed in the Library a consolidated list for all Departments of regulations which affect business. The Department's entry includes an explanation of the purpose and impact of each regulation.

Housing (Chelmsford)

Mr. Burns: To ask the Secretary of State for the environment how many additional housing units have been made available in the Chelmsford parliamentary constituency by *(a)* Chelmsford borough council and *(b)* housing associations in the latest three available years.

Mr. Baldry *[holding answer 19 April 1993]:* The information is not collected by parliamentary constituency. The figures for the Chelmsford local authority district are as follows.

Additional housing units (completions): Chelmsford

Provided by	*Chelmsford BC*			*Housing Associations*		
	1990	*1991*	*1992*	*1990*	*1991*	*1992*
New house building	113	146	34	10	11	4
Other[1]	0	0	0	2	0	92
Total	113	146	34	12	11	96

[1] "Off the shelf" purchases and properties rehabilitated for rent or sale.
Source:
DOE P2 return; Housing Corporation.

SCOTLAND

Forestry

Mr. Chris Smith: To ask the Secretary of State for Scotland (1) if he will place in the Library a copy of the proceedings of the group charged with reviewing certain aspects of Government forestry policy whose existence was announced by him on 30 March;

(2) whether members of the public may, at their own cost, attend as observers meetings of the group charged with reviewing aspects of Government forestry policy announced by him on 30 March.

Sir Hector Monro: No. As is the usual practice, the policy advice offered by the forestry review group and the discussions and papers on which it is based will be confidential to Ministers.

Mr. Chris Smith: To ask the Secretary of State for Scotland what provisions exist for professional foresters, experts, other interested parties and members of the public to give evidence for the consideration of the group charged with reviewing aspects of Government forestry policy announced by him on 30 March.

Sir Hector Monro: The forestry review group, which held its first meeting on 31 March, will not be taking formal evidence but those bodies or members of the public who wish to make representations may write to the secretary of the group at the following address:

G S Pearson
Secretary, Forestry Review Group
Room 6/61
New St Andrew's House
EDINBURGH
EH1 3TG

Mr. Chris Smith: To ask the Secretary of State for Scotland when he estimates he will receive a report from the group charged with reviewing aspects of Government forestry policy announced by him on 30 March; and if he will publish that report.

Sir Hector Monro: The forestry review group held its first meeting on 31 March. My right hon. Friend and his fellow forestry Ministers expect to receive a report on a timetable consistent with the existing commitment to complete the review of the effectiveness of incentives for forestry investment by the end of this year.

There are no present plans to publish any of the advice offered by the group to Ministers.

Mr. Chris Smith: To ask the Secretary of State for Scotland if he will list the names of and posts held by the members of the group charged with reviewing aspects of Government forestry policy announced by him on 30 March.

Sir Hector Monro: The forestry review group, established by forestry Ministers, includes the following officials:

Mr. H. H. Mills, Secretary, The Scottish Office Environment Department (Chairman);
Mr. T. R. Cutler, Director General, Forestry Commission;
Mr. D. S. Grundy, Commissioner, Forestry Commission;
Mr. M. L. Williams, Head of Industry, Agriculture and Employment Group, HM Treasury;
Dr. S. Harding, Director of Policy and Resources, Forestry Commission;
Mr. T. J. Osmond, Head of Land Use and Tenure Division, Ministry of Agriculture Fisheries and Food;
Mr. D. R. Thomas, Head of Land, Agricultural Subsidies and Grants Division, Welsh Office Agriculture Department;
Dr. R. Shaw, Head of Rural Development Division, Department of the Environment;
Mr. T. G. Birley, Head of Rural Affairs Division, The Scottish Office Environment Department;
Mr. D. Green, Prime Minister's Policy Unit;
Mr. G. S. Pearson, Rural Policy Coordinator, The Scottish Office Environment Department.

Mr. Chris Smith: To ask the Secretary of State for Scotland, pursuant to his answer of 30 March, *Official Report*, column *150*, to the hon. Member for Staffordshire, Moorlands (Mr. Knox) on forestry *(a)* when the group of officials charged with examining forestry first met and on what subsequent dates meetings were held, *(b)* what dates have been arranged for future meetings, *(c)* how often it will meet and *(d)* what is the estimated cost of the meetings and how this is shared between different Government Departments.

Sir Hector Monro: The forestry review group met first on 31 March and will meet again on 5 May. No firm dates have been set for further meetings. The group will meet as often as necessary to fulfil its task, consistent with the commitment to complete the review of the effectiveness of incentives for forestry investment by the end of this year. No estimates of the cost of its meetings have been made and any such costs will be met, as appropriate, by the Departments represented on the group.

Hunting

Mr. Meale: To ask the Secretary of State for Scotland what assessment he has made of whether all fox hunts that have licences or permits to hunt on Forestry Commission land are fully aware of the terms and conditions; and what arrangements are made to supply copies in writing.

Sir Hector Monro: All permits issued to fox hunts by the Forestry Commission clearly set out the terms and conditions on which they are granted. Copies are signed and retained by the commission and the master or secretary of each hunt. The fox hunts are therefore fully aware of the terms and conditions.

Mr. Meale: To ask the Secretary of State for Scotland what monitoring and supervision procedures are in place to ensure that the terms and conditions of licences issued to hunt on Forestry Commission land are adhered to.

Sir Hector Monro: Forestry Commission staff carry out random checks on hunt days to ensure that the conditions of the licences are being followed.

Mr. Meale: To ask the Secretary of State for Scotland what are the terms and conditions of licences or permits given to *(a)* the New Forest Buckhounds and *(b)* the Surrey Union hunt to hunt on Forestry Commission land; and to which areas of land the licences or permits apply.

Mr. Curry: I have been asked to reply.

Copies of the permits issued by the Forestry Commission to the New Forest Buckhounds and the Surrey Union hunt for the 1992-93 season have been placed in the Library of the House. These incorporate maps which show the areas of land covered by the permits.

Housing

Mr. Welsh: To ask the Secretary of State for Scotland (1) how many properties have been transferred from public sector landlords to landlords approved under section 57(1) of the Housing (Scotland) Act 1988;

(2) how many of the approvals in terms of section 57(1) of the Housing (Scotland) Act 1988 which have been issued by Scottish Homes have been issued to housing associations registered with Scottish Homes;

(3) how many approvals in terms of section 57(1) of the Housing (Scotland) Act 1988 have been issued by Scottish Homes.

Lord James Douglas-Hamilton *[holding answer 14 April 1993]:* Thirteen approvals have been issued by Scottish Homes, including 11 to registered housing associations and co-operatives. Two thousand two hundred and twenty-five properties have been transferred from public sector landlords to approved landlords.

Home Improvement Grants

Mr. Darling: To ask the Secretary of State for Scotland how many applications for home improvement grants made before 1984 remain outstanding in *(a)* Edinburgh, *(b)* Glasgow, *(c)* Dundee and *(d)* Aberdeen; and if he will make a statement.

Lord James Douglas-Hamilton *[holding answer 15 April 1993]:* Information on the number of outstanding applications for home improvement grants received by local authorities is not held centrally.

Mr. Darling: To ask the Secretary of State for Scotland what steps he proposes to take to reduce the backlog of applications for home improvement grants in Scotland; and if he will make a statement.

Lord James Douglas-Hamilton *[holding answer 15 April 1993]:* The Government make available substantial resources to local authorities to fund improvement grants and other investment in private housing. The non-HRA capital allocations for 1993-94 announced on 29 March total £120·5 million. These include £9·030 million which is earmarked to deal with the backlog of pre-1984 improvement and repairs grant applications in Edinburgh.

Language Teaching (Primary Schools)

Mr. Wallace: To ask the Secretary of State for Scotland what plans he has to make any resources available to education authorities in Scotland to promote the teaching of modern languages in primary schools; and if he will make a statement.

Lord James Douglas-Hamilton *[holding answer 19 April 1993]:* Funds of £1·45 million have been allocated in this financial year, as the first stage of our major initiative to extend the teaching of modern languages into primary schools throughout Scotland; £450,000 of that allocation forms part of the specific grant available to education authorities for the in-service training of teachers in 1993-94. The funding provided will allow training packages to be prepared and substantial numbers of primary teachers to begin the courses that will enable them to teach modern languages in their schools.

Written Answers to Questions

Wednesday 21 April 1993

LORD CHANCELLOR'S DEPARTMENT

Duty Solicitors (Northern Ireland)

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department what consideration he has given following the debate on the Police and Criminal Evidence (Northern Ireland) Order on 17 July 1989, *Official Report*, column *171*, to introduce a statutory duty solicitor scheme in Northern Ireland.

Mr. John M. Taylor: Following the introduction of the Police and Criminal Evidence (Northern Ireland) Order, the Law Society of Northern Ireland established panels of solicitors in all police divisions throughout the Province, who were prepared to offer their services to persons detained or attending voluntarily at police stations.

In recognition of the PACE provisions and in order to ensure access to solicitors, regulations were made by the Lord Chancellor to coincide with the commencement of PACE, providing that persons detained or attending voluntarily at a police station should have legal advice and assistance without reference to their financial means and without contributions.

In co-operation with the police and the Law Society, a survey was carried out by the Northern Ireland court service over the second six months of 1991, in respect of the availability of legal representation for persons detained or attending at police stations.

The results of the research indicate that 34 per cent. of persons detained or attending police stations requested legal advice. Of these, 87 per cent. asked for a solicitor known to them; only 9 per cent.—or some 3 per cent. of the total—sought the services of a panel solicitor.

This survey produced no evidence to suggest that there is a significant unmet demand for access to solicitors under the PACE Order. There is no present indication that a statutory scheme is required.

High Court Judges

Mrs. Gorman: To ask the Parliamentary Secretary, Lord Chancellor's Department what proportion of the recently proposed 10 new High Court judges will be women.

Mr. John M. Taylor: Once the necessary parliamentary approval has been obtained, the Lord Chancellor will make his recommendations on individual appointments to the Queen. He will be recommending those who are best qualified to fill each post regardless of sex. Women candidates are among those under consideration.

TRANSPORT

Slough-Windsor Railway Line

Mr. Watts: To ask the Secretary of State for Transport what proposals he is considering for privatisation of the Slough to Windsor railway branch line; and what steps he can take to protect the railway triangle at Slough for future rail use.

Mr. Freeman: It is our intention that all British Rail's passenger services will be franchised to private sector companies, including the Slough to Windsor branch line. We expect to make an announcement within the next few months about the form in which the remaining parts of the passenger rail network in Great Britain will be prepared for franchising. The area of land known as the Slough railway triangle is owned by British Rail. I understand that BR's plans for development on the triangle will not preclude possible future use if necessary in connection with a franchise of the Slough to Windsor line. A corridor of land will remain which would be sufficient for such purpose.

Consultants

Mr. Wilson: To ask the Secretary of State for Transport if he will list those consultants currently engaged by his Department on projects related to rail privatisation, the nature of the projects and the cost thereof.

Mr. Freeman: The consultants and the nature of their work are:

Linklaters and Paines—Legal issues
Samuel Montagu and Co—Merchant Banking
KPMG Peat Marwick—Accountancy
Richard Ellis—Property matters
Dewe Rogerson—Marketing
Coopers and Lybrand—Access charges
PJR—Management and organisation

Most of these consultants are retained on hourly rates which must remain confidential for commercial reasons. The total costs, including completed and expected projects, for the financial years 1991-92, 1992-93 and 1993-94 were given in my answer to the hon. Gentleman of Wednesday 24 February, *Official Report*, column 587. The final outturn for 1992-93 was £5·7 million.

Aston Down

Mr. Redmond: To ask the Secretary of State for Transport what work is currently being carried out by the Civil Aviation Authority at the former Royal Air Force station Aston Down; and if he will make a statement.

Mr. Norris: The Civil Aviation Authority facilities at Aston Down are used for the storage of air traffic control equipment.

London Travelcard

Mr. Wilson: To ask the Secretary of State for Transport when he expects his Department's working group on the future of the London travelcard to complete its deliberations; and if he will publish the results.

Mr. Norris: The working group is exploring with transport operators in both the public and the private sector how the London travelcard is most likely to adapt over the next few years to changes in the provision of

public transport services, including the franchising of rail services and the privatisation and deregulation of bus services. The conclusions will no doubt be reflected in the announcements which will in due course be made, in the usual way, about changes in the operators' fares.

NATIONAL FINANCE

Charities

Mr. Jon Owen Jones: To ask the Chancellor of the Exchequer (1) pursuant to his answer of 17 February, *Official Report*, column *210*, what consideration was given to the Charities Tax Reform Group proposals regarding the introduction of a value added tax refund scheme;

(2) what plans the Government have to introduce a value added tax refund scheme for charities.

Sir John Cope: We considered this proposal very carefully. We concluded that it is better to foster a more favourable tax regime for charitable fund raising and charitable giving rather than introduce more reliefs based on charity spending. This policy provides the greatest benefit to charities perceived by givers to deserve most support rather than to those which happen to spend most on taxable goods and services in the United Kingdom. Total tax reliefs to charities now amount to almost £1 billion a year.

Oil Taxation (Budget Confidentiality)

Mr. Chris Smith: To ask the Chancellor of the Exchequer what evidence he has of breaches of Budget confidentiality in relation to changes to the oil taxation regime; and if he will make a statement.

Mr. Dorrell: None.

Public Expenditure

Mr. Jenkin: To ask the Chancellor of the Exchequer what additional provision for annual recurring public expenditure has been made as a result of rulings of the European Court of Justice in each year since the implementation of the Single European Act.

Sir John Cope: Information is not available on the financial consequences resulting from the rulings of the European Court of Justice or of any annual recurring public expenditure resulting from such rulings.

Postal Services (VAT)

Mr. Bowis: To ask the Chancellor of the Exchequer how much revenue he estimates would be raised if *(a)* Parcelforce and *(b)* the Royal Mail were subject to value added tax.

Sir John Cope *[holding answer 20 April 1993]:* Businesses may reclaim VAT charged. On this basis, the estimated revenue effects are:

(a) negligible.
(b) £180 million.

Mr. Bowis: To ask the Chancellor of the Exchequer what consideration he has given to permitting the Post Office to reclaim value added tax, following the imposition of value added tax on intra-Community transport costs; and what is his estimate of the cost to the Post Office of value added tax on these costs.

Sir John Cope *[holding answer 20 April 1993]:* The Post Office is registered for VAT purposes and is able to reclaim VAT incurred on its purchases subject to the normal rules. On the ground of commercial confidentiality, it would be inappropriate for me to comment on the additional costs incurred by the Post Office as a result of the recent VAT changes in the treatment of intra-EC freight transport service.

Domestic Fuel (VAT)

Mrs. Dunwoody: To ask the Chancellor of the Exchequer how much extra a family with two children on half average earnings will pay per week, when value added tax on domestic fuel is increased to 17·5 per cent.

Sir John Cope: A family with two children on three quarters average earnings would pay about £2·30 per week additional tax, assuming 1993-94 levels of real earnings. Estimates outside the range of 75 to 150 per cent. of average earnings are not available because of the large margins of error associated with small sample sizes and large variations in spending patterns.

Ms Harman: To ask the Chancellor of the Exchequer if he will estimate the increase in annual expenditure due to the introduction of 17·5 per cent. VAT on fuel assuming no behavioural changes for *(a)* someone on mean earnings, *(b)* someone on 75 per cent. of mean earnings, *(c)* someone on 50 per cent. of mean earnings, *(d)* someone on 150 per cent. of mean earnings, *(e)* each income decile of the population, *(f)* each income decile of households and *(g)* each income decile of families.

Sir John Cope *[holding answer 1 April 1993]:* The available information is given in the tables. The figures make no allowance for changes to expenditure patterns due to the introduction of VAT on domestic fuel and power.

Table 1: increase in expenditure on fuel and power by a single person due to imposition of VAT at 17·5 per cent. in 1993-94 prices

Percentage of average earnings	*£ per week*
75	1·75
100	1·90
150	2·30

Notes to table 1:

1. The estimates are based on an equation relating expenditure on fuel and power to total spending derived from the 1991 Family Expenditure Survey and applied to 1993-94 price earnings levels and the 1993-94 income tax and NICs systems on the illustrative assumption that 10 per cent. of disposable income is saved.
2. Average earnings are taken to be average gross weekly earnings of all full time males on adult rates. This is assumed to be £359·80 per week in 1993-94, based on the illustrative earnings growth assumption of 4 per cent. in 1993-94.
3. Estimates are not available outside the earnings range shown due to the large margin of error associated with small sample sizes and large variations in spending patterns.

Table 2: increase in average household expenditure on fuel and power due to imposition of VAT at 17·5 per cent. in 1993-94 prices

Deciles of household income	*£ per week*
1st	2·00
2nd	1·95
3rd	2·10
4th	2·25
5th	2·35

Deciles of household income	*£ per week*
6th	2·40
7th	2·35
8th	2·40
9th	2·45
10th	2·70

Notes to table 2:

1. Figures are based on the last three Family Expenditure Surveys, 1989 to 1991, uprated to 1993-94 prices in line with the growth in consumers' expenditure.
2. Households have been allocated to deciles on the basis of their net income in the survey period adjusted to take account of differences in family composition.
3. Data on expenditure on fuel and power is only available at the level of the household.

Ms Harman: To ask the Chancellor of the Exchequer if he will estimate the total amount paid into the Treasury in VAT on domestic fuel in 1994-95 and 1995-96 by each income decile of *(a)* the population as a whole, *(b)* households and *(c)* families.

Sir John Cope *[holding answer 1 April 1993]:* Table 4.1 of the 1993-94 Financial Statement and Budget Report estimates the projected yield in 1994-95 and 1995-96 from applying VAT to domestic fuel and power as £950 million and £2,300 million respectively. These figures take into account changes in expenditure patterns. They are not available at a decile level.

VAT

Ms Harman: To ask the Chancellor of the Exchequer if he will estimate the total amount paid into the Treasury in VAT in 1987-88, 1992-93 1994-95 and 1995-96 *(a)* by the whole population, *(b)* by each income decile of the population, *(c)* by each income decile of households and *(d)* by each income decile of families.

Sir John Cope *[holding answer 1 April 1993]:* Total net receipts of VAT in 1987-88 were £24,066 million—HM Customs and Excise annual report 1991-92—and are estimated to be £37,400 million in 1992-93—table 1.2, Financial Statement and Budget Report 1993-94. Estimates of total VAT receipts for 1994-95 and 1995-96, consistent with published estimates for 1992-93, are not available. Figures giving a breakdown of total VAT payments in 1987 by decile group are published in the article on the effects of taxes and benefits on household incomes in the May 1990 edition of *Economic Trends*. Similar figures for 1992-93 and later years are not available.

Postal Services (VAT)

Mr. Bowis: To ask the Chancellor of the Exchequer, pursuant to his answer of 29 October 1992, *Official Report*, c. *789* if he has yet held discussions with EC Finance Ministers or the Commission about the value added tax exemption for public postal services; and if he will make a statement.

Sir John Cope *[holding answer 20 April 1993]:* There have been no such discussions and the reply of 29 October remains appropriate.

PRIME MINISTER

Iran and Iraq (Weapons)

Mr. Rogers: To ask the Prime Minister what was the policy of Her Majesty's Government towards export of lethal weapons for Iran and Iraq from 1979 to 1985; and if he will list each occasion on which changes in the policy were announced to the House.

The Prime Minister: Restrictions on the export of lethal weapons to Iran were introduced following the seizure of the American hostages in 1979. Restrictions were introduced on Iraq following the outbreak of the Iran/Iraq conflict in 1980. Guidelines applying to all deliveries of defence equipment to Iran and Iraq were introduced in December 1984. They were announced to the House on 29 October 1985 by my noble and learned Friend, Lord Howe of Aberavon, then Secretary of State for Foreign and Commonwealth Affairs. The guidelines were as follows:

(i) we should maintain our consistent refusal to supply any lethal equipment to either side;
(ii) subject to that overriding consideration, we should attempt to fulfil existing contracts and obligations;
(iii) we should not, in future, approve orders for any defence equipment which, in our view, would significantly enhance the capability of either side to prolong or exacerbate the conflict;
(iv) in line with this policy, we should continue to scrutinise rigorously all applications for export licences for the supply of defence equipment to Iran and Iraq.

Liverpool

Mr. Parry: To ask the Prime Minister what plans he has to visit Liverpool in the near future.

The Prime Minister: I refer the hon. Gentleman to the reply I gave him yesterday at column 178.

WALES

Community Care

Mr. Llew Smith: To ask the Secretary of State for Wales how many copies of his Department's report, "Community Care—Information Pack for the Voluntary and Private Sectors", have been published; to which organisations it has been distributed; and at what cost.

Mr. Gwilym Jones: Three thousand copies of the Welsh Office information pack for the voluntary and private sectors have been published. Packs have been distributed to social services departments, health authorities, family health services authorities, voluntary organisations, and residential and nursing homes in Wales. The total costs of producing and distributing the pack have not yet been finalised, but are expected to be around £22,000.

EDUCATION

Further Education (Special Needs)

Sir John Hannam: To ask the Secretary of State for Education what arrangements there are to ensure that (i) support needs, (ii) transport needs and (iii) maintenance costs of students with disabilities and learning difficulties in further education will be met.

Mr. Boswell: The duties on the further education funding councils and local education authorities to secure further education provision for students with disabilities and learning difficulties require them to take acount of their additional learning support needs. LEAs' duties and powers concerning the provision of transport now include students at colleges in the new further education sector. Students attending courses of further education may apply to their LEA for a discretionary award in respect of their maintenance costs, and full-time and sandwich students aged 19 or over may also seek assistance from the further education access funds.

Sir John Hannam: To ask the Secretary of State for Education how many specialist independent colleges for students with disabilities and learning difficulties in England and Wales make further education provision.

Mr. Boswell: This information is not held centrally.

Sir John Hannam: To ask the Secretary of State for Education how much was spent in England on provision for students with disabilities and learning difficulties in maintained further education colleges in 1992-93; and how much he estimates will be spent by (i) the Further Education Funding Council for England, (ii) training and enterprise councils, (iii) local education authorities and (iv) social services departments on such provision in 1993-94.

Mr. Boswell: It is for the various agencies involved in securing provision for students with learning difficulties and disabilities to determine what resources they should allocate to further education colleges for this purpose. It is not possible to estimate expenditure on such provision, given the discretion generally available to colleges over the use of resources.

Sir John Hannam: To ask the Secretary of State for Education how much was spent on further provision for students with disabilities and learning difficulties from England in specialist independent colleges in 1993; and how much he estimates will be spent by (i) the Further Education Funding Council for England, (ii) training and enterprise councils, (iii) local education authorities and (iv) social services departments on such provision in 1993-94.

Mr. Boswell: It is for the various agencies involved in securing provision for students with learning difficulties and disabilities to determine what resources they should allocate to specialist independent colleges for this purpose. Information on their funding of these institutions is not available centrally.

Sir John Hannam: To ask the Secretary of State for Education how many further education students with disabilities and learning difficulties from England in 1992-93 were attending (i) maintained colleges and (ii) specialist independent colleges; and how many of each of these are expected in 1993-94 to be the responsibility of *(a)* the Further Education Funding Council and *(b)* local education authorities.

Mr. Boswell: In 1991-92, the latest year for which data are available, there were 42,000 further education students classified as having special educational needs attending maintained further education colleges. It is not possible to specify the proportion that will be the responsibility of the Further Education Funding Council or local education authorities from 1993-94.

Information about specialist independent colleges is not available centrally.

NORTHERN IRELAND

Traffic Density

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what is the traffic density revealed in the latest traffic surveys for roads which will benefit from *(a)* the Comber bypass, *(b)* the Balloo road stage 3 Bangor, *(c)* the A5 Burndennett, *(d)* the Ann street/Thomas street, Dungannon, *(e)* the A5 Magheramason, *(f)* the A5 Leckpatrick, *(g)* the Antrim/Ballymena stage 2; *(h)* the Greenmount link, Coleraine, *(i)* the Omagh throughpass stage 2, *(j)* the Belfast urban area plan roads (95/96) and *(k)* the Belfast urban area plan roads (96/97) road schemes.

Mr. Atkins: The information is as follows:

Road scheme	*Roads which will benefit from each scheme*	*Typical daily traffic figure*
(a) Comber By-Pass	A22 Killinchy Road, Comber	4,100
	A22 Belfast Road, Comber	9,525
	A21 Newtownards Road, Comber	14,700
(b) Balloo Road, Bangor Stage 3	Balloo Road (Gransha end)	14,925
	Balloo Road (Rathgael end)	10,300
(c) A5 Burndennet	Route A5	7,100
(d) Anne Street/Thomas Street Dungannon	Market Street, Dungannon	8,400
(e) A5 Magheramason	Route A5	7,100
(f) A5 Leckpatrick	Route A5	7,100
(g) Antrim/Ballymena Stage 2	Route A26	18,500
(h) Greenmount Link, Coleraine	Dunhill Road	15,325
	Castlerock Road	5,400
	Strand Road	10,500
	Laurel Hill/Killowen Street	7,000
(i) Omagh Through-Pass Stage 2	Derry Road	15,000

Road scheme	Roads which will benefit from each scheme	Typical daily traffic figure
(j) Purdysburn Road Stage 1	Purdysburn Road	9,000
(k) (1) Ballymachonaghy Road	Ballymaconaghy Road	1,600
(2) Forster Green Junction	Total traffic using junction	50,000
(3) Balmoral Avenue/Malone Road Junction	Total traffic using junction	39,400

Unemployment Schemes

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland if he will list the schemes operated by Government Departments in Northern Ireland which are designed to alleviate unemployment amongst school leavers; how many benefited from each scheme since its inception; and how many obtained permanent employment as a result.

Mr. Atkins: Responsibility for the subject in question has been delegated to the Training and Employment Agency under its chief executive, Mr. J. S. Crozier. I have asked him to arrange for a reply to be given.

Letter from J. S. Crozier to Mr. Peter Robinson, dated 16 April 1993:

You asked the Secretary of State for Northern Ireland if he would list the schemes operated by government departments in Northern Ireland which are designed to alleviate unemployment amongst school leavers; how many benefited from each scheme since its inception; and how many obtained permanent employment as a result. The Secretary of State has passed your questions to me, as Chief Executive of the Training and Employment Agency, for reply.

I take it that your question refers to labour market measures. The relevant schemes are the Youth Training Programme (YTP), the Job Training Programme (JTP) and the Action for Community Employment Programme (ACE). Through YTP, all 16 and 17 year olds who leave school and are unable to find employment are guaranteed a structured programme of directed and workplace training, lasting up to 2 years, to enable them to compete for available jobs. I have detailed below the average number who each year have benefited from YTP since its inception in 1982 and the number whose destinations are known and who left to take up employment.

	Average occupancy	Leavers to employment
1982-83[1]	8,035	214
1983-84	7,242	3,168
1984-85	7,381	5,017
1985-86	8,079	5,500
1986-87	8,658	5,686
1987-88	8,776	5,787
1988-89	8,880	6,428
1989-90	9,818	6,767
1990-91	12,914	4,223
1991-92	15,480	5,754
1992-93	13,793	6,672
	109,056	55,216

[1] September—March.

Progression into full-time education is also considered a positive outcome for young people. In 1992-93 11% of trainees entered full-time education immediately after leaving YTP.

The Job Training Programme and Action for Community Employment also provide training and employment opportunities to school leavers who are 18 years of age or over and who have been unemployed for 6 months or more. Total participation in these programmes and employment placements were as follows:

Job Training Programme

Year	Average Occupancy	Leavers to Employment
1988-89	517	119
1989-90	1,743	600
1990-91	2,341	1,543
1991-92	2,912	1,813
1992-93	[1]3,930	[1]1,940

[1]These are estimated outturn figures based on February 1993 figures.

Action for Community Employment

Year	Average Occupancy	Leavers to Employment
1981-82	430	[1]—
1982-83	1,270	[1]—
1983-84	2,525	[1]—
1984-85	3,090	[1]—
1985-86	3,890	[1]—
1986-87	6,150	[1]—
1987-88	6,200	[1]—
1988-89	8,600	2,494
1989-90	10,000	3,420
1990-91	10,000	2,750
1991-92	10,000	2,800
1992-93	9,600	[2]—

[1]No figures prior to 1989.
[2]Not yet available.

Unfortunately our records do not differentiate between school leavers and other adult participants of these programmes and I am therefore unable to give you a breakdown of these figures.

I hope that this information is of help.

Water Executive

Mr. McGrady: To ask the Secretary of State for Northern Ireland what consultations took place about the establishment of the Water Executive; and if he will make a statement.

Mr. Atkins: The establishment of the Water Executive was simply an administrative change of title introduced following the Government's announcement of their intention to privatise water and sewerage services in Northern Ireland. Consultation was not therefore necessary.

Disability (Grants) Bill

Mr. William Ross: To ask the Secretary of State for Northern Ireland how he intends to fund the Independent Living (Extension) Fund, the Independent Living (1993) Fund and Motability before the enactment of the Disability (Grants) Bill.

Mr. Hanley: The Disability (Grants) Bill currently before Parliament will allow the Department of Health and Social Services in Northern Ireland to make grants to certain named organisations that help disabled people lead a more independent life in the community. These organisations are the Independent Living (Extension) Fund, the Independent Living (1993) Fund and Motability.

Parliamentary approval of expenditure on grant in aid to the Independent Living Funds will be sought in the 1993-94 main estimate for centrally administered social security (Department of Health and Social Services, vote 5).

Approval for expenditure on a grant to Motability will be sought in the 1993-94 main estimate for administration and miscellaneous services (Department of Health and Social Services, vote 3).

Pending approval, urgent expenditure estimated at £3,100,000 will be met by repayable advances from the Northern Ireland civil contingencies fund.

ENVIRONMENT

Waste Management

Mr. Llew Smith: To ask the Secretary of State for the Environment if he will make a statement on responses received on his Department's Waste Management Paper 26A, published in December 1992.

Mr. Maclean: This paper was issued in draft as part of a second package of consultation documents concerning the new waste management licensing system to be introduced by regulations under the Environmental Protection Act 1990. When published, it will give guidance to waste regulation authorities on how to determine whether to accept the surrender of a licence for a landfill site.

Responses to the draft focused on three main issues: the criteria against which the degree of completion of a site should be judged; the amount of analysis required to assess whether a site is complete and the consequent cost to industry; and problems related to liability after a completion certificate is issued by the authority. In the light of the responses, the Department is revising the paper prior to publication.

Hazardous Chemicals

Mr. Llew Smith: To ask the Secretary of State for the Environment if he will make a statement on the conditions under which planning consent for the storage of hazardous chemicals under the Planning (Hazardous Substances) Act 1990 may become unnecessary if the responsible party managing the chemicals deems them to be a waste material.

Mr. Baldry: The controls in the Planning (Hazardous Substances) Act 1990 do not apply to the presence of substances which are controlled wastes, as defined in section 75(4) of the Environmental Protection Act 1990, or radioactive wastes, as defined in section 18(4) of the Radioactive Substances Act 1960. This is to avoid an unnecessary duplication of statutory control.

Environmental Sustainability

Mr. Llew Smith: To ask the Secretary of State for the Environment what studies on environmental sustainability he has commissioned since the United Nations Conference on Environment and Development.

Mr. Maclean: Much of my Department's research programme relates to questions of environmental sustainability. In addition, we commissioned six background studies for a recent seminar on sustainable development at Green college, Oxford. I shall place copies of these studies, together with the record of the seminar, in the Library.

Sewer Pipes

Mrs. Helen Jackson: To ask the Secretary of State for the Environment if he will introduce legislation to make water companies liable for flood damage from sewer pipes.

Mr. Maclean: Following proposals made by the Director General of Water Services, the Water Supply and Sewerage Services (Customer Service Standards) (Amendment) Regulations 1993, SI.1993 No. 500, which came into effect on 1 April 1993, extended the scope of the water industry's guaranteed standards scheme to provide, among other measures, for the refund of annual sewerage charges, up to a maximum of £1,000, paid by customers who suffer foul flooding of their property. I welcome these improvements to the generally good services that the water companies provide for their customers.

Nuclear Power Industry

Mr. Simon Hughes: To ask the Secretary of State for the Environment what role his Department will be playing in the planned review of the nuclear power industry.

Mr. Maclean: My right hon. Friend the President of the Board of Trade will make an announcement about the planned review later in the year.

Housing Benefit

Mr. William Powell: To ask the Secretary of State for the Environment what is his latest estimate of the number of local authority tenants not in receipt of housing benefit for each local authority in Northamptonshire.

Mr. Baldry: My Department collects information on housing benefit caseload, and this gives an indication of the numbers of tenants not on housing benefit as summarised in the accompanying table. Any further queries concerning the data should be directed to the local authority concerned.

Average data for 1992-93

(i) Local authority	(ii) Estimate of tenants (dwellings minus vacancies)	(iii) Housing benefit caseload	(iv) Tenants not receiving housing benefit (ii)-(iii)
Corby	7,792	3,696	4,096
Daventry	4,085	2,200	1,885
East Northants	4,721	2,450	2,271
Kettering	4,940	3,250	1,690
Northampton	15,793	9,245	6,548
South Northants	3,802	2,100	1,702
Wellingborough	6,009	3,365	2,644
Northamptonshire	47,142	26,306	20,836

Energy Savings Trust

Mr. Chris Smith: To ask the Secretary of State for the Environment what financial contribution has been agreed from his Department for the work of the Energy Savings Trust.

Mr. Maclean: I have nothing to add to the answer I gave the hon. Member on 19 February 1993, *Official Report*, column *382*.

Nematodes

Mr. Dalyell: To ask the Secretary of State for the Environment what assessment he has made of developments in biological control methods of nematodes to kill slugs.

Mr. Maclean: No formal assessment of the proposed use of indigenous nematodes to kill slugs has been made. Their use in biological control is not covered by the Control of Pesticides Regulations (1986). The release of non-indigenous species for this purpose would be controlled by the Wildlife and Countryside Act (1981).

My Department is considering with the Ministry of Agriculture, Fisheries and Food and other Departments whether there is a need for additional controls in this area.

Aggregates

Mr. Simon Hughes: To ask the Secretary of State for the Environment what assessment he has made as to the accuracy of past forecasts of aggregate demand.

Mr. Baldry: The long-term projections of demand are reviewed on a regular basis to ensure that they are as accurate as possible. The accuracy of the projection used as a basis for the present MPG6 was assessed in 1989.

Mr. Simon Hughes: To ask the Secretary of State for the Environment what consideration has been given to the use of economic instruments to raise the price of primary aggregates and lower the price of secondaries in order to provide substitution between them.

Mr. Baldry: The Government have no plans at present to use economic instruments either to raise the price of primary aggregates or lower the price of secondaries.

Mr. Simon Hughes: To ask the Secretary of State for the Environment what is the cost to his Department of all aggregates forecasts commissioned from ECOTEC in the last four years.

Mr. Baldry: The work undertaken by ECOTEC over the four-year period cost £38,125. Additional work by Cambridge Econometrics on long-term economic projections cost £9,100.

Minerals Planning

Mr. Simon Hughes: To ask the Secretary of State for the Environment what consideration was given to the inclusion of an element of demand management in the proposed revision of minerals planning; and if he will make a statement.

Mr. Baldry: The Government's views on demand management for aggregates were set out in the policy issues paper, which was issued with the consultation draft of mineral planning guidance note 6 in January.

Imports

Mr. Simon Hughes: To ask the Secretary of State for the Environment for which imports to industry, other than aggregates, policy is based on detailed 20-year forecasts of supply and demand.

Mr. Baldry: Long-term projections of demand are used to inform the preparation of planning guidance issued by my Department for the minerals used in cement making and for silica sand.

Local Government Staff Commission

Mr. David Evans: To ask the Secretary of State for the Environment when he plans to establish the local government reorganisation staff commission; whom he intends to appoint as its members; and if he will make a statement.

Mr. Robin Squire: My right hon. and learned Friend has today laid an order, made under section 23 of the Local Government Act 1992, to set up a staff commission. The commission, to be known as the Local Government Staff Commission (England), will be established formally on 13 May 1993.

I am inviting the following people to serve as members of the Local Government Staff Commission (England):

Alan Atherton
Colin Jeynes
Judith Lovelace

I have asked Mr. Atherton to serve as chairman.

This is a strong, independent commission whose members have a range of experience in local government and staffing matters.

Environmental Health Officers

Dr. Strang: To ask the Secretary of State for the Environment what was the number of vacancies for environmental health officer posts in each year from 1979 to the latest available date.

Mr. Robin Squire: This information is not held centrally.

Telecommunications Systems

Mr. Purchase: To ask the Secretary of State for the Environment if he will bring forward proposals to ensure that applications for the siting of telecommunications

systems on public and private property are determined by relevant local authority planning committees with a right to refuse permission.

Mr. Baldry: Like other types of development, the installation of telecommunications equipment is subject to planning control. The degree of control depends on the scale of the development. Accordingly, major telecommunications developments require a full planning application and are subject to normal planning control. Other telecommunications developments benefit from a general permission granted by the Secretary of State under the Town and Country Planning General Development Order 1988, as amended, provided that they are carried out in accordance with conditions set out in that order. Local planning authorities may require a planning application to be made in respect of development that would otherwise be permitted, by serving a direction under article 4 of that order; they may be a resulting compensation liability.

We published policy guidance on telecommunications development and an explanation of the operation of permitted development rights for telecommunications equipment, in planning policy guidance note 8, "Telecommunications". That note was published to coincide with the implementation of improved controls from 4 January this year, and following public consultation. We have no plans for any further review.

FOREIGN AND COMMONWEALTH AFFAIRS

Chile

Mr. Rogers: To ask the Secretary of State for Foreign and Commonwealth Affairs on how many occasions since 1980 *(a)* Mr. Carlos Cardoen and *(b)* Mr. Mark Thatcher visited the British embassy in Chile; and what was the date and purpose of each of those visits.

Mr. Garel-Jones: Mr. Carlos Cardoen has made two visits, each at his request. In May 1990, he expressed concern over media reports linking him to the death of Mr. Jonathan Moyle. In July 1992, he discussed his commercial relationship with British companies.

We have no record of any visit by Mr. Mark Thatcher.

British Manufacturing and Research Company

Mr. Rogers: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the relationship between his Department and BMARC in the period from 1980 to 1992.

Mr. Goodlad: The answer to this question could be provided only at disproportionate cost.

Hong Kong

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to ensure that the Governor's recent proposals regarding the future composition of the Legislative Council of Hong Kong remain available for consideration by the Legislative Council without amendment.

Mr. Goodlad: The Governor's proposals for the 1994-95 electoral arrangement in Hong Kong, which the Government support, remain on the table.

It will in due course be up to the Hong Kong Legislative Council to pass the necessary legislation taking all relevant factors into account.

We have said that if we succeed in reaching an acceptable understanding with China we would recommend it to the Legislative Council.

An essential point for us, and for the Governor, is that these elections should be fair, open and acceptable to the people of Hong Kong.

Foreign Affairs Council

Mr. Clappison: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the Foreign Affairs Council held on 5 April.

Mr. Hurd: My right hon. Friend the Minister of State, Foreign and Commonwealth Office represented the United Kingdom at the Foreign Affairs Council on 5 April.

The Council agreed a revised mandate for negotiations on a partnership and co-operation agreement with Russia. This holds out the prospect of a free trade area as a long-term objective. The Council adopted a negotiating mandate for association agreements with the Czech and Slovak Republics. The Council agreed to open accession negotiations with Norway. The negotiations were later launched in the margins of the Council. The Council also agreed a trade and co-operation agreement and financial protocol with Slovenia. Signature of both instruments, and of a transport agreement, took place in the margins.

Sir Leon Brittan reported to the Council on the Commission's recent meetings with United States trade representative Kantor. The Council expressed its full support for the Commission's efforts to find negotiated solutions to individual trade disputes with the United States.

Ministers discussed relations with the European Parliament. The presidency undertook to push for conclusion of an inter-institutional agreement on subsidiarity, and also to take forward work on the European ombudsman. Member states are now discussing the European Parliament's draft proposals on how the ombudsman might function when the treaty of Maastricht enters into force.

The presidency and Commission reported on the troika visit to the middle east.

Foreign Ministers discussed latest developments in the former Yugoslavia, following a briefing from Lord Owen. They underlined the importance of all three parties accepting, and implementing, the Vance-Owen plan. Its continued repudiation by the Bosnian Serbs would have the most severe consequences and lead to the total international isolation of Serbia-Montenegro. Ministers welcomed the United Nations Security Council's preparation of a draft resolution supporting the peace plan and strengthening the sanctions regime, and a decision by WEU Ministers earlier that day to tighten enforcement of the United Nations embargo on the Danube. The Community and its member states would continue to make sanctions more effective. Ministers issued a statement to this effect, which also emphasised their concern about the humanitarian situation in Bosnia and especially the importance of immediate free access for help to eastern Bosnia.

HOME DEPARTMENT

EC Directive

Mr. Haselhurst: To ask the Secretary of State for the Home Department when he intends to implement article 27 of the Council directive 92/50/EEC in relation to his Department.

Mr. Charles Wardle: This article, along with the rest of the Council directive 92/50/EEC, comes into force on 1 July this year and will be fully implemented by the Home Office.

Prostitution

Mr. Redmond: To ask the Secretary of State for the Home Department when he next expects to discuss with the chief constable of South Yorkshire the problems of prostitution in the county; and if he will make a statement.

Mr. Jack: I have no plans to do so at the moment. The investigation of offences is an operational matter for which the chief constable is responsible.

Prisoners (Temporary Leave)

Dr. Spink: To ask the Secretary of State for the Home Department if he will list the number of prisoners given temporary leave from prison, by category of reason for that leave, in the last full year when records were maintained; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the prison service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Dr. Robert Spink, dated 20 April 1993:

The Home Secretary has asked me to write to you in response to your Parliamentary Question about the number of prisoners given temporary leave from prison establishments in England and Wales.

The information which you have requested is not collected on a regular basis centrally at present. A three month survey of the numbers of temporary releases, other than for home leave, was however undertaken between 1 April and 30 June 1991. During this period, the number of temporary releases was 8,276, broken down as shown in the table below. The number of releases is not the same as the number of prisoners given temporary release, since the same prisoner may have been given temporary release on a number of occasions during the period; for example, for outpatient treatment or for job interviews.

Reason for temporary release

	Prisoner security category				
	B	*C*	*D*	*Female*	*Total*
Compassionate (funerals, visits to the terminally ill, marriage etc.)	27	386	138	32	583
Medical (outpatient treatment at outside hospital)	140	710	222	164	1,236
Education, training, work (including college courses, working out, job interviews)	75	3,174	797	684	4,730
Other	10	1,104	575	38	1,727
Total	252	5,374	1,732	918	8,276

Prison Service (Contracting Out)

Ms Ruddock: To ask the Secretary of State for the Home Department what is the estimated value of the contract of the warehousing and distribution function of the suppiy and transport division of the prison service.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the prison service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Ms Joan Ruddock, dated 20 April 1993:

The Home Secretary has asked me to write to you in response to your Parliamentary Question about the value of the contract for the warehousing and distribution and function of the Supply and Transport Division of the Prison Service.

As you will know, it was not possible to negotiate a satisfactory contract with Beck & Pollitzer, who were the contractors originally selected. A service level agreement was therefore awarded to the in-house operation, who were the next best bidders. The operating budget for the warehousing and distribution function is approximately £5·5 million over the 3-year life of the agreement.

Doncaster Prison

Ms Ruddock: To ask the Secretary of State for the Home Department if a prison service bid for Doncaster prison will be sought during the tendering exercise this spring.

Mr. Peter Lloyd: No decision has yet been made.

Market Testing

Mr. Michael: To ask the Secretary of State for the Home Department what guidance will be given to Home Office businesses which will be involved in in-house bids during the market testing period from September 1993 to March 1995.

Mr. Kenneth Clarke: A variety of guidance notes are available, together with access to professional specialisms within the Home Office to enable in-house teams to construct their bids. In addition, limited funds are available to enable Home Office businesses to seek targeted external consultancy assistance where internal resources are unavailable.

European Parliament

Mr. Flynn: To ask the Secretary of State for the Home Department if he will publish the method he intends to adopt to define the boundaries of new seats for the European Parliament.

Mr. Peter Lloyd: Yes, we intend to publish our proposals in due course.

Prisoner Escort Service

Ms Ruddock: To ask the Secretary of State for the Home Department how many prisoners escaped from *(a)* prison and *(b)* court escort in each court region per month in 1990, 1991 and 1992 and each month in 1993 to date.

Mr. Peter Lloyd *[holding answer 19 April 1993]:* Responsibility for this matter has been delegated to the director general of the prison service, who has been asked to arrange a reply.

Letter from Derek Lewis to Ms Joan Ruddock, dated 20 April 1993:

The Home Secretary has asked me to reply to your Parliamentary Question asking how many prisoners escaped from *(a)* prison and *(b)* court escort in each court region per month in 1990, 1991, 1992 and each month in 1993.

The number of prisoners who escaped from prison month by month in each of 1990, 1991, 1992 and 1993 is as follows:

Escapes from prison

	1990	1991	1992	1993
January	5	18	11	12
February	3	29	29	10
March	15	6	18	19
April	22	26	25	18
May	19	29	27	—
June	11	37	24	—
July	20	32	11	—
August	18	24	13	—
September	13	27	24	—
October	17	23	31	—
November	31	30	26	—
December	21	22	15	—
Total	195	303	254	59

I regret that the full information that you require in part (b) of your question is not readily available and could only be gathered at disproportionate cost. The information is recorded against individual prisons rather than court catchment areas and many prisons serve a number of court catchment areas. Information is not available centrally on escapes from court escorts staffed by the police.

The total number of escapes from Prison Service escorts are as follows:

Escapes from Escort

	1990	1991	1992	1993
January	12	11	14	14
February	11	7	8	13
March	11	8	15	13
April	13	18	9	11
May	10	19	6	—
June	3	3	12	—
July	6	17	12	—
August	15	9	9	—
September	3	6	13	—
October	7	14	13	—
November	12	16	20	—
December	16	16	16	—
TOTAL	119	144	147	51

Within the above figures and from information available, the number of prisoners who escaped from court escorts are as follows:

Escapes from court escort

	1990	1991	1992	1993
January	7	6	11	8
February	5	2	3	7
March	6	3	7	3
April	6	8	5	5
May	1	14	—	—
June	2	1	6	—
July	1	10	5	—
August	6	4	3	—
September	1	4	3	—
October	3	7	8	—
November	4	9	3	—
December	8	8	3	—
Total	50	76	60	23

The figures for 1993 are up to and including 16 April 1993.

The above information is derived from incidents reported to the Incident Management Support Unit, a part of the Directorate of Custody.

I hope the above information is of use to you.

Mr. Don Treshman

Mr. Alton: To ask the Secretary of State for the Home Department if he will make a statement about the arrest and detention without charge of Mr. Don Treshman.

Mr. Charles Wardle *[holding answer 20 April 1993]:* Mr. Treshman was served on 29 March with a notice of intention to deport him on the ground that his continued presence in the United Kingdom was not conducive to the public good. He was also detained by virtue of a detention order made under paragraph 2(2) of schedule 3 to the Immigration Act 1971. Mr. Treshman has appealed to the independent immigration appeal tribunal against the deportation decision, and applied to the tribunal for bail pending the hearing of the appeal. Bail was granted on 1 April subject to conditions.

Maastricht Treaty

Mr. Bennett: To ask the Secretary of State for the Home Department what progress has been made in implementing declaration 17 on the right to access to information attached to the Maastricht treaty.

Mr. Garel-Jones: I have been asked to reply.

We understand that the Commission intends to put a paper to the Copenhagen European Council in June containing recommendations to the Council on how to implement the Maastricht declaration on the right of access to information.

SCOTLAND

Fishing Vessels

Mr. Wilson: To ask the Secretary of State for Scotland if he will list the vessels holding pressure stock licences registered in each Scottish port of registration in each of the past four years, and at the latest convenient date in 1993.

Sir Hector Monro: Information on the licensing of individual vessels is commercial in confidence. The

number of vessels holding pressure stock licences in the years 1989 to 1992, and in 1993, as at 16 April, by Scottish port of registration, is shown in the table.

	1989	1990	1991	1992	1993 (at 16 April)
Aberdeen	34	33	37	29	32
Alloa	—	—	—	1	—
Arbroath	30	30	26	22	22
Ayr	8	8	10	11	22
Ballantrae	73	71	72	77	69
Banff	110	108	108	114	117
Broadford	16	16	16	19	17
Buckie	105	104	96	94	85
Campbeltown	38	31	37	37	25
Castlebay	6	14	14	16	16
Dumfries	1	1	2	3	2
Dundee	1	—	—	—	—
Fraserburgh	110	108	136	133	136
Inverness	100	105	96	91	90
Kirkcaldy	48	52	49	50	48
Kirkwall	29	30	25	28	25
Leith	84	82	83	81	80
Lerwick	74	73	68	67	64
Methil	1	1	1	2	2
Montrose	8	8	8	7	8
Oban	54	47	60	61	59
Peterhead	126	118	117	119	121
Rothesay	4	8	7	11	10
Stornoway	3	40	45	48	53
Tarbert	23	14	26	26	26
Troon	1	2	1	2	2
Ullapool	22	24	26	31	31
Wick	35	30	32	26	26
Total	1,144	1,158	1,198	1,206	1,188

Scottish Renewables Obligation

Mr. Ingram: To ask the Secretary of State for Scotland when he will publish the Scottish renewables order; and if he will make a statement.

Mr. Stewart: I hope to make an announcement about the question of a Scottish renewables obligation later in the year.

Used Tyres (Incineration)

Mr. Ingram: To ask the Secretary of State for Scotland what assessment his Department carries out on the environmental impact of the waste-to-energy process involving the incineration of used tyres.

Sir Hector Monro: In determining any application made to him for authorisation in respect of a process involving the incineration of tyres for the production of energy the chief inspector of Her Majesty's industrial pollution inspectorate would consider the environmental impact of the proposed process. Guidance on the criteria he would use in assessing an application is available in process guidance note IPR 1/6: "Combustion Processes —combustion of fuel manufactured from or comprised of tyres, tyre rubber or similar rubber waste in appliances with a net rated thermal input of 3 MW or more." The note is published by HMSO.

TRADE AND INDUSTRY

Travel Agents and Tour Operators

16. **Mr. David Marshall:** To ask the President of the Board of Trade what further steps he is taking to ensure that travel agents and tour operators have sufficient funds to cover their commitments in the event of their ceasing to trade.

27. **Mr. McKelvey:** To ask the President of the Board of Trade what further steps he is taking to ensure that travel agents and tour operators have sufficient funds to cover the risk of collapse.

Mr. Leigh: No further steps are being taken. The Package Travel, Package Holidays and Package Tours Regulations 1992 require that organisers and/or retailers should at all times be able to provide sufficient evidence of security for the refund of money paid over and for the repatriation of the consumer in the event of insolvency.

Post Office

17. **Mr. Cohen:** To ask the President of the Board of Trade what is the planned change in the Post Office contribution to Government finances between *(a)* 1990-91 to 1992-93 and *(b)* 1993-94 to 1995-96.

Mr. Heseltine: I refer the hon. Gentleman to the answer I gave to the hon. Member for Wallasey (Ms Eagle) earlier today.

18. **Mr. Pickthall:** To ask the President of the Board of Trade if he will make a statement on his plans to privatise the Post Office.

26. **Mr. Whittingdale:** To ask the President of the Board of Trade what his plans are for the future of the Post Office; and if he will make a statement.

Mr. Heseltine: I refer the hon. Gentleman and my hon. Friend to the answer I gave to my hon. Friend the Member for Hendon, South (Mr. Marshall) earlier today.

Motor Car Industry

19. **Mr. Hunter:** To ask the President of the Board of Trade if he will make a further statement on the state of the United Kingdom motor car industry.

Mr. Sainsbury: There has been a major expansion in the production capacity of the car industry in the United Kingdom. Exports are holding up well in a difficult European market.

Scott Inquiry

20. **Mr. Dalyell:** To ask the President of the Board of Trade, pursuant to his oral answer of 17 March, *Official Report*, column 271, how many additional pages of evidence his Department has submitted to Lord Justice Scott's inquiry in relation to exports to Iraq.

Mr. Heseltine: My Department is continuing to supply material in response to ongoing requests from Lord Justice Scott.

Post Offices (Pension Payments)

21. **Mr. Macdonald:** To ask the President of the Board of Trade what was the average turnover in rural post offices of retirement pension payments and benefits in the last year for which figures are available.

Mr. Heseltine: Rural offices differ significantly in size. The payment value of pension and benefit transactions is estimated as ranging between £30,000 and £500,000 per annum.

Red Tape

22. **Mr. Patrick Thompson:** To ask the President of the Board of Trade if he will make a statement on his Department's seven private sector task forces for cutting the burden of red tape on industry.

Mr. Neil Hamilton: The seven private sector task forces are now at work. More than 50 business men and women have committed themselves to giving half a day a week to identifying priority areas for the repeal or reform of regulations and making recommendations on how to ensure a continuing business voice in Government decision-making. The task forces are taking evidence from interested bodies and will be reporting regularly to Ministers during their six months period of operation.

Small Businesses

23. **Mr. Fabricant:** To ask the President of the Board of Trade what plans he has to monitor the effect of EC regulations on small and medium-sized businesses.

Mr. Heseltine: The United Kingdom Government will continue to fight in Brussels to avoid unnecessary EC regulations. During our presidency, we secured agreement to a resolution which places pressure on the Commission to take full account of the impact on businesses, and particularly small and medium sized businesses, when drafting its proposals. We will build upon this foundation and ensure that all proposals listed in the European Commission's legislative programme likely to have a substantial impact upon United Kingdom business, are subjected to rigorous examination.

The Government have established a scrutiny of the formulation, implementation and enforcement of EC law in the United Kingdom with the aim of minimising the burdens on United Kingdom businesses, including smaller businesses.

34. **Mr. Thurnham:** To ask the President of the Board of Trade what recent representations he has received about the need ot reduce the burden of regulations on small firms; and if he will make a statement.

Mr. Neil Hamilton: My Department continues to receive, and act on, representations about regulatory burdens on small firms both from individual firms and representative bodies.

As part of the deregulation initiative to reduce the burden of regulations on business, my Department has recently set up seven task forces of business men, organised on a sectoral basis. The task forces, which include representatives from small firms, will advise Ministers on priorities for repeal and simplification with special reference to the needs of small businesses.

Post Offices (Closures)

24. **Mr. Gerrard:** To ask the President of the Board of Trade how many post offices closed in 1992; and how many he expects to close in 1993.

Mr. Heseltine: I understand from the Post Office that in the years 1991-92 and 1992-93 there were net reductions, through closures, of 148 and 202 post offices respectively. The majority of closures occur when the subpostmaster or subpostmistress retires or resigns and Post Office Counters Ltd. is unable to find a suitable replacement.

Textile Exports

25. **Mr. Madden:** To ask the President of the Board of Trade what action he is taking to promote the export of British textiles and clothing.

Mr. Needham: My Department, jointly with the Foreign and Commonwealth Office, provides a wide range of export advice and support which is available to all sectors of United Kingdom industry. I am pleased to say that the clothing and textile industry are major users of our export services.

Manufactured Goods

28. **Mr. John Evans:** To ask the President of the Board of Trade what is his latest estimate of the deficit in trade of manufactured goods for the last 12 months in respect of which figures are available.

Mr. Needham: The United Kingdom had a deficit in trade of manufactured goods of £7·6 billion in 1992.

With the completion of the single market at the end of 1992, routine border requirements and formalities were abolished for trade within the European Community and customs declarations—the source of trade statistics until December 1992—are no longer required. Therefore, at present, it is not possible to provide figures for trade with the European Community for January 1993 onwards.

Detailed statistics on United Kingdom trade in manufactures are regularly published in the "Monthly Review of External Trade Statistics", which is available in the Library of the House.

Japanese Inward Investment

29. **Ms Coffey:** To ask the President of the Board of Trade if he will make a statement about the factors influencing Japanese inward investment in the United Kingdom.

Mr. Sainsbury: Many factors influence Japanese inward investment into the United Kingdom and worldwide. Britain's advantages include a strong industrial infrastructure, a large and sophisticated domestic market, a skilled and dedicated work force and a communication system geared for the modern trading world. These factors have contributed to Britain having almost 41 per cent. of the stock of Japanese foreign direct investment into Europe, according to Japanese Ministry of Finance figures.

Petroleum Revenue Tax

30. **Mr. Peter Atkinson:** To ask the President of the Board of Trade what representations he has received on the impact of the new arrangements for petroleum revenue tax on the offshore industry in the United Kingdom.

Mr. Eggar: Tax issues are a matter for the Chancellor of the Exchequer, but, to date, I have received around 50 separate representations, both written and oral, from companies, organisations and individuals in the oil and gas industry, mainly about the impact of the changes on exploration and appraisal activity and the future development of the North sea.

Companies (Receivership)

31. **Mrs. Jane Kennedy:** To ask the President of the Board of Trade how many companies have been placed into receivership since 1989 in the north-west region.

39. **Ms Estelle Morris:** To ask the President of the Board of Trade how many companies have been placed into receivership since 1989 in the west midlands region.

Mr. Neil Hamilton: There is no regional breakdown of official statistics on companies placed into receivership. The total number of companies placed into receivership, in England and Wales, during the three years from 1 April 1989 was 16,096.

Timeshare Contracts

32 **Mr. Purchase:** To ask the President of the Board of Trade what plans he has to outlaw downpayments on the signing of timeshare contracts following the meeting of the EC Consumer Council on 2 March.

Mr. Leigh: I have no such plans. A ban on down payments in timeshare contracts before the end of any cooling-off period is, however, among the proposals being discussed in the context of the negotiation of the draft timeshare directive.

Balance of Trade

33. **Mr. Grocott:** To ask the President of the Board of Trade what recent assessment he has made of movements in the United Kingdom's balance of trade during the past 14 years.

Mr. Needham: The United Kingdom current account deficit as a percentage of GDP has averaged 0·6 per cent. over the last 14 years.

In 1992, the United Kingdom had a current account deficit of £11·8 billion, equivalent to 2·3 per cent. of GDP. The deficit has been falling since 1989, when it peaked at 4·9 per cent. of GDP.

The recent sterling depreciation gives United Kingdom producers a competitive edge against foreign producers in both export and domestic markets, provided they keep costs down and continue to raise their quality.

Coal Mine Licensing Regime

35. **Dr. Kim Howells:** To ask the President of the Board of Trade when he last met representatives of the coal industry to discuss the mine licensing regime currently operating.

Mr. Eggar: My right hon. Friend and I meet representatives of the coal industry as necessary to discuss a range of issues including coal mine licensing.

Development Areas

36. **Mr. Canavan:** To ask the President of the Board of Trade how many representations he has received to date about the redrawing of the development area map; and if he will make a statement.

Mr. Sainsbury: It is my intention to issue a complete list of those individuals and organisations which have put forward views under the consultation arrangements, when the announcement of the new assisted areas map is made. The only exceptions will be any views put forward to us in confidence. All representations received which are not confidential are available for inspection at specified offices in my Department and the Scottish and Welsh Offices.

Biomass

37. **Mr. Ancram:** To ask the President of the Board of Trade what representations he has received about using biomass for energy generation; and if he will make a statement.

Mr. Eggar: Numerous representations have been made about biomass as a renewable energy source both directly and through the consultation process for the Renewable Energy Advisory Group.

Aerospace Industry

38. **Dr. Lynne Jones:** To ask the President of the Board of Trade whether he will now publish the report of his Department's aerospace committee on the future of the United Kingdom aerospace industry; and if he will make a statement.

Mr. Sainsbury: The report on the future of the United Kingdom aerospace industry prepared by DTI's aviation committee—the national strategic technology acquisition plan for aeronautics—contains commercially sensitive information and is, therefore, not available for publication.

Regional Assistance

Mr. William Powell: To ask the President of the Board of Trade if he will list those companies in the Corby area which have qualified for regional selective assistance since 1 April 1991 and the value of regional selective assistance in the same period.

Mr. Sainsbury: In this period 1 April 1991 to 31 March 1993, the following companies in the Corby travel-to-work area accepted offers of regional selective assistance:

Eismann International Ltd.
Solway Foods Ltd.
TLC Distribution (Corby) Ltd.
Unit Two Glass Ltd.
Zeller Plastik UK Ltd.

The list is limited to those companies where details of their projects were publicised in the *Employment Gazette*.

The value of regional selective assistance accepted by companies in the Corby travel-to-work area since 1 April 1991 is as follows:

Value of RSA accepted

	£'000
1991-92	803
1992-93	588

National Welsh Omnibus Services Ltd.

Mr. Morgan: To ask the President of the Board of Trade, pursuant to his answer of 8 March, *Official Report*, column 408, if he has received the additional information and clarification requested from the receivers of the national Welsh bus company; and what further responses or actions he proposes.

Mr. Neil Hamilton: The information requested from the administration receivers of National Welsh Omnibus Services Limited was received on 19 April 1993 and is currently under consideration by the insolvency service.

Adtec (Wales) Ltd.

Mr. Morgan: To ask the President of the Board of Trade if he has received the receiver's report on the insolvency of Adtec (Wales) Ltd.; and what further proposals for action he has.

Mr. Neil Hamilton: The joint administrative receivers' return under rule 4 of the Insolvent Companies (Reports on Conduct of Directors) No. 2 Rules 1986, received on 7 January 1992, did not contain information making it expedient in the public interest to seek an order disqualifying the company's directors.

Shipbuilding Intervention Fund

Mr. Sumberg: To ask the President of the Board of Trade what changes he proposes to make to the rules governing the shipbuilding intervention fund.

Mr. Sainsbury: As a result of representations made by the Shipbuilders and Shiprepairers Association, I have examined the rules of the shipbuilding intervention fund. Since the inception of the scheme in 1977, shipbuilders have not been allowed to make a profit on such contracts, which had to be taken at break-even prices. However, where a shipbuilder could show that he had made a profit as a result of an improvement in efficiency, he was allowed to retain 50 per cent. of the profit, the remainder being clawed back by the Department. I have now decided that it is desirable that shipbuilders should benefit from any profit they make, and the rules of the scheme have been simplified to allow grant from the fund to be paid at the maximum permitted level for the size of ship, less 2 per cent. for shipbuilders relief. based on the actual final cost, provided that the sum does not exceed the amount specified in the offer letter. The change took effect on 1 April.

HEALTH

Breast Cancer

Mrs. Mahon: To ask the Secretary of State for Health if she will supply numbers and comparative rates for deaths and registrations of deaths by health authority districts in England and Wales on female breast cancer since the present district health authority areas were established.

Mr. Sackville: The information is shown in the table. Deaths included are those with an underlying cause of malignant neoplasm of the female breast—ICD 174 ninth revision—and district health authorities as constituted in 1991. The death rates are based on the DHA population estimates for 1986, except for the DHAs indicated which are based on 1991.

District Health Authority	*Deaths from female breast cancer, 1982-1991*	*Annual death rate per 10,000 females*
Northern RHA		
Hartlepool DHA	224	4·82
North Tees DHA	362	4·04
South Tees DHA	607	4·10
East Cumbria DHA	436	4·76
South Cumbria DHA	434	4·87
West Cumbria DHA	332	4·80
Darlington DHA	297	4·68
Durham DHA	546	4·53
North West Durham DHA	231	5·20
South West Durham DHA	410	5·24
Northumberland DHA	728	4·73
Gateshead DHA	509	4·78
Newcastle DHA	742	5·11
North Tyneside DHA	559	5·57
South Tyneside DHA	405	5·04
Sunderland DHA	648	4·23
Yorkshire RHA		
Hull DHA	762	4·83
East Yorkshire DHA	594	6·07
Grimsby DHA	423	5·22
Scunthorpe DHA	546	5·53
Northallerton DHA	266	4·77
York DHA	629	4·73
Scarborough DHA	436	5·81
Harrogate DHA	388	5·53
Bradford DHA	718	4·16
Airedale DHA	453	5·06
Calderdale DHA	487	4·88
Huddersfield DHA	526	4·81
Dewsbury DHA	362	4·30
Wakefield DHA	336	4·61
Pontefract DHA	384	4·51
Leeds DHA	1,729	4·72
Trent RHA		
North Derbyshire DHA	969	5·27
Southern Derbyshire DHA	1,448	5·43
Leicestershire DHA	2,129	4·81
North Lincolnshire DHA	755	5·55
South Lincolnshire DHA	855	5·61
Bassetlaw DHA	316	6·02
Central Nottinghamshire DHA	742	5·14
Nottingham DHA	1,669	5·31
Barnsley DHA	534	4·74
Doncaster DHA	724	4·94
Rotherham DHA	573	4·48
Sheffield DHA	1,480	5·39
East Anglian RHA		
Cambridge DHA	693	5·05
Peterborough DHA	487	4·71
West Suffolk DHA	557	4·92
East Suffolk DHA	840	5·17
Norwich DHA	1,326	5·53
Great Yarmouth DHA	594	5·90
West Norfolk and Wisbech DHA	558	5·96
Huntingdon DHA	204	3·14
North West Thames RHA		
North Bedfordshire DHA	593	4·82
South Bedfordshire DHA	577	4·18
North Hertfordshire DHA	507	5·36
East Hertfordshire DHA	742	5·01
North West Hertfordshire DHA	619	4·65
South West Hertfordshire DHA	682	5·43
Barnet DHA	870	5·48
Harrow DHA	517	4·96
Hillingdon DHA	625	5·27
Hounslow and Spelthorne DHA	730	5·07
Ealing DHA	678	4·50
Parkside DHA	[1]86	[1]5·65
Riverside DHA	720	4·72
North East Thames RHA		
Basildon and Thurrock DHA	674	4·73
Mid Essex DHA	687	4·71

District Health Authority	Deaths from female breast cancer, 1982-1991	Annual death rate per 10,000 females
North East Essex DHA	965	6·27
West Essex DHA	709	5·51
Southend DHA	1,073	6·43
Barking, Havering and Brentwood DHA	1,352	5·76
Hampstead DHA	323	5·59
City and Hackney DHA	440	4·45
Newham DHA	507	4·81
Tower Hamlets DHA	378	4·95
Enfield DHA	703	5·11
Haringey DHA	468	4·65
Redbridge DHA	699	5·93
Waltham Forest DHA	611	5·45
Bloomsbury and Islington DHA	[1]50	[1]3·97
South East Thames RHA		
Brighton DHA	1,043	6·62
Eastbourne DHA	870	7·04
Hastings DHA	674	7·58
South East Kent DHA	852	6·25
Canterbury and Thanet DHA	1,006	6·36
Dartford and Gravesham DHA	586	5·25
Maidstone DHA	484	4·89
Medway DHA	794	4·84
Tunbridge Wells DHA	594	5·85
Bexley DHA	568	5·04
Greenwich DHA	572	5·05
Bromley DHA	870	5·70
West Lambeth DHA	383	4·57
Camberwell DHA	535	4·85
Lewisham and North Southwark DHA	862	5·21
South West Thames RHA		
North West Surrey DHA	570	5·37
West Surrey and North East Hampshire DHA	599	4·34
South West Surrey DHA	520	5·49
Mid Surrey DHA	549	6·30
East Surrey DHA	592	6·18
Chichester DHA	698	7·36
Mid Downs DHA	764	5·48
Worthing DHA	943	7·15
Croydon DHA	780	4·79
Kingston and Esher DHA	536	5·79
Richmond, Twickenham and Roehampton DHA	695	5·74
Wandsworth DHA	462	4·76
Merton and Sutton DHA	1,013	5·83
Wessex RHA		
East Dorset DHA	1,654	7·07
West Dorset DHA	611	6·04
Portsmouth and South East Hampshire DHA	1,349	5·08
Southampton and South West Hampshire DHA	1,151	5·41
Winchester DHA	560	5·34
Basingstoke and North Hampshire DHA	466	4·28
Salisbury DHA	343	5·49
Swindon DHA	473	4·07
Bath DHA	1,075	5·31
Isle of Wight DHA	425	6·50
Oxford RHA		
East Berkshire DHA	833	4·58
West Berkshire DHA	999	4·51
Aylesbury Vale DHA	324	4·52
Wycombe DHA	709	5·14
Milton Keynes DHA	278	3·42
Kettering DHA	668	5·16
Northampton DHA	731	4·78
Oxfordshire DHA	1,225	4·54
South Western RHA		
Bristol and Weston DHA	1,013	5·35
Frenchay DHA	588	5·23
Southmead DHA	612	5·17
Cornwall and Isles of Scilly DHA	1,406	6·01
Exeter DHA	956	6·06
North Devon DHA	380	5·64
Plymouth DHA	815	4·91
Torbay DHA	916	7·26
Cheltenham and District DHA	583	5·37
Gloucester DHA	895	5·67
Somerset DHA	1,270	6·20
West Midlands RHA		
Bromsgrove and Redditch DHA	380	4·60
Herefordshire DHA	480	6·16
Kidderminster and District DHA	242	4·69
Worcester and District DHA	697	5·76
Shropshire DHA	997	5·03
Mid Staffordshire DHA	740	4·77
North Staffordshire DHA	1,335	5·69
South East Staffordshire DHA	632	4·98
South Warwickshire DHA	623	5·46
East Birmingham DHA	538	5·37
North Birmingham DHA	498	5·97
West Birmingham DHA	506	4·74
Coventry DHA	739	4·72
Dudley DHA	783	5·14
Sandwell DHA	844	5·48
Solihull DHA	512	4·96
Walsall DHA	716	5·42
Wolverhampton DHA	670	5·27
South Birmingham DHA	1,186	5·44
North East Warwickshire DHA	637	4·92
Mersey RHA		
Chester DHA	482	5·28
Crewe DHA	630	5·02
Halton DHA	346	4·78
Macclesfield DHA	499	5·42
Warrington DHA	437	4·76
Liverpool DHA	1,282	5·12
St. Helens and Knowsley DHA	768	4·26
Southport and Formby DHA	394	6·27
South Sefton DHA	445	4·77
Wirral DHA	994	5·38
North Western RHA		
Lancaster DHA	363	5·38
Blackpool, Wyre and Fylde DHA	1,049	6·23
Preston DHA	305	4·74
Blackburn Hyndburn and Ribble Valley DHA	654	4·72
Burnley Pendle and Rossendale DHA	534	4·54
West Lancashire DHA	252	4·60
Chorley and South Ribble DHA	502	5·12
Bolton DHA	632	4·72
Bury DHA	499	5·62
North Manchester DHA	391	5·29
Central Manchester DHA	280	4·54
South Manchester DHA	471	5·01
Oldham DHA	580	5·15
Rochdale DHA	509	4·65
Salford DHA	678	5·52
Stockport DHA	794	5·29
Tameside and Glossop DHA	661	5·25
Trafford DHA	586	5·22
Wigan DHA	739	4·72
Wales		
Clwyd DHA	1,225	5·92
East Dyfed DHA	691	5·86
Pembrokeshire DHA	278	4·86
Gwent DHA	1,176	5·21

District Health Authority	Deaths from female breast cancer, 1982-1991	Annual death rate per 10,000 females
Gwynedd DHA	754	6·19
Mid Glamorgan DHA	1,404	5·13
Powys DHA	321	5·69
South Glamorgan DHA	1,042	5·11
West Glamorgan DHA	996	5·30

[1] Areas reconstituted in 1990 and mortality data available only for 1991.

Alzheimer's Disease

Mr. Llew Smith: To ask the Secretary of State for Health what assessment she has made of the effect on the care for sufferers of Alzheimer's disease of the new community care programme; and what representations she has received from the Alzheimer's Disease Society.

Mr. Yeo: The new community care arrangements give local authorities an opportunity to improve support for all groups, including people with Alzheimer's disease.

Prescriptions (Limited List)

Mr. Jon Owen Jones: To ask the Secretary of State for Health what mechanism the Government proposes for the expansion of the limited list; and what effects he expects this expansion to have on the health of patients.

Dr. Mawhinney: The Government have identified 10 additional categories of drugs for the selected list scheme. Decisions on which individual drugs may no longer be available on national health service prescription will be taken on the advice of the independent Advisory Committee on NHS Drugs. This will ensure that drugs to meet real clinical needs can be provided as economically as possible under the NHS. The health of patients will not be adversely affected.

Mr. Jon Owen Jones: To ask the Secretary of State for Health what estimate she has made on the effect of the United Kingdom pharmaceutical industry and the consequent effect on public expenditure of the limited list changes in respect of drugs active on the skin.

Dr. Mawhinney: The selected list scheme is intended to help control the rise in the national health service drugs bill. The decision to extend the scheme to include additional categories of drugs, including drugs acting on the skin, will strengthen this objective and help to limit the growth of public expenditure. We cannot at this stage assess the specific effect of the selected list scheme separately from the many other factors influencing the pharmaceutical industry in the United Kingdom and other markets.

Resource Management

Mr. Redmond: To ask the Secretary of State for Health what is the total cost to date of introducing resource management in England; and what is current annual cost benefit return on the investment.

Mr. Sackville: The total of funds made available in the years 1988-89 to 1993-94 to regional and special health authorities to introduce resource management will be £293·584 million.

The resource management programme aims to secure improvements in patient care through better management of resources at hospital level and is not concerned solely with financial benefits. Assessment of benefits is an integral part of resource management projects in individual hospitals, but there has been no comprehensive national survey of those assessments.

Fire Certificates

Mr. Redmond: To ask the Secretary of State for Health if she will consider holding centrally information on national health service premises which fail to hold a valid fire certificate.

Mr. Sackville: Local fire authorities are responsible for enforcing fire precautions in those parts of national health service premises designated under the Fire Precautions Act 1971 which require a fire certificate. It would be inappropriate for this information to be collected by the Department.

For clinical areas and other parts of hospitals not requiring a fire certificate general managers and chief executives are required to confirm to the Department that their fire precaution arrangements have been agreed with the local fire authority.

Mental Illness

Mr. Jon Owen Jones: To ask the Secretary of State for Health when she expects the review team on mental illness in the community to report; and whether community treatment orders on schizophrenic patients will be considered by the review team.

Mr. Yeo: The terms of our review of the case for new legal powers relating to the care of mentally ill people in the community were announced in the reply my right hon. Friend the Secretary of State gave to my hon. Friend the Member for Canterbury (Mr. Brazier) on 13 January, col. *731*. The team has been asked to complete its work by July. It will take account of the full range of views which have been submitted on this subject.

Drugs Bill

Mrs. Anne Campbell: To ask the Secretary of State for Health what is the total cost of the national health service drugs bill, expressed in 1992-93 prices, in each year since 1982.

Dr. Mawhinney: The information is shown in the table. The total national health service drugs bill comprises expenditure by the family health services and the hospital and community health services.

NHS Drugs Bill—England

£ million

Year	FHS	HCHS	Total
1982-83	1,736	421	2,157
1983-84	1,859	438	2,297
1984-85	1,865	436	2,301
1985-86	1,892	440	2,332
1986-87	1,982	458	2,440
1987-88	2,094	480	2,574
1988-89	2,216	483	2,699
1989-90	2,316	493	2,809
1990-91	2,296	508	2,804
1991-92	2,398	612	3,010

Note: 1992-93 figures are not yet available.

Russia and Kazakhstan

Mr. David Atkinson: To ask the Secretary of State for Health if she will make a statement on her recent visit to Russia and Kazakhstan.

Mrs. Virginia Bottomley: There is much appreciation of the British health care system in both Russia and Kazakhstan. Both countries wish to take advantage of British know how in health care.

In Moscow I had lengthy and very encouraging discussions with Colonel General Nechaev, the new Health Minister, who is head of both the military and civil health systems. We signed the new health co-operation agreement which provides a sound basis for future co-operation. There was also great interest in the operation of the national health service in the United Kingdom and the recent health reforms. I have therefore invited Colonel General Nechaev to London to see the operation of the NHS at first hand.

Colonel General Nechaev accompanied me to Ekaterinburg in the Urals region of Sverdlovsk. This is the main centre of activity of the British Health Care Consortium which is offering the local government a complete health care package through an ingenious system of counter trade. The NHS, through NHS Overseas Enterprises, is also providing expert planning advice and training in health care management.

I was delighted to be able to announce the extension of the know-how fund into health care management and Ekaterinburg as one of the areas to receive help. The activities I saw underline the importance of this development.

In Almaty I had a 40-minute meeting with President Nazerbayev of Kazakhstan. The President is keen to put more substance into his country's relations with Britain and to see British industry involved in the health care sector. I had meetings with Mr. Devyatko, the Health Minister and signed a joint declaration on relations in the health care field. The consortium also signed a collaborative agreement with the Ministry of Health and Amersham International signed a protocol on vaccine production.

NHS Trusts

Mr. Hutton: To ask the Secretary of State for Health (1) what national health service trusts allow community health councils to attend board meetings as observers;

(2) which national health service trusts hold their regular board meetings in public.

Dr. Mawhinney: National health service trusts are obliged by law to hold at least one public meeting each year and local community health councils retain the right to visit trust facilities. We are aware that many trusts go beyond the legal requirements on public access. However, provided that the legal requirements are met, the frequency of public meetings and attendance at them is a matter for individual trusts and the detailed information requested is not available centrally.

Youth Treatment Service

Mr. Riddick: To ask the Secretary of State for Health when she will publish the report of the advisory group on the youth treatment service; and if she will make a statement.

Mr. Yeo: The first annual report is being published today, and copies have been placed in the Library. I welcome the publication of this report and I am grateful to the chairman, Mrs. Winifred Tumim, and her group for producing a constructive and helpful summary of the issues.

The report demonstrates that the youth treatment service has made good progress since the events which led to the setting up of the group. I am confident that under the new management arrangements for the service introduced last April, progress will continue. The Government are committed to ensuring that children and young people are treated properly wherever they live; and the recommendations in this report should help to ensure that the rights of young people in the youth treatment service continue to be adequately safeguarded. I have asked the chief executive of the service to implement the recommendations, and he has reflected this in his service annual plan for 1993-94, copies of which are also being placed in the Library.

Medical Work Force

Mr. Faber: To ask the Secretary of State for Health if she will accept the recommendations of the medical manpower standing advisory committee contained in its report, "Planning the Medical Workforce".

Dr. Mawhinney: I am pleased to be able to announce that my right hon. Friend the Secretary of State has accepted this Committee's recommendations and has written to Professor Campbell, the chairman of the Medical Manpower Standing Advisory Committee, today to thank him and the committee for their helpful report. The target intake for medical students in the United Kingdom will be increased to 4,470 from October 1994.

NHS Review

Mr. Duncan: To ask the Secretary of State for Health, pursuant to her answer of 23 November 1992, *Official Report*, column *503*, if she will now announce the results of the review of her Department's requirements for information from the NHS.

Mrs. Virginia Bottomley: In order to reduce the burden of form-filling on the national health service, it has been decided that the Department will no longer require the NHS to provide the following returns:

KH18 Maternity services: GP maternity clinics (only relates to the few clinics held in hospitals).
KP20 Summary of ward stays (provides an inappropriate measure of activity)
KP72 Regular day and night admissions (this information is not used centrally)
FR19 Purchase of health care from non-NHS bodies and grants to voluntary bodies (this information is not used centrally)
FR26 Analysis of stocks (this information is not used centrally)
FR27 Fixed Assets (this information is not used centrally)
MAO1 Provider activity (this monthly information was collected on a trial basis and is no longer required for management purposes)

It has also been agreed that the detailed content of other returns should continue to be reviewed to ensure that the burden on the NHS is fully justified. Changes to take effect in April 1994 will be announced in due course.

Inheritances

Mr. Duncan: To ask the Secretary of State for Health if the Registrar General will release personal information from the returns from censuses less than 100 years old to assist individuals establish their entitlement to an inheritance.

Mr. Sackville: Census returns for England and Wales which are less than 100 years old are closed to public inspection. Those from the 1921 and more recent censuses are in the custody of the Registrar General and are subject to the Census (Confidentiality) Act 1991. The Registrar General does not release any personal information from the returns for those censuses as long as they are in his custody.

The returns from the 1901 and 1911 censuses have been deposited at the Public Records Office. There is statutory provision for a record held by the Public Records Office to be inspected if special authority is given.

Under concessions previously announced to the House, information on an individual's age and place of birth is made available from the 1901 census on application to the Office of Population Censuses and Surveys and for a charge corresponding to the cost of supplying it. This is conditional on the consent of the person concerned or of a direct descendant in the case of a deceased person, or next of kin if the person died childless. This facility is also available to a public administrator trustee seeking a beneficiary under a will.

The Registrar General has reviewed his practice. While he is not prepared to extend to the 1911 census returns the concession which applies to the 1901 census, he would be willing to consider particular applications for information to be extracted from those returns if it would enable the applicant to establish a legal entitlement such as an inheritance. Such authority would be given only where the information is not available from any other source and is clearly requisite for establishing the entitlement in question. The Registrar General would wish to be fully satisfied from documentary evidence as to the identity of the applicant. Where the desired information from the census form relates to a living person other than the applicant, that person's consent would be required before the information would be released.

The same conditions would apply to applications for information from the 1901 census which went beyond the existing concession relating to age and birthplace.

The applicant would be required to meet the cost of making the search and, where the search is successful, of supplying the information.

These arrangements do not constitute any diminution of the confidentiality accorded to the records in conformity with the assurances printed on the forms of return for the censuses in question.

Knee Replacement Implants

Mr. Flynn: To ask the Secretary of State of Health what plans she has to issue advice to patients regarding the most reliable knee replacement implants.

Mr. Sackville: I refer the hon. Member to the reply I gave him on 16 April at column *745*.

Care and Adoption, Barnsley

Mr. Illsley: To ask the Secretary of State for Health how many children were *(a)* taken into care by Barnsley metropolitan borough council, *(b)* placed for adoption by that authority against the wishes of the parents and *(c)* placed for adoption during each year since 1990, and in the current year to date.

Mr. Yeo: In the year ending 31 March 1991, 197 children came into the care of Barnsley metropolitan borough council. A child may have more than one legal status in a year; in terms of the last legal status recorded, 132 children were received into care under section 2 of the Child Care Act 1980, 52 were committed to care by court order, and 13 remanded or detained in care.

In respect of children placed for adoption, the information available centrally is the number of children who were in care and had been placed for adoption. At 31 March 1991, two children had been placed for adoption. Information is not available centrally on whether the children were placed for adoption against the wishes of the parents.

Information about the children looked after by Barnsley metropolitan borough council for the period ending 31 March 1992 is still being processed; I will write to the hon. Member giving details when they are available. Information relating to the year ended 31 March 1993 is not due to be returned to the Department until 30 June 1993.

At-risk Register, Barnsley

Mr. Illsley: To ask the Secretary of State for Health how many children are currently on the at-risk register in Barnsley metropolitan borough.

Mr. Yeo: There were 373 children on the child protection register in Barnsley metropolitan borough at 31 March 1992. Information relating to 31 March 1993 is not due to be returned to the Department until 31 May 1993.

EMPLOYMENT

Labour Statistics

Mr. Wilson: To ask the Secretary of State for Employment what was *(a)* the number and *(b)* percentage of persons out of work and eligible to claim benefit in the Cunninghame, North constituency in each month since June 1987.

Mr. McLoughlin: Unemployment rates are not available for parlimentary constituencies. The smallest geographical areas for which unemployment rates are officially compiled are travel-to-work areas.

Information on the number of persons in each month claiming unemployment related benefits in the Cunninghame, North constituency can be obtained from the NOMIS database in the Library.

These figures are on the unadjusted basis and therefore subject to seasonal influences and changes in the coverage of the count over the period.

Mr. David Evans: To ask the Secretary of State for Employment how many people have been unemployed for more than one year.

Mr. McLoughlin: In January 1993, the latest date for which figures are available, 1,030,283 claimants in the United Kingdom had been unemployed for over one year. These figures are on the unadjusted basis.

Age Discrimination

Mr. Spellar: To ask the Secretary of State for Employment if she will bring forward proposals to prevent discrimination on grounds of age for those aged between 40 and 64 years.

Mr. McLoughlin: Employers who discriminate on the grounds of age miss out on the skills, experience and commitment which older people can bring to a job. Age, however, can affect different people's abilities to do different jobs in different ways. Legislation which attempted to provide for this would be difficult to draft and impossible to enforce. I am confident that the recently formed advisory group on older workers, which I chair, will help greatly in persuading employers who discriminate that it is in their own best interests to treat everyone on their merits, regardless of their age.

Construction Industry

Mr. Nicholas Winterton: To ask the Secretary of State for Employment what has been the change in the number of jobs in the construction industry over the last five-year period.

Mr. McLoughlin: Between December 1987 and December 1992 the number of employees in the construction industry in the United Kingdom fell by 149,000.

High Technology Training

Mr. Leighton: To ask the Secretary of State for Employment what was the average weekly unit price of HTNT; and what was the average length of a course.

Mr. McLoughlin: The planned average weekly unit cost of high technology national training payments to trainees, was £75 per trainee in 1992-93. The average length of a course in the same year was 49 weeks.

Careers Guidance (Diploma)

Mrs. Anne Campbell: To ask the Secretary of State for Employment (1) how many people are presently training for part I of the diploma for careers guidance, both full and part-time;

(2) how many people currently on the part I diploma for careers guidance courses are *(a)* seconded by employers, *(b)* in receipt of local education authority awards, *(c)* in receipt of a local government management board training award and *(d)* self-financing.

Mr. McLoughlin: The diploma in careers guidance is the responsibility of the local government management board, the advisory body to local authorities, although my Department makes a contribution towards funding some students. I have obtained from it the following information:

	Numbers
Number of students, including part-time, currently taking part I of Diploma in Careers Guidance	508
Of these, the number	
(a) seconded by employers (LEAs)[1]	138
(b) in receipt of LEA grant	158
(c) in receipt of LGMB Training Award	84
(d) self-financing	128

[1] Funding source may be LEA alone, or combined with LGMB or Employment Department.

These figures apply to the United Kingdom and are for courses commenced in September/October 1992 and in January/February 1993. They are based on the registration forms completed by students.

HOUSE OF COMMONS

Parliamentary Questions

Mr. Llew Smith: To ask the Lord President of the Council when he expects to reply to the third report of the Select Committee on Procedure, Session 1990-91, on Parliamentary Questions (HC 178).

Mr. Newton: I hope to submit the Government's response in the near future.

DUCHY OF LANCASTER

Food Research Institutes

Dr. Strang: To ask the Chancellor of the Duchy of Lancaster if he will list the institutes of food research which have closed since 1979, with their respective dates of closure.

Mr. Jackson: The Bristol laboratory of the Institute of Food Research, formerly the AFRC Meat Research Institute, closed on 31 December 1990.

Institute of Food Research

Dr. Strang: To ask the Chancellor of the Duchy of Lancaster if he will list total Government expenditure on the Institute of Food Research for each year from 1978-79 to 1992-93 in *(a)* cash and *(b)* constant prices; and if he will set out projected Government expenditure on the Institute of Food Research for each year from 1993-94 to 1996-97 in (i) cash and (ii) constant prices.

Mr. Robert Jackson: The Institute of Food Research did not come into being until the financial year 1985-86. Food research was previously carried out in the Meat Research Institute, Food Research Institute and the National Institute for Research in Dairying which were amalgamated into the Institute of Food Research. Recurrent science budget expenditure in the Institute of Food Research and its pre-cursors from 1978-79 is given in the table:

Year	*Cash prices* £ *million*	*Constant prices* £ *million*
1978-79	5·4	15·0
1979-80	6·3	15·0
1980-81	8·0	16·1
1981-82	9·5	17·5
1982-83	10·3	17·7
1983-84	10·8	17·8
1984-85	11·6	18·2
1985-86	9·6	14·3
1986-87	10·7	15·4
1987-88	10·9	15·0
1988-89	11·4	14·5
1989-90	11·4	13·6
1990-91	11·3	12·8
1991-92	10·9	11·3
1992-93	11·8	11·8
[1]1993-94	11·7	11·4

[1] Planned.

Figures for the years 1994-95 to 1996-97 are not available.

DEFENCE

Nuclear Supplies

Mr. Simpson: To ask the Secretary of State for Defence whether he will separately identify the nuclear supplies and services referred to at paragraph 2 of the introduction in his Department's Supply Estimates 1993-94, class I, vote 3; and if he will make a statement as to why those items have not been identified in the estimate.

Mr. Aitken: It would not be in the national interest to reveal the cost of the defence nuclear programme. For this reason such costs are not separately identified in supply estimates.

Military Equipment

Mr. Simpson: To ask the Secretary of State for Defence what is the liability in relation to the supply of military equipment to an overseas Government referred to in paragraph 11(c) of the introduction to his Department's Supply Estimates 1993-94, class I, vote 3; and if he will make a statement.

Mr. Aitken: I refer the hon. Member to the Command Paper (Cmnd 9746) of 26 February 1986, a copy of which is available in the Library of the House.

Ozone-depleting Substances

Mr. Llew Smith: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Woodspring (Dr. Fox) of 15 March, *Official Report*, column *73*, if he will list the critical applications of ozone-depleting substances considered essential to his Department's work; what are the annual amounts of each substance involved in each application; and to what extent there are any losses to the atmosphere of process emissions.

Mr. Aitken: My Department considers only those applications of ozone-depleting substances that meet the following UNEP halon technical options committee essential use criteria as critical:

"A critical need must exist to minimise damage due to fire, explosions or extinguishing agent application, which would otherwise result in serious impairment of an essential service to society, or pose an unacceptable threat to life, the environment, or national security; and

All other appropriate fire protection measures have been taken".

These applications can be found in, inter alia, installed equipments on ships, aircraft and in armoured vehicles. This list is under continuous review. Some 252 tonnes of halons and 425 tonnes of CFCs will be banked to support these critical applications. To preserve these and stocks within systems stringent measures are in place to reduce emissions to the atmosphere.

D-Notice Committee

Mr. Wilson: To ask the Secretary of State for Defence what is the current membership of the D-Notice Committee; and what salary is paid to each member.

Mr. Archie Hamilton: The membership of the Defence, Press and Broadcasting Committee is as follows:

Chairman
Sir Christopher France, KCB, Permanent Under-Secretary of State, Ministry of Defence

Vice-Chairman
A. C. D. Stuart, Esq, former Editor-in-Chief, Thomson Regional Newspapers[1]

Government representatives
Sir Clive Whitmore, KCB, CVO, Permanent Under-Secretary of State, Home Office
Moray Stewart, Esq, CB, Second Permanent Under-Secretary of State, Ministry of Defence
Sir Timothy Daunt, KCMG, Deputy Under-Secretary of State, Foreign and Commonwealth Office

Press and broadcasting representatives
J. D. Bishop, Esq, Editor-in-Chief, Illustrated London News Group[2]
G. Elliott, Esq, Editor, "The News", Portsmouth[1]
R. Hutchinson, Esq, Publishing Director, Jane's Information Group[2]
S. Kuttner, Esq, Managing Editor, "News of the World"[3]
E. J. Laird, Esq, Editor-in-Chief, "Daily Record & Sunday Mail", Glasgow[4]
S. Purvis, Esq, Editor-in-Chief, Independent Television News
B. Shrimsley, Esq, Associate Editor, "Daily Express"[3]
D. Trelford, Esq, Editor, "The Observer"[3]
C. T. Webb, Esq, Editor-in-Chief, The Press Association[5]
To be nominated, British Broadcasting Corporation

Secretary
Rear Admiral D. M. Pulvertaft, CB

Note: None of the representative members of the Committee receive any remuneration for the services to the Committee.

Notes:[1] Representing The Newspaper Society.
[2] Representing The Periodical Publishers Association.
[3] Representing The Newspaper Publishers Association.

[4] Representing The Scottish Daily Newspaper Society.
[5] Representing The Press Association.

Mr. Wilson: To ask the Secretary of State for Defence how often the D-Notice Committee met in the past 12 months.

Mr. Archie Hamilton: The Defence, Press and Broadcasting Committee met twice in 1992; on 29 April and 20 October. I understand that its next meeting is scheduled for 6 May.

Mr. Wilson: To ask the Secretary of State for Defence when he expects the review of the D-Notice Committee procedures to be completed; and if he will make a statement.

Mr. Archie Hamilton: I understand that the Defence, Press and Broadcasting Committee will be considering the progress of the D-notice review when it meets in early May.

Civil Service Relocation

Sir David Steel: To ask the Secretary of State for Defence if it remains his policy to transfer 700 defence-related jobs from the south of England to Glasgow as part of the Government's civil service dispersal programme.

Mr. Archie Hamilton: No final decision has yet been taken on the location of the Army personnel centre, but Glasgow remains a candidate to receive this work. If Glasgow is chosen, jobs will be relocated from the midlands and the north as well as the south of England.

Guards Officers

Mr. Gareth Wardell: To ask the Secretary of State for Defence if he will make it his policy to exclude consideration of the socio-economic group of the parents of guardsmen when appointments to officer rank are made.

Mr. Archie Hamilton: Commissions throughout the Army are awarded on the basis of merit. Selection for individual regiments is based upon the discretion of the regimental colonel, who may well take account of how well an individual applicant is likely to fit into the ethos of a particular regiment. In the case of the Guards, some 18 per cent. of the total number of officers have been commissioned from the ranks.

RAF Hangar (Cosford)

Mr. Higgins: To ask the Secretary of State for Defence how much it will cost to convert the RAF hangar at Cosford which at present contains the indoor running track for use as an aircraft technical training facility.

Mr. Archie Hamilton: Conversion work is to be put out to contract and disclosure of estimated costs would comprise the tender process. A financial appraisal indicated however that the cost of converting the hangar would be less than half the cost of providing new functional accommodation.

Telecommunications Aerials

Mr. Ainger: To ask the Secretary of State for Defence (1) what discussions he has had with telecommunications companies concerning the erection of telecommunication aerials for use by organisations other than his Department;

(2) how many telecommunication aerials have been constructed on his Department's property for use by private companies in the last five years; and where they are sited.

Mr. Aitken: It is our policy to encourage the use of our facilities by private companies where this is compatible with defence needs. Details of these numerous arrangements are not held centrally and could be provided only at disproportionate cost.

Airbus

Mr. Barry Jones: To ask the Secretary of State for Defence (1) if he proposes to purchase a version of the European airbus for the role of multi-role tanker transport; and if he will make a statement;

(2) if he will investigate the prospects of adapting the airbus series of jets for military roles; and if he will make a statement.

Mr. Aitken: The RAF will need to replace its VC-10 tanker transport fleet early next century. A number of commercial passenger aircraft types, including Airbus variants, could be suitable for conversion. It will be some time, however, before the draft requirement is ready to be discussed with industry, and Airbus will then be fully considered.

Service Children's Schools

Mr. Matthew Banks: To ask the Secretary of State for Defence if he will make a statement on the key targets for 1993-94 which have been set for the Service Children's Schools (North West Europe) Defence Agency.

Mr. Archie Hamilton: The chief executive of Service Children's Schools (North West Europe)—SCS (NWE)—has been set the following key targets for 1993-94, the agency's third year of operation:

1. To continue the implementation, so far as is feasible in the British Forces Germany (BFG) situation, of the Education Reform Act to the statutory timetable laid down for England and Wales by:
   - *(a)* Introducing the National Curriculum to SCS (NWE) by subject and Key Stage.
   - *(b)* Introducing pupil assessment by subject and Key Stage.
   - *(c)* Implementing Teacher Appraisal.
2. To continue to implement the SCS (NWE) "Schools for the Future" Development Plan in line with BFG drawdown and to action the following:
   - *(a)* Issue guidance regarding the admission of Non-Entitled pupils and adult learners.
   - *(b)* Make provision for support services to schools during, and beyond the drawdown process.
   - *(c)* Implement child protection procedures in all remaining schools.
   - *(d)* Work towards improved provision for pre-school children with special needs.
   - *(e)* Implement the Service Children's Education Authority policy and procedures for health and safety in schools.
3. To produce Management and School Development Plans reflecting the introduction of Local Management of Schools

into SCS (NWE) to enable "taut" full cost financial and management planning within an agreed budget and to achieve annual efficiency savings of at least 3 per cent.

4. To maintain the overall pass rate at GCSE (grades A-G) and to improve the proportion of students gaining 'A' level grades A-E by 2 percentage points, and to achieve an 80 per cent. pass rate in BTEC First Diploma courses, whilst extending the range of vocational courses available to post 16 students as alternatives to 'A' level courses, to attract a larger proportion of 16-19 and mature students.

5. To ensure that all teachers meet at least 2 of the 4 qualification match criteria for their post with at least 95 per cent. meeting 3 and 90 per cent. all 4. The criteria are:

(a) A recognised professional qualification.
(b) Relevant specialist subject to phase qualifications.
(c) Broad and relevant previous teaching experience.
(d) Relevant post-entry in-service training.

6. To continue to implement Parents Charter requirements for:

(a) An annual progress report to parents.
(b) A transfer report on change of school.
(c) Keeping parents informed of relevant education developments.
(d) Standard Attainment Test and external examination results reported to parents annually.
(e) The introduction of parental choice of schools in SCS(NWE).

7. To submit an application for a Charter Mark by 30 June 1993.

8. To develop the role of Schools Advisory Committees including training members in order to match their function with Governing Bodies of schools in United Kingdom.

SOCIAL SECURITY

Means-tested Benefits

Mr. Knox: To ask the Secretary of State for Social Security, pursuant to his answer of 19 March *Official Report*, column *420*, showing the numbers and percentages of families receiving one or more means-tested benefit in 1979 and 1991, what are the comparable figures for single people without children; and whether the percentages in his reply refer to supplementary benefit/income support caseload or the specified demogrant groups.

Mr. Burt: Information in percentage terms cannot be given as there are no figures available for the total population of single people without children. Other information is in the table.

Single people without children	*Recipients (000's)*	
Benefit	*1979*	*1991*
Supplementary Benefit (SB)/Income Support (IS) including those with Housing Benefit (HB) and Community Charge Benefit (CCB).	1,970	2,826
Housing Benefit including those with CCB but not those with IS.	—	1,156
Community Charge Benefit not including those with IS or HB.	—	881
All single people without children in receipt of one or more means-tested benefit.	1,970	4,863

Notes:
1. All figures rounded to the nearest thousand.
2. There are no overlaps between the categories of recipients shown.
3. Housing Benefit and Community Charge did not exist in 1979.

Source:
Supplementary Benefits—Annual Statistical Enquiry May 1979.
Income Support—Annual Statistical Enquiry May 1991.
Housing Benefit/Community Charge Benefit—Management Information System (Annual 1 per cent. sample) May 1991.

Lost Giro Cheques

Mrs. Helen Jackson: To ask the Secretary of State for Social Security what is the average time for the replacement of a lost Giro cheque.

Miss Widdecombe: I understand from Mr. Michael Bichard, the chief executive of the Benefits Agency, that the information is not readily available and could be obtained only at disproportionate cost.

Housing Benefit

Mr. William Powell: To ask the Secretary of State for Social Security if he will list the most recently available figure for the housing benefit live load in each district of Northamptonshire; and what are the costs involved.

Mr. Burt: The latest information available is as follows:

Authority	*Caseload February 1993*	*Benefit expenditure 1991-92 (£ thousand)*
Corby	5,087	4,865
Daventry	2,855	2,826
East Northamptonshire	3,444	3,223
Kettering	4,536	5,423
Northampton	[1]12,366	17,665
South Northamptonshire	2,616	3,010
Wellingborough	4,814	5,257

[1] November 1992.

Sources: Housing Benefit Management Information System 1991-92 Final Claims.

Child Support Act 1991

Mr. Jon Owen Jones: To ask the Secretary of State for Social Security what arrangements he has made to exempt women resident in refuges for battered women from having to go through the Child Support Act 1991 procedures in order to give evidence that harm and undue distress may result from the fathers of their children being pursued for maintenance.

Mr. Burt: I refer the hon. Member to my reply to the hon. Member for Bow and Poplar (Ms Gordon) on 11 March at column *697*.

Bronchitis and Emphysema

Mr. Hanson: To ask the Secretary of State for Social Security when he expects to implement the Industrial Advisory Council recommendations with respect to chronic bronchitis and emphysema.

Mr. Scott: I refer the hon. Member to the reply given to my hon. Friend the Member for Brentwood and Ongar (Mr. Pickles) on 29 March 1993 at column *77*.

Ms Helen Jackson: To ask the Secretary of State for Social Security when forms for claims for occupational health benefits for miners in respect of emphysema and bronchitis will be available in all DSS and Benefits Agency offices.

Mr. Scott: The administration of social security is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member and a copy will be placed in the Library.

Letter from Michael Bichard to Ms Helen Jackson, dated 20 April 1993:

As Chief Executive of the Benefits Agency it is my responsibility to answer questions about relevant operational matters. I am therefore replying to your recent Parliamentary Question to the Secretary of State for Social Security asking when forms for claims for occupational health benefits for miners in respect of emphysema and bronchitis will be available in all DHSS and benefits agency offices.

As announced in the House of Commons on 29 March, the Government propose to extend the list of prescribed diseases to include chronic bronchitis and emphysema in relation to underground coal miners. This change is intended to take effect from 13 September 1993. Claims can be made for disablement under the industrial injuries scheme at any time, but claims for these diseases made before the change takes effect will not be successful. District Offices will have full instructions and claim forms will be available in good time for the start date.

I hope you find this reply helpful. A copy will appear in the Official Report and a copy will also appear in the Library.

SERPS

Mr. Dewar: To ask the Secretary of State for Social Security what is his latest estimate of the long-term savings which will arise as the result of the phasing out of the best 20 years rule for calculating SERPS pensions.

Miss Widdecombe: The best available estimate[1] is as follows:

	Savings £ billion[2]
1993-94	0
2003-2004	0
2013-2014	0
2023-2024	3
2033-2034	8
2043-2044	11
2053-2054	13

[1] Supplied by the Government Actuary's Department
[2] Approximate savings at April 1989 prices.

Income Support

Mr. Dewar: To ask the Secretary of State for Social Security, pursuant to his answer of 1 April, *Official Report*, column *419*, if he will give a breakdown of the number of claimants and dependants on income support by standard region; and if he will give equivalent figures for the past three years.

Mr. Burt: Such information as is available is in the tables. The latest year for which regional figures are available is 1991.

Income support recipients claimants, partners and dependants

000s

Region	*Claimants*	*Partners*	*Dependants*
1989			
North Eastern	684	133	362
London North	607	104	319
South Western	268	41	111
Wales	246	44	123
Midlands	668	130	365
North Western.	662	115	366
Scotland	486	81	232
London South	540	77	261
Great Britain	4,161	724	2,138
1990			
North Eastern	674	122	341
London North	638	107	348
South Western	274	43	115
Wales	248	44	133
Midlands	665	123	362
North Western	643	105	356
Scotland	481	70	226
London South	558	78	271
Great Britain	4,180	691	2,151
1991			
North Eastern	688	121	406
London North	735	131	424
South Western	310	59	155
Wales	257	46	138
Midlands	699	131	403
North Western	669	105	381
Scotland	487	69	249
London South	641	101	342
Great Britain	4,487	763	2,497

Sources:
Income Support Statistics Annual Enquiries, May 1989, 1990, 1991.

Notes:
1. All figures have been rounded to the nearest thousand, and so may not sum to the totals given.
2. Information is not available for the standard statistical regions. Figures are therefore given by Social Security regions.
3. "Partners" are people living with the claimant as a married couple.
4. "Dependants" are young people aged under 19 who live in the parental home.

Investigations

Mr. Hinchliffe: To ask the Secretary of State for Social Security, pursuant to his answer of 16 March, *Official Report*, column *214*, how many of the cases of social security investigations in *(a)* England and *(b)* Yorkshire and Humberside resulted in identified overpayments (i) inclusive of prosecutions for fraud and (ii) exclusive of prosecutions for fraud.

Miss Widdecombe: The administration of benefit fraud is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available and a copy will be placed in the Library.

Letter from Michael Bichard to Mr. David Hinchliffe, dated 20 April 1993:

As Chief Executive of the Benefits Agency, it is my responsibility to answer questions about relevant operational matters. I am therefore replying to your recent Parliamentary Question to the Secretary of State for Social Security asking, pursuant to his answer of 16 March 1993, Official Report, column 214, how many of the cases of social security investigations in (a) England and (b) Yorkshire and Humberside resulted in identified overpayments (i) inclusive of prosecutions for fraud and (ii) exclusive of prosecutions for fraud.

The last full year for which figures are available is the year ending 31 March 1992. The figures for the year ending 31 March 1993 will shortly be available and I will be pleased to write to you again with these details when I receive them. However, during the year ending 31 March 1992 a total of 40,674 investigations in England resulted in an identified

overpayment. Included in this figure are 5,685 identified overpayments in the Yorkshire and Humberside area. I am unable to provide details of those overpayment cases that resulted in prosecution for fraud as our statistics are not kept in this way.

I hope you find this reply helpful. A copy will appear in the Official Report and a copy will also be placed in the Library.

Social Fund

Mr. Simpson: To ask the Secretary of State for Social Security (1) what percentage of budgeting loans in Nottinghamshire in 1992-93 were refused because the applicant has not received income support for 26 weeks;

(2) how many applications for *(a)* a local social fund review and *(b)* a social fund inspectorate review were made from claimants in North, West and East Nottinghamshire Benefit Agency offices during 1992-93; and what percentage in each case were successful;

(3) how many applicants *(a)* for a community care grant were offered a budgeting loan instead and *(b)* for a social fund loan were offered a community care grant, in Nottinghamshire in 1992-93;

(4) how many crisis loans and budgeting loans were allocated in Nottinghamshire during 1992-93.

Mr. Scott: The administration of the social fund is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member and a copy will be placed in the Library.

Letter from Michael Bichard to Mr. Alan Simpson, dated 20 April 1993:

As Chief Executive of the Benefits Agency, it is my responsibility to answer questions about relevant operational matters. I am therefore replying to four of your recent Parliamentary Questions to the Secretary of State for Social Security about the operation of the Social Fund in Nottinghamshire. All figures provided are for the period 1 April 1992 to 28 February 1993, the latest period for which information is available.

The percentages of budgeting loan applications refused because the applicant had not been in receipt of Income Support for 26 weeks are 10·6% for East Nottinghamshire District, 13·9% for North Nottinghamshire District and 9·4% for West Nottinghamshire District.

Figures relating to the number of applications for review and the percentage which resulted in an increased award are in Annex A.

I am unable to answer the Question as to how many applicants for a community care grant were offered a budgeting loan as such information is not kept as a matter of course. However, I can advise you that 834 loan applications in the three Nottinghamshire Districts have resulted in the award of a grant.

The total number of crisis loans awarded by the three Nottinghamshire Districts is 9,606 and that for budgeting loans is 12,737.

I hope you find this reply helpful. A copy of this letter will appear in the *Official Report*. A copy will also be placed in the Library.

Annex A

Data for the period 1 April 1992 to 28 February 1993

	East Notts.	*North Notts.*	*West Notts.*
1. Applications for local review	1,216	654	1,256
Percentage where award increased at stage 1	14·1	12·1	28·5
Percentage where award increased at stage 2	16·0	11·0	8·4
2. Applications for SFI review	140	58	109
Percentage where award increased	22·9	19·0	37·6

Notes:

Stage 1. Review conducted in the office, usually by the officer who made the original decision.

Stage 2. Reviews which do not result wholly in the applicant's favour are referred automatically to a higher grade officer, who determines the application afresh.

Mr. Simpson: To ask the Secretary of State for Social Security (1) which benefit agencies were able to pay crisis loans only towards the end of the 1992-93 financial year;

(2) what is the administrative cost of *(a)* a crisis loan allocation and *(b)* a budgeting loan allocation;

(3) what were the *(a)* percentage success rates for crisis loans and *(b)* average community care grants paid for (i) East Nottinghamshire benefit agency and (ii) North Nottinghamshire benefit agency for 1991-92; and what analysis has been made of the reasons underlying the differences;

(4) what were the percentage success rates for *(a)* community care grants and *(b)* budgeting loans for 1991-92 for Nottinghamshire benefit agency offices; and what are the reasons for the difference.

Mr. Scott: The administration of the social fund is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member and a copy will be placed in the Library.

Letter from Michael Bichard to Mr. Alan Simpson, dated 20 April 1993:

As Chief Executive of the Benefits Agency, it is my responsibility to answer questions about relevant operational matters. I am therefore replying to four of your recent Parliamentary Questions to the Secretary of State for Social Security about the Social Fund.

Two of your questions relate to the national situation. Firstly, the latest available costings for processing applications for crisis loans and budgeting loans are £18·95 and £12·06 respectively. Applications include awards and refusals. You will appreciate that the costs of administering a discretionary scheme are high, as each application involves a comprehensive consideration of the applicant's individual circumstances.

Secondly, you also asked about Benefits Agency Districts which were only paying crisis loans towards the end of the 1992-93 financial year. I can confirm that all Districts continued throughout the year to meet all the highest priority applications generally.

Your other questions asked for information specific to Districts in Nottinghamshire. The average community care grant paid by East Nottinghamshire District in 1991-92 was £284. The figure for North Nottinghamshire was £255.

Details of percentage success rates for crisis loans, community care grants and budgeting loans for the Nottinghamshire Districts during the 1991-92 financial year are given in Annex A.

It is inevitable that there will be some variation in numbers and amounts of awards in a discretionary scheme like the Social Fund. I should emphasise that the vast majority of community care grant refusals are because the application fails to meet the basic criteria for an award.

I hope you find this reply helpful. A copy of this letter will appear in the Official Report and a copy will also be placed in the Library.

Annex A

Percentage success rates for crisis loans, community care grants and budgeting loans for Nottinghamshire Districts in 1991-92

Percentage

District	*CL*	*CCG*	*BL*
East Nottinghamshire	81	22	53
North Nottinghamshire	61	23	51
West Nottinghamshire	94	26	54

Notes:
CL—Crisis loan.
CCG—Community care grant.
BL—Budgeting loan.

Benefits

Mr. Knox: To ask the Secretary of State for Social Security if he will publish figures showing the numbers and percentages of families receiving one or more means-tested benefit in 1979 and the latest available year.

Mr. Burt: The information requested is in the table.

000s Per cent.

Benefit	*1979 Recipients (Note 2)*	*1991 Recipients*
Supplementary Benefit (SB)/ Income Support (IS) (including those with Housing Benefit (HB) and Community Charge Benefit (CCB)) (Note 8)	488 (6·8)	1,320 (19·5)
Family Income Supplement (FIS)/ Family Credit (FC) (including those with HB and CCB)	79 (1·1)	347 (5·1)
Housing Benefit (HB) (including those with CCB but not those with IS or FC)	—	143 (2·1)
Community Charge Benefit (not including those with IS or FC or HB)	—	99 (1·5)
All families in receipt of one or more means-tested benefits	567 (7·9)	1,909 (28·2)

Notes:
1. For the purposes of the answer, families are defined as couples or single people with children.
2. These figures represent the number in each category as a percentage of the total number of families in the population which is based on the number of Child Benefit recipients.
3. There are no overlaps between the categories of recipients shown, except for a small element of double counting between the SB/IS and FIS/FC figures.
4. There are no comparable statistics available for schemes similar to Housing Benefit and Community Charge Benefit that existed in 1979.
5. The FIS figures for 1979 are for November of that year. All other figures are for May of the respective years.
6. All figures have been rounded to the nearest thousand.
7. In 1988 Income Support replaced Supplementary Benefit and Family Credit replaced Family Income Supplement.
8. This category includes a small number of people who were in remunerative work and receiving FC prior to being awarded IS. Family Credit will remain in payment until the end of the current award, but will not be renewed if IS remains in payment.

Source:
Supplementary Benefit—Annual Statistical Enquiry May 1979.
Income Support—Annual Statistical Enquiry May 1991.
Family Income Supplement—Table 32.05 Social Security Statistics 1980.
Family Credit—Family Credit Statistical System May 1991.
Housing Benefit/Community Charge Benefit—Management Information System (Annual 1 per cent. sample).

AGRICULTURE, FISHERIES AND FOOD

State Veterinary Service

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many state veterinary service staff there were on 1 January as *(a)* qualified veterinarians, *(b)* technical and scientific staff, *(c)* administrative staff and *(d)* others.

Mr. Gummer: The following details relate to the veterinary field and veterinary investigation services and the veterinary staff of the Tolworth policy group.

The administrative staff of the Tolworth policy group (306·5 staff) are not included.

	Number
Qualified veterinary surgeons	420
Technical/scientific	382
Administrative	488
Other	73·5

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what are the most recent estimates of closure dates of the veterinary investigation centres; and if he will list the closure dates of those that have already closed since 1979.

Mr. Gummer: A veterinary investigation centre located at the Central Veterinary Laboratory, Addlestone closed in December 1980. In November 1985 the Liverpool centre was relocated to a new purpose built centre at Barton hall, Preston. As a result of the recommendations of the efficiency study of the veterinary investigation service carried out in 1984-85, the Cardiff centre closed in March 1986, the Gloucester and Leeds centres closed in June 1986 and the Northampton centre in July 1986. A small laboratory at Chester was also closed in April 1986.

As a result of the 1991 review of the veterinary investigation service, the Wye centre closed in July 1991 and the Bangor and Lincoln centres closed in September 1991.

The Cambridge and Norwich centres closed on 30 January 1993 and 6 February 1993 respectively, when these two centres were amalgamated in a new purpose-built centre at Bury St. Edmunds. With the completion of the new purpose-built centre at Luddington, Warwickshire, the Worcester centre closed on 20 March 1993. The Reading and Winchester centres will be amalgamated on the Winchester site when the enhancement of the Winchester centre is completed in mid-1994.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many qualified veterinarians were employed by the state veterinary service in each year from 1979.

Mr. Gummer: Since 1980 the structure of the state veterinary service has changed several times. For example, the central veterinary laboratory (CVL), which formed part of the state veterinary service attained agency status in April 1990. The CVL figures are incorporated in this return for the years 1 January 1980-1 January 1990. As from 1 June 1990 the figures do not include the CVL.

Qualified veterinary surgeons

January	*Number*
1980	580·5
1981	563·5
1982	557·0
1983	549·0
1984	539·5
1985	527·5
1986	506·5
1987	464·5
1988	444·5
1989	422·0
1990	430·5

January	Number
1991	408·0
1992	414·5
1993	420·0

Agriculture and Food Research Council

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what is the projected expenditure by his Department on the Agriculture and Food Research Council for each year from 1993-94 to 1996-97.

Mr. Gummer: MAFF's commission with the Agriculture and Food Research Council amounts to £34·8 million in 1993-94. The allocation of funds for 1994-95 to 1996-97 is still under consideration and the council will be notified as soon as decisions have been reached.

Deregulation Initiative

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 16 March, *Official Report*, column *211*, if he will list all the environmental, consumer and animal welfare organisations he *(a)* has consulted and *(b)* intends to consult about his deregulation initiative; and if he will make a statement.

Mr. Gummer: Since February 1992 I have been seeking the views of interested organisations on measures that impose a burden on businesses in the food and agriculture sectors. This process has culminated, as I announced on 2 February in my decision to prepare deregulation plans for each sector of my Department responsible for regulatory activity. A deregulation plan for the area of food law was published by my Department on 24 February 1993. It was sent to 240 organisations, including consumer bodies, for comment. A copy of the list of organisations has been placed in the Library of the House. I hope that any organisation inadvertently not approached will feel free to comment; I want to know the views of all groups with an interest. Deregulation plans for other key areas of my Department's work, including the areas of the environment and animal welfare, are to be completed very shortly. A decision will be taken then about arrangements for consultation.

Food Bans

Mr. Simpson: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to ensure that the Action Group for the Relief of Pain and Distress and the Society for the Promotion of Nutritional Therapy are in future consulted before decisions are taken to ban the sale of foods.

Mr. Soames: It is the policy of the Department to consult widely on the whole range of food safety issues. However I cannot give an unqualified guarantee which could hamper the Department's ability to take immediate action to protect consumers.

Codex Alimentarius

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food if he will set out his policy on the desirability of reforming the Codex Alimentarius.

Mr. Gummer: The United Kingdom Government are in agreement with proposed changes to procedures to be discussed by the Codex Alimentarius Commission later this year.

RAF Aston Down

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food what work is currently being carried out by his Department at the former Royal Air Force station Aston Down; and if he will make a statement.

Mr. Soames: One wildlife unit is based at the station.

Tobacco Quotas

Mr. Spellar: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the policy he will be adopting at the meeting of agriculture Ministers on the allocation of tobacco quotas to Greece.

Mr. Curry: The Council of Agriculture Ministers in December 1992 requested the EC Commission to re-examine the distribution of quotas attributed to the various varieties of tobacco in Greece with a view to taking better account of the way the production of Virginia has developed on the basis of investments decided before 30 December 1991 and to report its conclusions as soon as possible. The Commission issued its report in March 1993, and indicated its intention to propose the following measures:

- 20 million ecu (£16 million) of Community aid and 5 million ecu (£4 million) of national aid to assist Greek producers who invested before the end of 1991 in equipment to produce flue cured tobacco and whose investment was subsequently adversely affected by the imposition of quotas;
- Unutilised Greek quota from other varieties to be made available to Virginia producers;
- Discretionary powers to enable Member States to give preference to new producers when allocating national tobacco quotas.

These measures were discussed at the March Agriculture Council and presented to the Tobacco Management Committee as Commission regulations where they were approved. This issue is not expected to be considered further by the Council.

Butter

Mr. Spellar: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his Department's policy on the sale of butter at reduced prices to persons receiving social assistance.

Mr. Curry: In common with all EC member states, with the exception of the Republic of Ireland, the United Kingdom has not implemented the discretionary EC scheme for sales of butter at reduced prices to persons receiving social assistance.

Quantock Staghounds

Mr. Meale: To ask the Minister of Agriculture, Fisheries and Food how many formal meetings were held between Forestry Commission officials and hunt officials of the Quantock Staghounds in 1990, 1991 and 1992; and how many warden checks were carried out on Forestry Commission land to ensure the Quantock Staghounds adhere to the terms and conditions of their permit in 1990, 1991 and 1992.

Mr. Curry: Forestry Commission officials and hunt officials of the Quantock Staghounds met formally once in 1990, twice in 1991 and once in 1992. In addition, a number of informal meetings were held each year, and Commission and hunt officials usually meet every two months as members of the Quantock deer management and conservation group.

Forestry Commission staff carry out random checks on hunt days to ensure that the conditions of the permits are being followed, but these routine inspections are not recorded.

Written Answers to Questions

Thursday 22 April 1993

FOREIGN AND COMMONWEALTH AFFAIRS

Khmer Rouge

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has of the number of *(a)* civilian and *(b)* UN personnel killed by the Khmer Rouge in March.

Mr. Goodlad: One member of the United Nations transition authority in Cambodia's—UNTAC—military component was killed by the Khmer Rouge in March. UNTAC has no figures for civilian casualties throughout Cambodia. In view of the difficulties involved in identifying the culprits, it is not possible to specify which murders were perpetrated by the Khmer Rouge, although there is a strong likelihood that they were involved in the recent attacks on ethnic Vietnamese.

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs what reconsideration the Government have undertaken of their views on the inclusion of the Khmer Rouge in the Cambodia peace process.

Mr. Goodlad: Our views on the inclusion of the Khmer Rouge in the peace process remain unchanged. The civil war in Cambodia could not have been brought to an end if the comprehensive political settlement had excluded any of the main parties to the dispute. To have done so would only have prolonged the conflict and condemned the Cambodian people to indefinite misery. We deplore the failure of the Khmer Rouge to live up to its commitments under the Paris agreements.

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has of the percentage of Cambodian territory controlled by the Khmer Rouge *(a)* at the commencement of the UN mandate and *(b)* at present.

Mr. Goodlad: Because of the dispositions of the factions in Cambodia, it is difficult to determine precisely how much territory is held by each. We do not believe, however, that the Khmer Rouge since October 1991 has been able to extend to any marked degree the villages and territory under its control.

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs what current estimate he has made of the military threat posed by the Khmer Rouge to the peace process in Cambodia; and what will be the British contribution to resisting it.

Mr. Goodlad: UNTAC estimates that the current strength of the Khmer Rouge armed forces is somewhere in the region of 12,000 front-line troops. They have shown their ability to carry out guerrilla operations, but their strength lies in the western and north western provinces. The United Kingdom has contributed 122 personnel to UNTAC's military component to enable it to implement its mandate under the terms of the Paris agreements.

Whaling

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what consideration he has given to making further discussions with Norway on EC membership conditional on that country reversing its decision to resume the killing of great whales.

Mr. Garel-Jones: Norway would be expected to respect the terms and conditions of existing Community legislation on whales should she accede to the Community. This policy has been made clear to the Norwegians.

Cambodia

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his counterparts in the EC, Japan and the United States of America regarding international help to Cambodia after the proposed elections in May.

Mr. Goodlad: The main forum for international assistance to Cambodia will be the International Conference on the Rehabilitation and Reconstruction of Cambodia—ICORC. The framework for ICORC was agreed at the ministerial conference in Tokyo in June 1992 at which member states of the European Community, Japan and the United States of America were present. A follow-up meeting was held at official level in Phnom Penh on 25 February 1993. The Japanese Government will be arranging further meetings after the May elections.

Many United Nations agencies and programmes, including the United Nations Development Programme, will retain personnel in Cambodia after the end of the UNTAC mandate in August.

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has about the number of mine-clearing units operating under the UN mandate in Cambodia; and how many mines have been lifted as a result of those operations.

Mr. Goodlad: On the basis of the most recent UNTAC figures, 12 mine clearance training teams and 16 supervisory teams were operating in Cambodia. UNTAC's mandate does not include the actual lifting of mines. This is to be done by Cambodians trained by UNTAC. The clearing of mines is being co-ordinated by the Cambodian mine action centre which is, in part, funded by UNTAC.

ENVIRONMENT

Radioactive Substances

Mr. Simon Hughes: To ask the Secretary of State for the Environment how many prosecutions Her Majesty's inspectorate of pollution has made this year under the Radioactive Substances Act 1960; and if he will give details of the outcome of each prosecution.

Mr. Maclean: Information on prosecutions taken by Her Majesty's inspectorate of pollution under the Radioactive Substances Act 1960 from 1 April 1992 to 16 April 1993 is set out in the table.

Her Majesty's inspectorate of pollution
RSA 1960 prosecutions
1 April 1992 to date

Division	*Name*	*Act*	*Offence*	*Date of hearing*	*Verdict*	*Fine £*	*Cost £*
East	Esselte Letraset	RSA 1960	Failure to comply with condition of registration to prevent unauthorised access to a radioactive source	29 June 1992	G	100	1,000
West	Xidex (UK) Ltd.	RSA 1960	Breach of conditions relating to storage of radioactive material	7 September 1992	G	6,000	5,000
West	British Coal	RSA 1960	Breach of conditions relating to storage of radioactive material	12 October 1992	G	20,000	6,410
West	West Midlands Regional Health Authority	RSA 1960	Breaching 17 offences under Section 13(1)(c) of the RSA	18 December 1992	G	51,000	8,000
Anglian	Nichols Institute Diagnostics	RSA 1960	Breach of conditions relating to accumulation of radioactive waste without authorisation	6 April 1993	G	10,000	2,726
Southern and HMNII	United Kingdom Atomic Energy Authority	RSA 1960	Failure to use BPM to limit the activity of radioactive waste released and to make a record of the means employed	16 April 1993	G	5,000	N/a

Cotgrave Colliery

Mr. Simpson: To ask the Secretary of State for the Environment what planning applications he has received in respect of the future use of Cotgrave colliery and the use of the pit shafts themselves; and if he will make a statement on the environmental considerations which will be made about future site use.

Mr. Baldry: Planning applications are made to the relevant local planning authorities in the first instance, not to the Secretary of State. However, I understand that neither of the local planning authorities has received any planning applications in respect of this site. If any applications are received the local planning authorities will be expected to take into account all material environmental considerations.

Housing Statistics

Mr. William Powell: To ask the Secretary of State for the Environment if he will list the number of homes owned by each local authority in Northamptonshire on 31 March for each year since 1978.

Mr. Baldry: Local authorities report the numbers of dwellings they own in their annual housing investment programme returns—HIP1. The figures for 1 April 1978 and 1979 are listed in column B11 of the "HIP1 All Items Print" for those years. For 1 April 1980 and all subsequent years up to 1 April 1992, the latest available, the information is shown in column A11 of each year's "HIP1 All Items Print". Copies of the "HIP1 All Items Print" for each year are in the Library.

Squirrel Monkeys

Mr. Jon Owen Jones: To ask the Secretary of State for the Environment what laws govern the use by zoo operators engaging in street photography using squirrel monkeys as props.

Mr. Maclean: Under the Zoo Licensing Act 1981, zoo operators must have a valid zoo licence and any animal removed from zoo must be in their personal possession or that of competent persons acting on their behalf. All zoo licences require the operator to notify the local licensing authority before removing a squirrel monkey, or any other animal listed in the schedule to the Dangerous Wild Animals Act 1976. The operator must provide details of the destination and method of transportation of the animal and the arrangements for its well-being and public safety.

A zoo keeper would also be bound by the provisions of the Protection of Animals Act 1911 which makes it an offence to cause or, in the case of an owner, permit any unnecessary suffering to a captive animal.

Orimulsion

Mr. Simon Hughes: To ask the Secretary of State for the Environment if he will announce the measures Her Majesty's inspectorate of pollution will take to ensure the control of emissions from power stations burning orimulsion.

Mr. Maclean: The burning of orimulsion or any other fuel in power stations is subject to control by Her Majesty's inspectorate of pollution under integrated pollution control—IPC—legislation. All IPC authorisations require the operator to use the best available techniques not entailing excessive cost—BATNEEC—to prevent or minimise and render harmless the release of prescribed substances to any environmental medium.

The chief inspector of Her Majesty's inspectorate of pollution is currently considering two applications from PowerGen to burn orimulsion at Ince power station in Cheshire and Richborough power station in Kent. Her Majesty's inspectorate of pollution has agreed with PowerGen an extension to the determination period for

both applications until the end of July allowing further time for consideration of the economic and environmental impact of this new fuel.

Council House Sales

Mr. William Powell: To ask the Secretary of State for the Environment if he will list for each district authority in Northamptonshire the total discounted value of houses and flats sold in each year since 1988-89.

Mr. Baldry: The total discounted values of dwellings sold by local authorities in Northamptonshire in the years 1988-89 to 1991-92 are given in the table. Actual cash receipts in any year will depend on the extent to which sales were financed by loans from the authorities. Figures for 1992-93 are not yet available.

£ thousand

	1988-89	*1989-90*	*1990-91*	*1991-92*
Corby	9,036	6,764	2,508	2,421
Daventry	4,651	3,437	1,425	1,242
East Northamptonshire	4,160	1,404	979	1,042
Kettering	5,300	1,869	923	1,020
Northampton	16,530	11,595	3,521	4,197
South Northamptonshire	5,471	2,467	767	1,109
Wellingborough	6,311	2,937	2,232	1,480

Business Rates

Mr. Spellar: To ask the Secretary of State for the Environment if he will make a statement on the estimated increase in business rates for firms in the west midlands as a result of the 1995 rating revaluation.

Mr. Robin Squire: It is too early to speculate about the outcome of the 1995 revaluation, the results of which will not be available until next year.

Mineral Workings

Mr. Simon Hughes: To ask the Secretary of State for the Environment when he intends to issue the updated version of the minerals planning guidance note on the reclamation of mineral workings.

Mr. Baldry: Revision of the minerals planning guidance note on the reclamation of mineral workings is in hand. A consultation draft will be available at the end of this year, with publication of a revised version in 1994.

Opencast Coal Mining

Mr. Simon Hughes: To ask the Secretary of State for the Environment when he will announce changes in planning guidance relating to opencast coal mining in the light of the recent White Paper on coal.

Mr. Baldry: I refer the hon. Member to the reply my right hon. and learned Friend gave to my hon. Friend the Member for Erewash (Mrs. Knight) on 25 March, *Official Report*, columns *714-15*.

Rent Reviews

Mr. Spellar: To ask the Secretary of State for the Environment what representations he has received regarding upward-only rent reviews; and what action his Department is proposing to take.

Mr. Baldry: Representations have been received from a number of individuals and interested bodies. My hon. Friend the Minister for Housing and Planning announced on 31 March, in answer to a question from my hon. Friend the Member for Bromsgrove (Mr. Thomason)—*Official Report* columns *293-94*—that the Government will consult widely on this aspect of commercial leasing and carefully consider the outcome in relation to new leases.

Standard Spending Assessments

Mrs. Anne Campbell: To ask the Secretary of State for the Environment how many hours officials at his Department are expected to spend in reviewing the method of calculation of standard spending assessments; and what staff levels will be involved.

Mr. Robin Squire: The Department is at present planning to devote about 10 man years to work on the SSA review in this financial year. Officials in other Government Departments will also be involved. The amount of work will depend, in part, on the representations made to us by local authorities and others.

Green Belt

Mr. Mackinlay: To ask the Secretary of State for the Environment what time limits exist for local authorities to take enforcement action against non-conforming uses within the green belt, from the time that the alleged non-conforming use commenced.

Mr. Baldry: Section 171B of the Town and Country Planning Act—inserted by section 4(1) of the Planning and Compensation Act 1991—effectively provides that, where a breach of planning control involves a "material" change of use of land, no enforcement action may be taken after the end of the 10-year period from the date of the breach. Where the breach of control involves the change of use of any building to use as a single dwellinghouse, section 171B(2) of the 1990 Act provides that no enforcement action may be taken after the end of the four-year period from the date of the breach. These provisions apply regardless of whether the land is in a green belt.

House Building

Mr. Spellar: To ask the Secretary of State for the Environment what has been the number of houses built for *(a)* local authorities, *(b)* housing associations and *(c)* private enterprise in the west midlands in each of the last three years.

Mr. Baldry: Permanent dwellings completed in the last three years are:

	1990	1991	[1]1992
Private enterprise	13,123	13,383	12,418
Housing associations	2,118	1,517	2,324
Local authorities and new towns	1,133	979	377
All	16.374	15,879	15,119

[1] Provisional.

No breakdown between local authorities and new towns is held for individual regions.

Mr. Milburn: To ask the Secretary of State for the Environment if he will provide a table showing by region *(a)* the number of house building starts and completions and *(b)* the number per head of population for each year since 1980.

Mr. Baldry *[holding answer 9 March 1993]:* Estimates of housebuilding starts and completions by region and by number per head of population are shown in the publication "Housing and Construction Statistics". Figures for 1980 for starts and completions by region are in table 6.4, and figures per thousand population are in table 6.6 of the 1980 to 1990 edition and revised figures for 1981 to 1991 are in the same tables in the 1981 to 1991 edition. Copies of these publications are in the Library.

Hadrian's Wall

Ms Quin: To ask the Secretary of State for the Environment if he is to meet ramblers or their representatives to discuss the proposed footpath along the length of Hadrian's wall; and if he will make a statement.

Mr. Maclean: No. The Countryside Commission submitted the report which details the results of its consultation, on 31 March, and I shall be considering this as soon as possible.

Open Spaces Society

Mr. Flynn: To ask the Secretary of State for the Environment how much notice the Open Spaces Society received of the reduction in its grant for 1993-94; what were the reasons for the reduction; and which of its activities will be reduced or abandoned.

Mr. Maclean: The Open Spaces Society was advised in January 1992 that future funding for its urban project should be found from outside Government sources and that 1992-93 was the last year of agreed funding for their rural work.

Given the large number of worthy voluntary groups eligible for support from the fund, it would not be right for any one group to expect full support for an unlimited period. However, the society's work in protecting common land and town and village greens is highly regarded by the Department and I have therefore decided that the society should receive some further support for another three years towards its work in this area. This will amount to £15,000 in 1993-94 reducing to around £10,000 in 1995-96, giving time for the society to seek alternative sources of funding after that.

The society received formal notice of this on 19 March.

Empty Properties

Mr. Straw: To ask the Secretary of State for the Environment what action has been taken by the task force on vacant Government-owned dwellings.

Mr. Howard: The task force on Government Departments' empty houses has held two meetings, and is due to meet again on 28 April. It has commissioned detailed information from Departments on actual numbers of surplus and empty residential property. It is currently negotiating with Departments firm targets for disposal or occupation, to deliver its remit of helping to bring this property back into housing use.

Waste Water Treatment

Mr. John Greenway: To ask the Secretary of State for the Environment what plans he has to issue for public consultation a draft of the implementing regulations for the EC urban waste water treatment directive.

Mr. Maclean: We have today issued for consultation a draft of the Urban Waste Water Treatment (England and Wales) Regulations 1993. My right hon. and learned Friend and my right hon. Friend the Secretary of State for Wales consider that it will be useful, particularly for the National Rivers Authority and for the water service companies and other dischargers, to have available to them some guidance on the implementation and interpretation of these regulations. A draft of a proposed guidance note to accompany them has therefore also been published for consultation today.

EDUCATION

College Fees

Mr. Rooker: To ask the Secretary of State for Education what role his Department exercises in the setting of college fees in respect of undergraduates at collegiate universities; and if he will set out the total payments for college fees made by his Department to each college in the latest year for which figures are available.

Mr. Boswell: The level of fees set for the constituent colleges of the universities of Oxford and Cambridge is determined through discussions between the Department and representatives of the colleges. The negotiations take account of the change in the unit of public funding of student places in higher education. The Department does not currently exercise any role in the setting of college fees for other collegiate universities.

The total payment of college fees was £38 million in 1990-91 in respect of Oxford and Cambridge colleges, and £8 million in respect of colleges in other collegiate universities. Information on the total payment of fees in respect of each college is not available centrally.

Mr. Rooker: To ask the Secretary of State for Education, pursuant to his answer of 19 January, *Official Report*, column *154*, if he will publish the current level of college fees agreed with his Department in respect of undergraduates in each college at the universities listed in his answer.

Mr. Boswell: The current level of fees set for each college is as follows:

College	*£*
Cambridge	
Christ's	2,553
Churchill	2,529
Clare	2,556

College	£
Clare Hall	2,484
Corpus Christi	2,637
Darwin	2,616
Downing	2,727
Emmanuel	2,586
Fitzwilliam	2,733
Girton	2,634
Gonville and Caius	2,589
Hughes Hall	2,448
Jesus	2,616
King's	2,553
Lucy Cavendish	2,631
Magdalene	2,730
New Hall	2,727
Newnham	2,724
Pembroke	2,709
Peterhouse	2,547
Queens'	2,667
Robinson	2,682
St. Catharine's	2,622
St. Edmund's	2,445
St. John's	2,502
Selwyn	2,721
Sidney Sussex	2,724
Trinity	2,487
Trinity Hall	2,658
Wesley House	2,652
Wolfson	2,508
Durham	
University	177
Hatfield	177
Grey	177
Van Mildert	177
Collingwood	177
St. Hild and St. Bede	177
St. Cuthbert's	177
St. Mary's	177
St. Aidan's	177
Trevelyan	177
St. Chad's	936
St. John's	936
Ushaw	936
Kent	
Darwen	153
Eliot	153
Rutherford	153
Keynes	153
Lancaster	
Bowland	134
Cartmel	134
The County	134
Furness	134
Fylde	134
Grizedale	134
Londsdale	134
Pendle	134
Oxford	
Balliol	2,966
Blackfriars	2,848
Brasenose	2,985
Campion Hall	3,161
Christ Church	2,983
Corpus Christi	2,976
Exeter	3,017
Greyfriars	3,038
Hertford	3,147
Jesus	2,989
Keble	3,216
Lady Margaret Hall	3,140
Lincoln	2,933
Magdalen	3,016
Manchester	3,042
Mansfield	3,330
Merton	2,900
New College	3,008
Oriel	3,140
Pembroke	2,993
Queen's	2,951
Regent's Park	3,147
Ripon College	3,803
St. Anne's	3,126
St. Benet's Hall	3,107
St. Catherine's	3,041
St. Edmund Hall	3,101
St. Hilda's	3,094
St. Hugh's	3,128
St. John's	2,948
St. Peter's	3,195
St. Stephen's House	3,041
Somerville	3,099
Trinity	2,969
University	3,003
Wadham	3,061
Worcester	3,052
Wycliffe Hall	3,041
York	
Alcuin	151
Derwent	151
Goodricke	151
Langwith	151
Vanburgh	151
Wentworth	151

Mr. Rooker: To ask the Secretary of State for Education what is his policy towards institutions of higher education wishing to reorganise on a collegiate basis in respect of payment of college fees from public funds.

Mr. Boswell: The internal organisation of universities and colleges is a matter for the institutions alone to decide. My right hon. Friend does not intend to extend the list of institutions in the mandatory awards regulations for which local education authorities are obliged to meet college fees.

Contracted-out Services

Mr. McAllion: To ask the Secretary of State for Education if it is his Department's policy not to allow in-house bids when a service which has already been contracted out is retendered.

Mr. Boswell: It is the Department's general policy not to allow in-house bids when contracted out services are retendered. The Department would consider such a bid only when it could be made as part of a larger in-house bid, in a market test also covering services currently done in-house.

Education, Greater Manchester

Mr. Callaghan: To ask the Secretary of State for Education if he will make a statement on participation rates in further and higher education in the Greater Manchester area.

Mr. Boswell: Data on participation in higher education by those domiciled in Greater Manchester are not readily available. A statistical bulletin will be published in May, covering participation in education at ages 16 and 17.

For Greater Manchester the figures are as follows:

Percentage of Age-group in Education: 1991-92

	Number
Age 16[1]	
School	34
Full-time further education	25
Part-time further education	11
Total	70
Age 17[1]	
School	26
Full-time further education	19
Part-time further education	15
Total	60

[1] Age as at 31 May 1991

Sex Education

Mr. Nigel Evans: To ask the Secretary of State for Education whether he has any plans to update the guidance on sex education in schools contained in circular 11/87.

Mr. Patten: I am today issuing for consultation a draft revised circular on sex education and have placed copies in the Library of the House.

We are clear that all sex education should take place within a framework which encourages pupils to consider the moral dimension of their actions. They should recognise the value of family life and understand the importance of loving relationships and mutual respect.

This draft advice seeks to guide and support headteachers and other classroom teachers in a sensitive, but important, aspect of children's education. It rightly recognises that parents are the key figures in helping their children to cope with the physical and emotional aspects of growing up and in preparing them for the challenges and responsibilities which sexual maturity brings. The teaching offered by schools should be complementary and supportive to the role of parents.

The circular also explains how the provisions for sex education in the Education (No. 2) Act 1986 work together with those in the Education Reform Act 1988. This requires all pupils to study aspects of sex education within national curriculum science.

Our new draft guidance will offer appropriate advice to teachers, governors and others who are responsible for providing such education.

Universities (Child Care)

Mr. Cousins: To ask the Secretary of state for Education what statutory provisions govern the use of public funds by universities to support child care facilities for university students and staff.

Mr. Boswell: Public funds for universities in England are administered by the Higher Education Funding Council for England. Section 65(2) of the Further and Higher Education Act 1992 defines the activities eligible for funding. This definition does not exclude the funding of child care facilities.

Universities are autonomous bodies and it is for them to decide their own priorities, including any provision or support of child care facilities for staff and students, from within the resources available to them.

WALES

Special Educational Needs

Mr. Wigley: To ask the Secretary of State for Wales if he will undertake a survey of all local education authorities in Wales to determine which of them, on being responded to provide an assessment under section 5 of the Education Act 1981, responded by providing an informal assessment, rather than a statutory assessment for those children who hitherto have not been statemented.

Sir Wyn Roberts: No. The provision for parents to request an assessment of their child's needs, where the child does not already have a statement, does not differentiate between a formal or an informal assessment. The Education Bill makes it clear that parents may ask a local education authority to arrange a statutory assessment.

Mr. Wigley: To ask the Secretary of State for Wales what steps he has taken to ensure that local education authorities do not refuse a statement for a child of statutory secondary school age, whose statutory assessment has indicated special educational needs, on the grounds that the funding of such statementing is the responsibility of individual schools under the system of local management of schools.

Sir Wyn Roberts: Local education authorities have a statutory duty to prepare a statement, if following a formal assessment of needs, they conclude that they should determine the special educational provision that should be made for a child. LEAs have a further duty to maintain a statement and to ensure that the provision it specifies is delivered. Local management of schools' arrangements do not affect LEAs' statutory duty in that respect.

Parents have a right of appeal to my right hon. Friend if, following a formal assessment, LEAs decide not to issue a statement. They may also make a complaint to him if they consider that an LEA is defaulting on a statutory duty.

Mr. Wigley: To ask the Secretary of State for Wales how many out-county places are provided by each local education authority in Wales for *(a)* children with special educational needs, and *(b)* for children suffering from dyslexia.

Sir Wyn Roberts: Information is available only in respect of children with statements of special educational needs. Information on statemented pupils by the authority where they are registered and place of education at January 1992 is given in table 12.01 of the Welsh Office publication "Statistics of Education and Training in Wales: Schools, No. 1 1993".

Mr. Wigley: To ask the Secretary of State for Wales (1) what review he has undertaken of the additional educational facilities in each local education authority in Wales required to meet the special educational needs of children who are being educated bilingually;

(2) if he will carry out a survey of the number of children in all local education authority in Wales who have been identified by the local education authority as having a specific learning difficulty in numeracy; and if he will arrange for these figures to be published.

Sir Wyn Roberts: My right hon. Friend has not undertaken a review and does not propose any survey. It

is the responsibility of the local education authority to identify children with special educational needs, including those with specific learning difficulties, and to make appropriate provision for them.

Tourism

Mr. Llwyd: To ask the Secretary of State for Wales if he will list the tourism-related *(a)* reclamation and *(b)* environmental schemes (i) completed and (ii) in programme but not completed by the Welsh Development Agency in each year since 1987 indicating the cost of each project.

Mr. David Hunt: The information for tourism-related reclamation schemes is set out in the table. Information on environmental schemes is not readily available and I have asked the chief executive of the agency to write to the hon. Member. A copy of his reply will be placed in the Library of the House.

Year and Project	*Project Cost £'000*
Completed	
1987-88	
Caernarfon Disused Baths Hafna Nant Uchaf, Site Investigation	47
1988-89	
Angle Airfield, Preseli	106
Cefn Coed Museum	7
Gilfach Ddu, Llanberis	112
Heol Senni Quarry	2
Hetty Colliery	290
Rhos-on-Sea Baths	34
1989-90	
Barry Toilet Block	5
Big Pit 2	173
Caernarfon Railway Station 2	145
Canal 2, Allt-yr-yn, Newport	179
Grosvenor Chater Pool	135
Kings Hall, Aberystwyth	168
Lewis Merthyr, Llwyncelyn Tips	225
Pwllheli Goods Yard	46
Talbenny Airfield	271
Rath Swimming Pool	53
Victoria Tips, South End	6,647
Victoria Tips, Garden Festival	14,804
Breakwater Quarry 1	211
Glynrhonwy, Llanberis	618
1990-91	
Nine Wells Camp, Preseli	5
Beaumaris Activity Centre	14
Pwllheli Harbour	1,312
Salthouse, Port Eynon	78
1991-92	
Breakwater Quarry 2	228
Canal 2, Cwmbran	227
Cyffty, Betws-y-Coed	123
Friars Point Rooms	16
Glynrhonwy, Llanberis 2	513
Hafna Nant Uchaf 1	524
Lewis Merthyr Colliery 2	1,254
Minera Lead Wastes	2,257
Roet Quarry	82
1992-93	
Caernarfon Railway Cutting	150
In progress	
Rhos-on-Sea Baths	40
Quay Hill Arches, Site Investigation	14
Cyfarthfa Lake Feeder Silo Investigation	25
Bedford Ironworks Study	10
River Tawe Quays and Jetties	2,750
Programmed	
Flint Castle Moat	210
Rhyl Promenade	95
Wilderness Tip	414
Minera, Phase 3	191
Minera, Phase 4	237
Penglais Quarry	300
Band of Hope Colliery	183
St. Catherine's Fort	25
Martello Tower, Front Street	110
Bosherton Quarry	75
Rock Hollybush Railway	252
Cwmcarn After Management	25
Kays and Kears 2, Stage 2	1,170
Canal Masons Bridge	292
Prince Llewellyn Quarry	85
Aberllyn Lead Mine Site Investigation	4
New Pandora	131
Coed Mawr Pool Mine	38
Cae Coch Gwyndwr Forest Site Investigation	20
Twll Ballast and Dorethea	4,500
Parc Quarry 2	100
Bethesda Bypass	300
Princes Pier, Menai	535
Holyhead Cattle Lairages	275
Dare Valley Country Park	425
Hirwaun Iron Works	1,110
Pantycafnau	2,500
Ynysfach Furnaces	36
Morlais Castle Quarries	143
Barry Marine	12,900
Tawe Quay Walls	339

Heads of the Valleys Road

Mr. Roy Hughes: To ask the Secretary of State for Wales if he will list *(a)* planned improvements to the A465 heads of the valleys road between Abergavenny and the M4 at Llandarcy, *(b)* the next key stage in the preparation of each improvement and *(c)* the date he expects that stage to be completed.

Sir Wyn Roberts: Improvements to the A465 trunk road are planned between Abergavenny and Hirwaun and Glynneath and Aberdulais. The respective key stages in preparation involve public consultation on improvement proposals and invitations to tender. These stages are programmed to enable construction to start in accordance with the 1993 supplement to "Roads in Wales".

Mr. Roy Hughes: To ask the Secretary of State for Wales when he expects to achieve his objective, announced in May 1991, of completing the dualling of the A465 heads of the valleys road between Abergavenny and the M4 at Llandarcy.

Sir Wyn Roberts: Plans for the sections to be improved are set out in the "1993 Supplement to Roads in Wales".

Mr. Roy Hughes: To ask the Secretary of State for Wales what accident statistics he has for the A465 heads of the valleys road between Abergavenny and the M4 at Llandarcy for the latest convenient period; and what are the corresponding accident rates for other trunk roads within Wales.

Sir Wyn Roberts: The numbers and rates of accidents involving personal injury on the stretch of the A465

between Abergavenny, junction with A4042, and Llandarcy, junction with A48, and also rates on all trunk roads in Wales, including the above stretch, in 1991 are given in the tables:

	Number of accidents on the A465	*Number of accidents per km of A465*	*Number of accidents per km of all trunk roads*
Fatal	5	0·07	0·03
Serious	13	0·19	0·25
Slight	76	1·12	0·78
All accidents[1]	94	1·38	1·07

[1]Excluding those where there was no personal injury—for which no information is available.

	Number of accidents per 100 million vehicle kilometres on A465[1]	*Number of accidents per 100 million vehicle kilometres on all trunk roads*[2]
Fatal	1·52	1·09
Serious	3·95	8·20
Slight	23·10	25·29
All accidents[3]	28·57	34·57

[1]These traffic volume figures involve some estimation.
[2]Calculated using provisional traffic volume figures.
[3]Excluding those where there was no personal injury—for which no information is available.

Community Care

Mr. Richards: To ask the Secretary of State for Wales what measures will be taken to provide support and direction for those Welsh councils that have difficulty in implementing their responsibilities outlined in the community care reforms.

Mr. Gwilym Jones: The Welsh Office has given considerable guidance and support to local councils in Wales to help them prepare for the implementation of community care. An additional £37·5 million for community care has been made available through revenue support grant in 1993-94, much more than would have been spent by the Department of Social Security on new admissions of individual's to residential or nursing home care. The onus is now on local councils to manage the implementation, but we will monitor progress closely and will continue to offer guidance and direction as is considered necessary.

Hearing-impaired Support Groups

Mr. Barry Jones: To ask the Secretary of State for Wales what representations he has had from hearing-impaired support groups; and if he will make a statement.

Mr. Gwilym Jones: Such groups may approach any policy division in the Welsh Office according to the point they wish to raise. No central record is held of such approaches.

Welsh Development Agency

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the Welsh Development Agency concerning the High Court writ served against the agency by NALGO on 22 March, and the agency's response.

Mr. David Hunt: None.

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the Welsh Development Agency concerning the tendering procedure to be adopted for the sale of industrial estates by the agency during the present financial year.

Mr. David Hunt: None. The agency follows the procedures for the disposal of land and buildings set out in "Government Accounting".

Labour Statistics

Mr. Flynn: To ask the Secretary of State for Wales if he will list the five Welsh constituencies that have recorded the largest increases in unemployment figures in the year 1992-93; and if he will list the percentage changes involved.

Mr. David Hunt: The constituencies that have recorded the largest percentage increases in unemployment are listed in the table:

Constituency	*Percentage change*
Monmouth	22·4
Newport West	16·0
Brecon and Radnor	14·8
Alyn and Deeside	12·0
Cardiff North	11·6

Source: Employment Department.

PCB Contamination, Panteg

Mr. Roger Evans: To ask the Secretary of State for Wales when he will publish the report by the University of East Anglia on contamination by polychlorinated biphenyls in the Panteg area.

Mr. David Hunt: I have today published the report into PCB contamination in the Panteg area which I commissioned from the environmental risk assessment unit of the university of East Anglia. I have arranged for a copy of the report to be placed in the Library of the House.

I commissioned the study in January 1991 at a contracted cost of £432,000 and, in the two years during which it has been in progess, three interim reports have been produced and published.

The main conclusion of the study is that with the exception of a localised area close to the eastern boundary of the ReChem site, the measured concentrations of PCBs and dioxins in the Panteg area are not unusual or significantly different from those encountered in similar areas elsewhere in the United Kingdom. According to currently accepted criteria and guidance on health effects for these compounds, such levels should not generally give rise to concern.

The report also concludes that the distribution and gradation or PCBs and dioxins in the Panteg area suggests

a common localised source or sources, possibly at or close to ground level within the ReChem plant. However, the report has not identified any specific source within the plant.

The study has found no evidence of significantly elevated levels of PCBs and dioxins in foodstuffs, including locally produced milk, in the Panteg area. The only exception is in relation to duck eggs at Pontyfelin House, which is immediately adjacent to the ReChem plant, where guidelines limits for human intake of dioxins could be exceeded if the eggs were consumed. The Government advised the occupants of this property in 1989 that their duck eggs should not be consumed and this advice still stands.

The report has been considered by the Government's expert advisers and I have also consulted the regulators of the plant—the Health and Safety Executive and Her Majesty's inspectorate of pollution. I have received an assessment of the report from my independent adviser, Professor Lewis Roberts, which I have also published today.

In the light of the advice I have received, I am satisfied that the report is comprehensive and thorough and shows no evidence of widespread contamination by PCBs and dioxins in the area. Although elevated concentrations were found close to the ReChem plant, with the exception of the duck eggs I have already referred to, these are not considered to pose any significant risk to public health or the food chain.

The report makes a number of recommendations for further work to clarify some remaining uncertaintes in relation to the small area of elevated PCB/dioxin concentrations near the ReChem plant, and to provide public reassurance. These recommendations have been endorsed by Professor Roberts and I accept them.

Work on four of the recommendations, for further testing of soil and air samples in the vicinity of the ReChem plant and more testing of grass and local egg samples, is already under way. Work is also in progress on the fifth recommendation for analysis of vegetables and meat from fowl in the small area of higher contamination.

All this supplementary work will be undertaken by the university of East Anglia and I will publish its results when they are available.

The report also recommends that there should be further investigation of the ReChem site to identify and quantify all current sources of emissions which may be contributing to off-site contamination. Her Majesty's inspectorate of pollution and the Health and Safety Executive will be pursuing this matter with ReChem International Ltd. as quickly as possible. Their inquiries will also include the extent to which the PCB/dioxin levels found are due to past rather than current operational factors on the ReChem site.

The final recommendation is that there should be continued monitoring of the environment in the vicinity of the site and that this might usefully be developed from the joint survey carried out at present by Torfaen borough council and ReChem International Ltd. This is primarily a matter for Torfaen district council as the local environmental health authority. I commend the recommendation to it.

The work of the study has been overseen by a technical steering group on which Torfaen borough council, ReChem Ltd. and the European Commission have been represented. I have asked the group to study the final report and my statement in more detail and, once the results of the supplementary work are available, to give me their further views.

I hope that the publication of this report will help to relieve public anxiety and uncertainty about PCB and dioxin contamination in the Panteg area of Pontypool. It provides an opportunity for a fresh start in the relationships between the local authority, the local community and the company; one I hope that all will be willing to take. I am aware that past proposals for the establishment of a liaison committee have not progressed. I hope that the community and the company will give renewed thought to this as a forum for local debate and consultation.

Finally, I should like to express my thanks to the university of East Anglia for the meticulous and exhaustive manner in which it has undertaken this formidable and complex task; to Professor Lewis Roberts for the help and guidance he has given to my Department and the university team during the conduct of the study; and to the technical steering group which has overseen this work.

TRADE AND INDUSTRY

South Africa

Mr. Llew Smith: To ask the President of the Board of Trade if he will now make it his practice to list all nuclear trade, including technology and nuclear materials, conducted with the Republic of South Africa since 1973.

Mr. Eggar: Detailed information of this kind is not readily available and could be provided only at disproportionate cost.

Arms Exports

Mr. Rogers: To ask the President of the Board of Trade what is his policy in relation to the issue of end-user certificates for arms exports; and if he will place in the Library the instructions given to his civil servants.

Mr. Needham: I refer the hon. Gentleman to the answers I gave to the House on 8 July 1992, *Official Report*, columns *333-34*, and to the hon. Members for Blaenau Gwent (Mr. Smith) and for Newport, West (Mr. Flynn) on various occasions since then. Desk instructions to staff processing export licence applications indicate the circumstances in which an end-user certificate is required from the applicant in support of the application, and require the precise wording to be checked.

Clean Coal

Mr. Chris Smith: To ask the President of the Board of Trade if he will give the reasons for his Department's refusal of a loan to ABB for the development of a clean coal project in Britain.

Mr. Eggar: The project being promoted by ABB was one of several potential clear coal projects discussed informally with my Department during the coal review. The Government conclusion that support from public funds for a clean coal demonstration plant could not be justified at the present time was announced in the coal White Paper—Cm 2235, paragraph 15.18.

Tropical Timber

Mr. Meacher: To ask the President of the Board of Trade what recent representations he has received on controls on the import of tropical timber; and from whom.

Mr. Needham: I have received representations on this subject from hon. Members, organisations such as Friends of the Earth and members of the public.

Nuclear Power Industry

Mr. Chris Smith: To as the President of the Board of Trade what plans he has for the future privatisation of the nuclear power industry.

Mr. Eggar: The Government currently have no plans to privatise either Nuclear Electric or British Nuclear Fuels. As regards the United Kingdom Atomic Energy Authority, I announced in my reply of 1 April 1993, *Official Report*, column *407*, to my hon. Friend the Member for Harlow (Mr. Hayes) that, as a first step, I was commissioning independent consultants to consider the practicability of privatising the authority and to advise on the main options. Scottish Nuclear Ltd. is the responsibility of my right hon. Friend the Secretary of State for Scotland.

Wales-Ireland Electricity Link

Mr. Morgan: To ask the President of the Board of Trade, pursuant to his answer of 15 April, *Official Report*, column *718*, when he expects the further studies to establish the viability of the Wales-Ireland electricity grid link-up to begin.

Mr. Eggar: Studies to establish the feasibility and commercial viability of the proposed Wales-Ireland electricity link are a commercial matter for the National Grid Company. I understand that studies are going ahead on a continuing basis.

New Houses (Structural Warranties)

Mr. Nigel Evans: To ask the President of the Board of Trade what action is being taken to implement the Monopolies and Mergers Commission report on structural warranty services for new homes.

Mr. Neil Hamilton: The report on structural warranty services for new homes was published in March 1991 and the Monopolies and Mergers Commission—MMC—found that rule 12 of the rules of the National House Building Council—NHBC—operated against the public interest and was hindering the growth of competition in the market. The rule requires builders who are members of the NHBC to register all their new homes for cover under the NHBC structural warranty scheme. The MMC recommended that rule 12 should be amended to permit NHBC builders to use a comparable alternative warranty scheme. Therefore, I have today written to Sir Bryan Carsberg, requesting him, under section 88(1) of the Fair Trading Act 1973 to consult NHBC with a view to obtaining an undertaking to amend rule 12 in line with the MMC's recommendation.

The MMC also recommended changes to the rules on leaving and rejoining the NHBC scheme to make it easier for builders to transfer between schemes.

Action to implement the report has been delayed while NHBC sought judicial review of the MMC's findings on rule 12. The judgment delivered on 1 October 1992 upheld the MMC's findings on rule 12. Judicial review did not relate to the MMC's other recommendations concerning aspects of the rules on withdrawal and transfer from the NHBC scheme. Terms of undertakings on these recommendations are already being negotiated by Sir Bryan Carsberg, the Director General of Fair Trading—DGFT—and he will advise me of the outcome in due course.

The NHBC has lodged an appeal challenging the MMC's findings on rule 12, although no date has yet been set for the appeal. To avoid any further delay I have asked the DGFT to convene negotiations with NHBC with a view to obtaining the appropriate undertaking within three months.

I consider that the proposed amendment would open up a degree of competition, while providing consumer protection, in that competing house warranty schemes would conform to a broadly comparable standard, in terms of technical specifications, inspections and reserves set aside against future liabilities, to that established by the NHBC.

Used Tyres (Incineration)

Mr. Ingram: To ask the President of the Board of Trade what reports he has commissioned on the waste-to-energy process involving the incineration of used tyres; and if he will make a statement.

Mr. Eggar *[holding answer 21 April 1993]:* In March 1990, my Department published a study it had commissioned from KPMG Peat Marwick McLintock entitled "The Recycling and Disposal of Tyres" which discussed, among other things, the prospects for scrap tyre incineration. A copy was placed in the Library of the House. The energy technology support unit earlier this year published an emissions audit of a chain grate stoker burning shredded tyres—report reference ETSU B1313–P6. Tyres-to-energy plants, using suitable incineration technology, can be an environmentally acceptable way of recovering value from this difficult waste.

TRANSPORT

Jubilee Line Extension

Mr. Morgan: To ask the Secretary of State for Transport what consultations he has had with the European investment bank in relation to the terms for providing the loan towards the cost of constructing the Jubilee line extension to Canary Wharf; and if he will place a copy of such terms in the Library.

Mr. Norris: Discussions with the European investment bank, like those with the other banks concerned with private sector contributions to the Jubilee line extension, are commercially confidential.

London Transport Pension Fund

Mr. Corbyn: To ask the Secretary of State for Transport what representations he has received concerning the future of the London Transport pension fund; and if he will make a statement.

Mr. Norris: We have received a small number of representations including an approach from the Transport and General Workers Union.

Mr. Corbyn: To ask the Secretary of State for Transport what is the current value of the London Transport pension fund; and what proportion of its value is attributed to London Buses.

Mr. Norris: The value of the LRT pension fund as at 31 March 1993 was £2,022 million. Assets of the fund are not attributed to particular groups of employees.

M12

Mr. Burns: To ask the Secretary of State for Transport when he expects the consultants' report on the proposed M12 to *(a)* be completed, *(b)* be published and made public and *(c)* a public inquiry to be held.

Mr. Kenneth Carlisle: We expect our consultants to report later this year and their findings will be available when we consult the public on options early next year. Any public inquiry would be into objections to draft schemes and orders under the Highways Act. These would be published only when the need for a motorway has been established and a preferred route selected. An inquiry is therefore unlikely to take place before 1996.

Fuel-conditioning Devices

Ms Walley: To ask the Secretary of State for Transport what evaluation he has made of the effects on vehicle emissions of in-line fuel-conditioning devices based on tin alloys or magnetic cores; and what advice he is issuing to the public about the effectiveness of such products in reducing fuel consumption and emissions of regulated pollutants.

Mr. Kenneth Carlisle: The Department has not carried out any evaluations of in-line fuel-conditioning devices and does not endorse, approve or otherwise accept any product that claims to offer improvements in fuel economy and/or reductions in pollution. It is for the manufacturers to satisfy themselves that the product meets legal requirements.

DUCHY OF LANCASTER

European Neutron Source

Mr. Dalyell: To ask the Chancellor of the Duchy of Lancaster what proposals he has for persuading Britain's partners to agree to the siting of the proposed European neutron source in the United Kingdom.

Mr. Robert Jackson: Planning for a European pulsed neutron source is at a very early stage. Results of a feasibility study to examine requirements will be presented to an assessment panel of the European Commission on 24 April. Only if planning proceeds to the outline design stage will the question of a site for the source arise.

HEALTH

Mental Handicap

Mr. Nigel Griffiths: To ask the Secretary of State for Health what is the average total cost per patient per week of providing in-patient care to residents of long-stay mental handicap hospitals in England.

Mr. Yeo: Information in the precise form requested is not available centrally. Specialty cost returns submitted to the Department by health authorities and national health service trusts for 1991-92 indicate the average cost per patient week for the mental handicap specialty was £665. This figure, which is provisional, is inclusive of treatment, accommodation and overhead costs.

Low-income Health Benefits Scheme

Mr. Thurnham: To ask the Secretary of State for Health (1) what her Department is doing to draw attention to the NHS low-income health benefits scheme;

(2) whether a survey has been conducted to determine how many general practitioners know about the NHS low-income health benefits scheme;

(3) what measures she is taking to ensure that all general practitioners are informed of the NHS low-income health benefits scheme.

Dr. Mawhinney: Explanatory leaflets about the national health service low-income scheme are freely available to the public from post offices, doctors and dentists' surgeries, hospital out-patient departments, opticians and offices of the social security Benefits Agency. Information about the low-income scheme can also be found in leaflets about social security benefits published by the Benefits Agency. All general practitioners are informed of the scheme by means of circulars issued to them through family health services authorities. These circulars also draw general practitioners' attention to the availability of leaflets and posters about the scheme and ask them to display these prominently. In view of the wide availability of information, no survey has been deemed necessary.

Industrial Disease

Mr. O'Neill: To ask the Secretary of State for Health what estimate she has of the number of people who died in 1992-93 from emphysema or bronchitis caused by pneumoconiosis or silicosis.

Mr. Sackville: The information for 1992 will not be available until July 1993.

GP Fund Holders

Mr. Spellar: To ask the Secretary of State for Health if she will make a statement on her Department's policy regarding the grouping of general practitioner fund holders.

Dr. Mawhinney: Guidance on general practitioners forming fund-holding consortia was issued in December 1992. A copy of this guidance—EL(92)92—is available in the Library.

Peripheral Nerve Damage

Mr. Redmond: To ask the Secretary of State for Health if she will list by year for the last 10 years and by *(a)* regional health authority and *(b)* district health authority the number of patients treated for peripheral nerve damage; and if she will make a statement.

Mr. Sackville: This information is not available centrally.

GP Lists

Dr. Lynne Jones: To ask the Secretary of State for Health what statistics are kept for the numbers of patients struck off general practitioners' lists, both on an individual basis and by area; and if she will make a statement.

Dr. Mawhinney: This information is not available centrally.

Doctors (Penalties)

Mr. Boyce: To ask the Secretary of State for Health, pursuant to her answer of 25 February, *Official Report*, column 679, what steps are taken to ensure that the Medical Advisory Committee is in possession of all relevant information when advising on a penalty to be imposed on a doctor.

Dr. Mawhinney: My right hon. Friend the Secretary of State passes to the Medical Advisory Committee the evidence that was available to the committee which heard the complaint, the recommendations of that committee and the reasoned decision of the family health services authority, any further information presented on appeal and where appropriate the report of the findings of the persons appointed to hold an oral hearing.

Health Promotion

Mrs. Anne Campbell: To ask the Secretary of State for Health when she expects to publish the Family Health Service Authority guidelines for health promotion.

Dr. Mawhinney: Guidance for national health service regions and family health service authorities on implementation of the new general practitioner contract health promotion arrangements, which take effect from 1 July 1993, was issued on 12 January 1993 under cover of FHSL(93)3, copies of which are available in the Library.

Advisory Committee on Drugs

Mr. Hunter: To ask the Secretary of State for Health what are the terms of reference of the extended advisory committee on drugs.

Dr. Mawhinney: The terms of reference for the Advisory Committee on National Health Service Drugs announced by the Secretary of State for Health on 21 December 1992 are:

"To advise the UK Health Ministers about the composition of Schedules 10 and 11 of the NHS (General Medical Services) Regulations 1992, and the corresponding Schedules in the Regulations in Scotland and Northern Ireland (except those items which are in such Schedules because the Advisory Committee on Borderline Substances has advised that they should not be treated as drugs for the purpose of the GMS Regulations) in order that drugs to meet all real clinical needs can be provided as economically as possible under the NHS for the following categories and purposes:

mild to moderate pain-killers
indigestion remedies
laxatives
cough and cold remedies
vitamins
tonics
benzodiazepine sedatives and tranquillisers
anti-diarrhoeal drugs
drugs for allergic disorders
hypnotics and anxiolytics
appetite suppressants
drugs for vaginal and vulval conditions
contraceptives
drugs used in anaemia
topical anti-rheumatics
drugs acting on the ear and nose
drugs acting on the skin

For these purposes a drug will be treated as falling within one of those categories according to the purpose for which it is, or will be, prescribed even if the drug is not licensed for those purposes."

Departmental Plans

Mr. Duncan: To ask the Secretary of State for Health what are her plans for the work of her Department in 1993-94 and beyond.

Mrs. Virginia Bottomley: I have agreed a statement of the aims, goals and priorities for my Department for 1993-94 and the following three years. It covers the whole range of the Department's work relating to health and social services, European Community and other international issues, and internal management. It includes our specific priorities for the national health service management executive, which are taken forward in more detail in the management executive's statement, "The Goal and Strategies of the Chief Executive and the Management Executive of the NHS and their Objectives for 1993-94", approved by the NHS policy board. Copies of both statements have been placed in the Library.

Skin Disease

Mrs. Lait: To ask the Secretary of State for Health, pursuant to her answer of 16 February, *Official Report*, column 159, if she will place in the Library the list of the 1,776 drugs that are currently available on the national health service for the treatment of skin complaints.

Dr. Mawhinney: A list of the drugs dispensed for the treatment of skin complaints, by community pharmacists, dispensing doctors and prescribing doctors for personal administration, in England in 1991, has been placed in the Library.

Ms Coffey: To ask the Secretary of State for Health what representations she has received about the proposed selected list for prescribable medications used in the treatment of skin disease; and what consultations are taking place with clinicians.

Dr. Mawhinney: A number of representations have been received from patients and organisations representing those who suffer with skin diseases. This information will be available to the independent advisory committee that provides advice on which drugs should not be prescribable by general practitioners under the National Health Service. The committee, whose members include experienced clincians, is free to seek whatever advice it wishes.

Breast Cancer

Mr. Blunkett: To ask the Secretary of State for Health what research her Department has commissioned into the effectiveness of three-yearly breast scans for women aged over 50 years; and if she will make a statement.

Mr. Sackville: In 1985 the Government commissioned a working group chaired by Professor Sir Patrick Forrest to consider evidence of the effectiveness of breast screening by mammography. The group's report concluded that three yearly screening for women aged 50 to 64 would have a substantial impact on mortality; the national screening programme was established on the basis of the Forrest recommendations.

In the financial year 1990-91, the Department spent approximately £370,000 on research into breast cancer screening including the funding of the cancer screening evaluation unit which is currently measuring the extent to which population based programmes of screening and education can reduce mortality from breast cancer.

The Department is also funding with the Medical Research Council, the health Departments and the major charities, the United Kingdom Co-ordinating Committee for Cancer Research five-year programme of breast screening trials. This programme includes a multi-randomised trial of yearly versus three-yearly breast screening for women aged 50 to 64.

Mr. Blunkett: To ask the Secretary of State for Health what plans she has to change the interval between breast scans for women aged over 50 years; and if she will make a statement.

Mr. Sackville: We have no such current plans. The Department is contributing to a randomised five-year trial, begun in 1990, of some 100,000 women aged between 50 to 64, to look at the potential benefits of yearly versus three-yearly breast screening mammography. When the study is concluded, the results will be considered against the current screening policy.

Drug Addicts

Mr. Blunkett: To ask the Secretary of State for Health if she will make a statement on guidance presently given to general practitioners on treatment of drug addicts.

Dr. Mawhinney: In December 1991 the Health Departments issued "Guidelines on Clinical Management of Drug Misuse and Dependence" to all doctors, including general practitioners. The guidelines highlight the importance of the role of the non-specialist doctor in the treatment and care of drug misusers. A copy is available in the Library.

Vacant Dwellings

Mr. Straw: To ask the Secretary of State for Health, pursuant to her answer of 11 January, *Official Report*, column *615*, if she will list the full address of each site with 20 or more dwellings which are vacant.

Mr. Sackville: Analysis of the December 1992 survey that covered some 75 per cent. of the national health service showed only one site with 20 or more vacant dwellings. All but four of those dwellings have since been put to use, and there is a waiting list for the four, which are being redecorated.

From the survey we estimate that across the national health service 1,800 dwellings are vacant. This figure, which excludes places in hostels for nurses and other staff, indicates an average of our four vacant dwellings for each health authority and trust.

OVERSEAS DEVELOPMENT ADMINISTRATION

East Timor

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs what conditions were attached to the recently announced aid to Indonesia for a power project in relation to improvements in human rights or agreement to abide by United Nations resolutions on East Timor.

Mr. Lennox-Boyd: The most effective approach to influencing Indonesia on human rights at the present time is through constructive dialogue, rather than through attaching particular conditions to our aid.

Eastern Europe (Food Production)

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his assessment of the changes in the last 12 months of food production in the Baltic states, the Ukraine, Poland, Hungary, Khazakhstan, Georgia, Mongolia and Romania; and what effect these changes will have on the operation of British aid programmes, including the know-how fund.

Mr. Lennox-Boyd *[holding answer 20 April 1993]:* Food production has declined throughout the region due to drought, changes in land ownership, loss of guaranteed markets and subsidies, currency depreciation, inflation and the worldwide farming recession. The severity of the situation varies from country to country. In the long term, they all have considerable agricultural potential.

The know-how fund will continue to assist the region where practicable in reorganising its food industries along modern, market-oriented lines.

NATIONAL FINANCE

Taxation

Mr. Dewar: To ask the Chancellor of the Exchequer if he will update his answer of 15 December 1992, *Official Report*, column *120*, to provide similar estimates of the burden of direct and indirect taxes for 1993-94.

Mr. Dorrell: The information requested in given in the table.

Income tax, National Insurance contributions and indirect tax payments at multiples of average earnings 1993-94

Amounts, £ per week

	Multiples of average earnings										
	50	*75*	*100*	*150*	*200*	*300*	*400*	*500*	*700*	*1,000*	*2,000*
Single											
Income tax	26·01	48·50	70·98	118·61	190·57	334·49	478·41	622·33	910·17	1,341·93	2,781·12
NICs	12·27	20·37	28·46	33·88	33·88	33·88	33·88	33·88	33·88	33·88	33·88
Income tax and NICs	38·28	68·86	99·45	152·49	224·45	368·37	512·29	656·21	944·05	1,375·81	2,815·01
VAT	—	14·64	19·55	30·04	—	—	—	—	—	—	—
Other indirect	—	19·84	24·40	34·13	—	—	—	—	—	—	—
TOTAL	—	103·35	143·40	216·66	—	—	—	—	—	—	—
Percentage of earnings											
Income tax	14·5	18·0	19·7	22·0	26·5	31·0	33·2	34·6	36·1	37·3	38·6
NICs	6·8	7·5	7·9	6·3	4·7	3·1	2·4	1·9	1·3	0·9	0·5
Income tax and NICs	21·3	25·5	27·6	28·3	31·2	34·1	35·6	36·5	37·5	38·2	39·1
VAT	—	5·4	5·4	5·6	—	—	—	—	—	—	—
Other indirect	—	7·4	6·8	6·3	—	—	—	—	—	—	—
TOTAL	—	38·3	39·9	40·1	—	—	—	—	—	—	—
Married, no children											
Income tax	17·74	40·23	62·71	107·69	177·34	321·26	465·18	609·10	896·94	1,328·70	2,767·90
NICs	12·27	20·37	28·46	33·88	33·88	33·88	33·88	33·88	33·88	33·88	33·88
Income tax and NICs	30·01	60·59	91·18	141·57	211·22	355·14	499·06	642·98	930·82	1,362·58	2,801·78
VAT	—	13·41	18·75	30·41	—	—	—	—	—	—	—
Other indirect	—	22·28	26·95	37·13	—	—	—	—	—	—	—
TOTAL	—	96·28	136·88	209·11	—	—	—	—	—	—	—
Percentage of earnings											
Income tax	9·9	14·9	17·4	20·0	24·6	29·8	32·3	33·9	35·6	36·9	38·5
NICs	6·8	7·5	7·9	6·3	4·7	3·1	2·4	1·9	1·3	0·9	0·5
Income tax and NICs	16·7	22·5	25·3	26·2	29·4	32·9	34·7	35·7	37·0	37·9	38·9
VAT	—	5·0	5·2	5·6	—	—	—	—	—	—	—
Other indirect	—	8·3	7·5	6·9	—	—	—	—	—	—	—
TOTAL	—	35·7	38·0	38·7	—	—	—	—	—	—	—
Married, 2 children											
Income tax	−0·36	22·13	44·61	89·59	159·24	303·16	447·08	591·00	878·84	1,310·60	2,749·80
NICs	12·27	20·37	28·46	33·88	33·88	33·88	33·88	33·88	33·88	33·88	33·88
Income tax and NICs	11·91	42·49	73·08	123·47	193·12	337·04	480·96	624·88	912·72	1,344·48	2,783·68
VAT	—	13·26	19·31	32·51	—	—	—	—	—	—	—
Other indirect	—	22·10	25·76	33·76	—	—	—	—	—	—	—
TOTAL	—	77·85	118·15	189·74	—	—	—	—	—	—	—
Percentage of earnings											
Income tax	−0·2	8·2	12·4	16·6	22·1	28·1	31·0	32·8	34·9	36·5	38·0
NICs	6·8	7·5	7·9	6·3	4·7	3·1	2·4	1·9	1·3	0·9	0·5
Income tax and NICs	6·6	15·7	20·3	22·9	26·8	31·2	33·4	34·7	36·2	37·4	38·7
VAT	—	4·9	5·4	6·0	—	—	—	—	—	—	—
Other indirect	—	8·2	7·2	6·3	—	—	—	—	—	—	—
TOTAL	—	28·8	32·8	35·2	—	—	—	—	—	—	—
Married, both working, no children											
Income tax	2·86	21·58	43·75	88·72	133·70	237·53	367·91	511·83	799·67	1,231·43	2,670·63
NICs	8·35	16·45	24·54	40·73	55·87	67·76	67·76	67·76	67·76	67·76	67·76
Income tax and NICs	11·22	38·03	68·29	129·46	189·56	305·29	435·67	579·59	867·43	1,299·19	2,738·39
VAT	—	15·45	21·28	32·87	—	—	—	—	—	—	—
Other indirect	—	25·91	29·92	37·89	—	—	—	—	—	—	—
TOTAL	—	79·38	119·48	200·22	—	—	—	—	—	—	—
Percentage of earnings											
Income tax	1·6	8·0	12·2	16·4	18·6	22·0	25·6	28·5	31·8	34·2	37·1
NICs	4·6	6·1	6·8	7·5	7·8	6·3	4·7	3·8	2·7	1·9	0·9
Income tax and NICs	6·2	14·1	19·0	24·0	26·3	28·3	30·3	32·2	34·4	36·1	38·1
VAT	—	5·7	5·9	6·1	—	—	—	—	—	—	—
Other indirect	—	9·6	8·3	7·0	—	—	—	—	—	—	—
TOTAL	—	29·4	33·2	37·1	—	—	—	—	—	—	—

Notes:

1. Income tax payments are calculated on the assumption that the households receive no tax reliefs other than the standard allowances and only have income from employment. All earners, including wives, are assumed to pay Class I National Insurance contributions at the contracted-in rate.
2. Since 1990-91, husbands and wives have been taxed independently. Previously the tax liability of couples

depended on their joint income. To permit comparisons with earlier years, the table therefore shows income tax and National Insurance Contributions paid by a married couple as a proportion of their joint income, assuming, as in the earlier years, that where both partners are earners, the husband and wife share the relevant multiple of earnings in the ratio 60:40.

3. In order to provide comparability with 1978-79, when support for children was given partly through child tax allowance, child benefit is treated as a negative income tax for the married couple with two children.
4. Average earnings are taken to be the average gross weekly earnings of all full-time males on adult rates with pay unaffected by absence. This is assumed to be £359·80 per week in 1993-94, based on the illustrative earnings growth assumption of 4 per cent. in 1993-94.
5. The estimates of indirect taxes apart from the Community Charge are based on equations derived from the 1985 Family Expenditure Survey, uprated to later years using forecasts of aggregate tax receipts. They are based on the illustrative assumption that 10 per cent. of disposable income is saved. There are wide variations in spending patterns between households with the same composition and similar incomes and estimated payments of VAT and other indirect taxes are therefore approximate, even within the income range for which figures are shown. Outside this range, the margin of error is even higher and reliable estimates cannot be made. Because of sampling variation, there can be substantial differences between estimates obtained from Family Expenditure Surveys for different years.

Mr. Dewar: To ask the Chancellor of the Exchequer if he will update his answer of 15 December 1992, *Official Report*, column *120*, to provide similar estimates of the burden of direct and indirect taxes for 1994-95, based on the assumptions contained in the Financial Statement and Budget Report 1993-94.

Mr. Dorrell: Figures illustrating the hypothetical tax burdens that would take effect in 1993-94 if the tax rates announced for 1994-95 applied in 1993-94 are given in the table. The actual burden of tax in 1994-95 will depend on decisions taken on tax rates, allowances and thresholds in the November 1993 Budget as well as on changes in prices and earnings levels.

Income tax, National Insurance contributions and indirect tax payments at multiples of average earnings

Amounts, £ per week

	Multiples of average earnings										
	50	*75*	*100*	*150*	*200*	*300*	*400*	*500*	*700*	*1,000*	*2,000*
Single											
Income tax	25·53	48·02	70·50	118·13	190·09	334·01	477·93	621·85	909·69	1,341·45	2,780·65
NICs	13·51	22·51	31·50	37·52	37·52	37·52	27·52	37·52	37·52	37·52	37·52
Income tax and NICs	39·04	70·52	102·00	155·65	227·61	371·53	515·45	657·37	947·21	1,378·97	2,818·17
VAT	—	15·21	20·10	30·65	—	—	—	—	—	—	—
Other indirect	—	19·86	24·40	34·21	—	—	—	—	—	—	—
TOTAL	—	105·59	146·50	220·51	—	—	—	—	—	—	—
Percentage of earnings											
Income tax	14·2	17·8	19·6	21·9	26·4	30·9	33·2	34·6	36·1	37·3	38·6
NICs	7·5	8·3	8·8	7·0	5·2	3·5	2·6	2·1	1·5	1·0	0·5
Income tax and NICs	21·7	26·1	28·3	28·9	31·6	34·4	35·8	36·7	37·6	38·3	39·1
VAT	—	5·6	5·6	5·7	—	—	—	—	—	—	—
Other indirect	—	7·4	6·8	6·3	—	—	—	—	—	—	—
TOTAL	—	39·1	40·7	40·9	—	—	—	—	—	—	—
Married, no children											
Income tax	18·91	41·40	63·89	111·51	183·47	327·39	471·31	615·23	903·07	1,334·83	2,774·03
NICs	13·51	22·51	31·50	37·52	37·52	37·52	37·52	37·52	37·52	37·52	37·52
Income tax and NICs	32·42	63·91	95·39	149·03	220·99	364·91	508·83	652·75	940·59	1,372·35	2,811·55
VAT	—	14·11	19·42	30·90	—	—	—	—	—	—	—
Other indirect	—	22·17	26·81	36·83	—	—	—	—	—	—	—
TOTAL	—	100·19	141·62	216·76	—	—	—	—	—	—	—
Percentage of earnings											
Income tax	10·5	15·3	17·8	20·7	25·5	30·3	32·7	34·2	35·9	37·1	38·5
NICs	7·5	8·3	8·8	7·0	5·2	3·5	2·6	2·1	1·5	1·0	0·5
Income tax and NICs	18·0	23·7	26·5	27·6	30·7	33·8	35·4	36·3	37·4	38·1	39·0
VAT	—	5·2	5·4	5·7	—	—	—	—	—	—	—
Other indirect	—	8·2	7·5	6·8	—	—	—	—	—	—	—
TOTAL	—	37·1	39·4	40·1	—	—	—	—	—	—	—
Married, 2 children											
Income tax	0·81	23·30	45·79	93·41	165·37	309·29	453·21	597·13	884·97	1,316·73	2,755·93
NICs	13·51	22·51	31·50	37·52	37·52	37·52	37·52	37·52	37·52	37·52	37·52
Income tax and NICs	14·32	45·81	77·29	130·93	202·89	346·81	490·73	634·65	922·49	1,354·25	2,793·45
VAT	—	13·92	19·94	32·92	—	—	—	—	—	—	—
Other indirect	—	22·03	25·69	33·60	—	—	—	—	—	—	—
TOTAL	—	81·76	122·92	197·45	—	—	—	—	—	—	—
Percentage of earnings											
Income tax	0·5	8·6	12·7	17·3	23·0	28·7	31·5	33·2	35·1	36·6	38·3
NICs	7·5	8·3	8·8	7·0	5·2	3·5	2·6	2·1	1·5	1·0	0·5
Income tax and NICs	8·0	16·9	21·5	24·3	28·2	32·2	34·1	35·3	36·6	37·6	38·8
VAT	—	5·2	5·5	6·1	—	—	—	—	—	—	—

	Multiples of average earnings										
	50	75	100	150	200	300	400	500	700	1,000	2,000
Other indirect	—	8·2	7·1	6·2	—	—	—	—	—	—	—
TOTAL	—	30·3	34·1	36·6	—	—	—	—	—	—	—
Married, both working, no children											
Income tax	2·86	22·75	44·44	89·41	134·39	243·18	373·56	517·48	805·32	1,237·08	2,676·28
NICs	9·03	18·03	27·02	45·01	61·82	75·04	75·04	75·04	75·04	75·04	75·04
Income tax and NICs	11·89	40·78	71·46	134·42	196·21	318·22	448·60	592·52	880·36	1,312·12	2,751·32
VAT	—	16·15	21·99	33·51	—	—	—	—	—	—	—
Other indirect	—	25·91	29·93	37·87	—	—	—	—	—	—	—
TOTAL	—	82·84	123·38	205·80	—	—	—	—	—	—	—
Percentage of earnings											
Income tax	1·6	8·4	12·4	16·6	18·7	22·5	26·0	28·8	32·0	34·4	37·2
NICs	5·0	6·7	7·5	8·3	8·6	7·0	5·2	4·2	3·0	2·1	1·0
Income tax and NICs	6·6	15·1	19·9	24·9	27·3	29·5	31·2	33·0	35·0	36·5	38·2
VAT	—	6·0	6·1	6·2	—	—	—	—	—	—	—
Other indirect	—	9·6	8·3	7·0	—	—	—	—	—	—	—
TOTAL	—	30·7	34·3	38·1	—	—	—	—	—	—	—

Notes:

1. Income tax payments are calculated on the assumption that the households receive no tax reliefs other than the standard allowances and only have income from employment. All earners, including wives, are assumed to pay Class 1 NI contributions at the contracted-in rate.
2. Since 1990-91, husbands and wives have been taxed independently. Previously the tax liability of couples depended on their joint income. To permit comparisons with earlier years, the table therefore shows income tax and National Insurance Contributions paid by a married couple as a proportion of their joint income, assuming, as in the earlier years, that where both partners are earners, the husband and wife share the relevant multiple of earnings in the ratio 60:40.
3. In order to provide comparability with 1978-79, when support for children was given partly through child tax allowance, child benefit is treated as a negative income tax for the married couple with two children.
4. Estimates have been provided on the illustrative basis that measures for 1994-95 announced in the Budget—the extension of the 20p income tax band to £3,000, an increase of 1 per cent. in employee NICs, restricting the rate of relief for married couples' allowance to 20 per cent., the introduction of VAT at 8 per cent. on domestic fuel and power and a real increase in fuel duties of 3 per cent.—are implemented in 1993-94, on the basis of 1993-94 levels of earnings and prices and with tax allowances, thresholds etc. at their 1993-94 levels.
5. Average earnings are taken to be the average gross weekly earnings of all full-time males on adult rates with pay unaffected by absence and are assumed to be £359·80 per week, based on the illustrative earnings growth assumption of 4 per cent. in 1993-94.
6. The estimates of indirect taxes apart from VAT on fuel and power are based on equations derived from the 1985 Family Expenditure Survey, uprated using forecasts of aggregate tax receipts. Estimates of VAT on fuel and power are based on an equation relating expenditure on fuel and power to total expenditure derived from the 1991 Family Expenditure Survey, uprated using forecasts of receipts of VAT on domestic fuel and power. The estimates of tax burdens do not include an estimate of the burden of the Council Tax. The estimates are based on the illustrative assumption that 10 per cent. of disposable income is saved.
7. There are wide variations in spending patterns between households with the same composition and similar incomes and estimated payments of VAT and other indirect taxes are therefore approximate, even within the income range for which figures are shown. Outside this range, the margin of error is even higher and reliable estimates cannot be made. Because of sampling variation, there can be substantial difference between estimates obtained from Family Expenditure Surveys for different years.

Mrs. Dunwoody: To ask the Chancellor of the Exchequer how much extra a married couple with one earner will have to pay in tax from April 1994, if they earn *(a)* £14,000, *(b)* £19,000 and *(c)* £28,000; and if he will make a statement.

Mr. Dorrell: A one-earner married couple with no children, aged under 65, claiming the personal allowance and married couple's allowance would pay about £3·90 more per week in direct and indirect tax with earnings of £14,000 per annum; about £4·80 per week more in tax with earnings of £19,000 per annum and about £7·50 per week more in tax with earnings of £28,000 per annum. These estimates are on the standard specimen household basis, assuming households have no other income besides earnings and receive no tax reliefs other than standard allowances. The estimates are at 1993-94 prices and are based on the hypothetical assumption that the measures announced in the Budget for 1994-95 take effect in 1993-94.

Higher Rate Taxpayers

Mr. Dewar: To ask the Chancellor of the Exchequer if he will estimate the number of additional higher rate taxpayers in 1993-94 and 1994-95 as a result of changes announced in the Budget.

Mr. Dorrell: In 1993-94, it is estimated that there will be 120,000 more higher rate taxpayers under the Budget proposals compared with statutory indexation of allowances and the basic rate limit. Restricting the married couple's allowance to 20 per cent., as proposed for 1994-95, would increase the number by a further 210,000 at 1993-94 levels of income.

Animal Skins

Mrs. Fyfe: To ask the Chancellor of the Exchequer whether he will conduct an inquiry into the disposal and sale of skins of dead farm animals which do not pass through slaughterhouses.

Mr. Dorrell: No central inquiry is planned, but the Inland Revenue is conducting a number of inquiries at local office level into possible failures to declare income from the sale of animal skins.

Venture Capital

Mr. Milburn: To ask the Chancellor of the Exchequer, pursuant to his answer of 6 July, *Official Report*, column *10*, if he will update the table on venture capital by region for 1992.

Mr. Nelson: The figures are available in the British Venture Capital Association report on investment activity 1992—table 5—a copy of which is available in the House Library.

Empty Properties

Mr. Straw: To ask the Chancellor of the Exchequer what information his Department collects on the number of vacant dwellings owned by Government Departments, agencies and public bodies.

Mr. Portillo: The Treasury conducts an annual survey of surplus land and dwellings owned by Government. This identifies vacant dwellings under the control of central Government Departments, executive agencies, the national health service, the Metropolitan police and local police authorities but excludes local authorities and non-departmental public bodies.

Intra-community Trade

Mr. Andrew Smith: To ask the Chancellor of the Exchequer what was the compliance rate to date of traders in statistical submissions for intra-community transactions in January and February; and what percentage was received by the due date.

Sir John Cope *[holding answer 14 April 1993]:* To date, about 75 per cent. of the total returns expected for January and 68 per cent. of those for February have been received. In both months, about half the returns expected were received by the due date with a further substantial amount in the week following.

NHS Borrowing

Mr. Blunkett: To ask the Chancellor of the Exchequer whether borrowing by the NHS from private sources will be counted in the public sector borrowing requirement.

Mr. Portillo *[holding answer 19 April 1993]:* The PSBR is defined to include borrowing from private sector sources by all organisations classified to the public sector, including the NHS.

VAT (Fuel)

Mr. Alfred Morris: To ask the Chancellor of the Exchequer if he will estimate the proportion of the expected revenue from the imposition of VAT at *(a)* 8 per cent. and *(b)* 17·5 per cent. on domestic fuel which will be raised from standing charges paid by retirement pensioners for gas and electricity.

Sir John Cope *[holding answer 18 April 1993]:* It is estimated that standing charges paid by retirement pensioners on electricity and gas account for around 3 per cent. of total expenditure on domestic fuel and power.

HOME DEPARTMENT

Jim Robinson (HMP Gartree)

Mr. Mullin: To ask the Secretary of State for the Home Department for how long Mr. Jim Robinson has been on the roof of HMP Gartree; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General for the Prison Service, who has been asked to arrange for a reply to be given.

Letter from I. Dunbar to Mr. Chris Mullin, dated 22 April 1993:

In the absence of Mr. Lewis, the Director General, the Home Secretary has asked me to reply to your recent Question about Mr. Jim Robinson's roof top protest at Gartree prison.

Mr. Robinson has been on the roof of the central corridor building at Gartree since 23 February. He says that he is protesting about the Home Secretary's decision not to refer his case to the Court of Appeal. Staff are in daily contact with him and continue to monitor his state of health and well being.

The protest is entirely peaceful and, I understand, is not aired against staff at Gartree prison or conditions there: no damage has been caused to the building. Staff who are skilled in negotiating in such incidents are in touch with Mr. Robinson. I very much hope that he will be persuaded to end his protest.

Mr. Leslie Green

Mr. Mullin: To ask the Secretary of State for the Home Department what steps are being taken to reopen the case of Leslie Green, hanged for the murder of Alice Wiltshaw; and if he will make a statement.

Mr. Jack: Mr. Green was convicted of the murder of Mrs. Wiltshaw on 5 December 1952. The jury made no recommendation as to mercy, and no appeal was lodged. There is no trace of any recent representations having been made to the Home Office concerning the safety of Mr. Green's conviction, and neither has any new evidence been presented to us which might bear on the matter. Accordingly, there are no current grounds for reopening the case.

Reginald Dudley and Robert Maynard

Mr. Corbyn: To ask the Secretary of State for the Home Department what consideration has been given to the safety of the convictions of Reginald Dudley and Robert Maynard; and if he will make a statement.

Mr. Jack: Our consideration of the safety of these convictions is at a fairly advanced stage. A final decision will be taken in the light of a recent judgment of the Court of Appeal—not yet available—which it is thought may have a bearing on the new linguistic evidence submitted by solicitors representing Mr. Dudley and Mr. Maynard.

Bosnian Refugees

Mr. Home Robertson: To ask the Secretary of State for the Home Department how many Bosnian refugees are being cared for by the Scottish Refugee Council in North Berwick; when they arrived there; what funding arrangement has been made by his Department to provide

for these people and to pay the staff at the temporary hostel; for what reasons no money has yet been paid; and if he will make a statement.

Mr. Charles Wardle: Nine ex-detainees from the camps in Bosnia and their families—a total of 27 people—are being cared for by the Scottish Refugee Council in a reception centre in North Berwick. They are part of a group who arrived on 31 March under the Government-sponsored scheme to bring to the United Kingdom up to 1000 ex-detainees and their families. The Scottish Refugee Council is being funded by the Home Office to run the reception centre. The council was notified on 6 April that an interim payment of £75,000 would be made pending the outcome of discussions on the budgets. A payable order was dispatched on 16 April. As this had not arrived by 20 April, and in view of the financial difficulties being faced by the Scottish Refugee Council, arrangements have been made for the money to be paid directly into the council's bank account in North Berwick.

Coroners Courts (Jurors)

Mr. Corbyn: To ask the Secretary of State for the Home Department what guidance is given to the coroners' courts on selection, challenges and declarations of intent by jurors and potential jurors.

Mr. Charles Wardle: The only applicable guidance is Home Office Circular 108/1983 on the Coroners' Juries Act 1983 (Commencement) Order 1983—SI 1983 No. 1454 (c43)—and the Coroners (Amendment) Rules 1983 —SI 1983 No. 1539. This referred, among other matters, to the selection of coroners' juries, which since 1 January 1984, has been made by the same machinery as the selection of jurors for other courts.

European Parliament

Mr. Keith Hill: To ask the Secretary of State for the Home Department what action he has taken to enable EC nationals resident in the United Kingdom to vote in the 1994 European Parliament Elections under the terms of the Maastricht treaty.

Mr. Peter Lloyd: Once the Maastricht treaty has been ratified in all the member states of the Community, we will bring forward legislative proposals to give effect to the new voting rights.

Fire Brigades (Pay)

Mr. Mike O'Brien: To ask the Secretary of State for the Home Department (1) if he intends to maintain the fire brigades pay formula in the next reassessment of the pay for firemen;

(2) what assessment he has made of the impact upon the morale of fire service officers of the departure from fire brigade pay formula during the forthcoming pay negotiations.

Mr. Peter Lloyd: The Government are not a party to the firefighters' pay agreement, and have no role in the negotiation of firefighters' pay. My right hon. and learned Friend has however made it clear that he expects the council to comply with the Government's policy on public sector pay that any increases in the 1993 pay round should not exceed 1·5 per cent. and the increase in the fire service's share of total local authority standard spending for the current year has been based on that assumption. It would in our view be manifestly unfair to treat fire service employees differently from other public sector employees in respect of the policy.

Wolds Prison (Director's Salary)

Mr. Robathan: To ask the Secretary of State for the Home Department what is the director's salary at the Wolds prison.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Andrew Robathan, dated 20 April 1993:

The Home Secretary has asked me to write to you in response to your Parliamentary Question about the salary of the Director at Wolds prison.

I am unable to supply the information requested as this is a matter between the Director and his employer.

Ethnic Minorities

Mrs. Anne Campbell: To ask the Secretary of State for the Home Department what assessment has been made on the effect of the proposed cuts in section 11 funding on the educational standards achieved by all pupils in schools.

Mr. Peter Lloyd: Grant will continue to be available to support all projects approved for funding. The assessment of local needs is primarily a matter for local authorities, but we are in close touch with local authorities and others in order to ensure that the available funding achieves maximum benefit for members of ethnic minorities.

Child Sexual Abuse

Dr. Lynne Jones: To ask the Secretary of State for the Home Department how many *(a)* allegations to the police of, *(b)* prosecutions for and *(c)* convictions for child sexual abuse there have been in each year since 1980; and if he will make a statement.

Mr. Jack: Information is not collected centrally on the number of allegations of child sexual abuse. A special survey carried out in May 1988—see Home Office statistical bulletin 42/89 "Criminal proceedings for offences involving violence against children, May 1988" —copy available in the Library—showed that about 7 per cent. of all prosecutions for offences of violence against the person or sexual offences were against children aged 16 or under.

The available information on the number of prosecutions and convictions for sexual offences against children in England and Wales for the years 1980 to 1991 is given in the tables. 1992 data will not be available until the autumn. It is not possible from the information held centrally to identify all sex offenders where the victim is known to be aged 16 years or under.

Table A Number of persons prosecuted for child sex offences 1980-1991
England and Wales

Offence	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991
Buggery with a boy under the age of 16 or with a woman or an animal	199	192	139	200	172	181	176	245	320	281	327	300
Attempt to commit buggery with a boy under the age of 16 or with a woman or an animal	9	10	5	8	12	14	20	21	28	32	25	24
Indecent assault on a male aged under 16 years	610	571	613	597	592	581	511	549	559	553	570	522
Indecent assault on a female aged under 16 years	1,869	1,624	1,694	1,573	1,531	1,708	1,653	2,037	2,159	2,169	2,285	2,138
Unlawful sexual intercourse with a girl aged under 13 years	104	87	87	126	115	138	129	155	165	139	146	155
Unlawful sexual intercourse with a girl aged under 16 years	571	500	449	425	434	407	368	360	345	290	292	254
Incest with a girl under 13 years	62	37	54	38	54	55	74	104	105	88	111	80
Inciting girl under 16 years to have incestuous sexual intercourse	5	8	8	3	—	1	1	5	3	3	1	1
Householder permitting unlawful sexual intercourse with a girl under 16 years	5	7	9	7	11	5	4	7	10	6	7	3
Person responsible for girl aged under 16 causing or encouraging her prostitution, etc.	4	4	5	1	3	—	1	4	—	2	—	2
Abduction of unmarried girl aged under 16 years	16	10	11	12	11	11	13	13	20	16	12	20
Gross indecency with children	292	246	269	243	232	265	263	284	22[illegible]	277	317	239

Table B Number of persons convicted of child sex offences 1980-1991
England and Wales

Offence	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991
Buggery with a boy under the age of 16 or with a woman or an animal	147	147	126	149	118	150	147	195	232	183	189	168
Attempt to commit buggery with a boy under the age of 16 or with a woman or an animal	15	10	5	12	22	17	20	20	31	26	18	26
Indecent assault on a male aged under 16 years	562	509	506	533	511	528	410	430	460	406	421	351
Indecent assault on a female aged under 16 years	1,685	1,458	1,492	1,356	1,281	1,446	1,327	1,556	1,650	1,657	1,537	1,469
Unlawful sexual intercourse with a girl aged under 13 years	102	81	71	103	83	110	100	102	135	96	110	105
Unlawful sexual intercourse with a girl aged under 16 years	566	487	419	422	414	395	341	346	340	262	304	223
Incest with a girl under 13 years	52	32	45	40	49	57	77	89	104	100	84	68
Inciting girl under 16 years to have incestuous sexual intercourse	6	7	7	7	—	3	3	4	2	5	3	3

Offence	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991
Householder permitting unlawful sexual intercourse with a girl under 16 years	5	7	7	3	6	3	2	6	7	3	5	1
Person responsible for girl aged under 16 causing or encouraging her prostitution, etc.	3	4	3	4	3	—	3	3	1	1	2	2
Abduction of unmarried girl aged under 16 years	11	8	9	6	8	11	12	7	8	13	8	8
Gross indecency with children	264	229	231	220	237	266	243	248	246	219	276	219

[1] Includes persons proceeded against in earlier years or for other offences.

Escaped Prisoners

Dr. Spink: To ask the Secretary of State for the Home Department how many prisoners on temporary leave from prison have escaped in each of the last five years.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Dr. Robert Spink, dated 20 April 1993:

The Home Secretary has asked me to write to you in response to your Parliamentary Question asking how many prisoners on temporary leave from prison have escaped in each of the last five years.

Prisoners who are released temporarily on the authority of the governor under Prison Rule 6 are deemed to be lawfully at large. If they fail to return to the prison at the time stipulated by the governor they are then unlawfully at large and classified as temporary release failures but are not considered to have escaped, which requires overcoming physical or mechanical restraint or overpowering escorting staff.

I regret that information on the number of prisoners who are temporary release failures was not recorded centrally prior to 1 January 1990. Information derived from the number of incidents reported to the Incident Management Support Unit, a part of the Directorate of Custody, indicates the following number of prisoners who failed to return from approved temporary release:-

	Numbers
1990	1,544
1991	2,290
1992	3,280
[1]1993	791

[1] To 31 March 1993.

The majority of temporary release failures either return to custody or are apprehended.

Prisoner Escort Services

Ms Ruddock: To ask the Secretary of State for the Home Department what provision has been made for private sector employees undertaking court escort duties to be subject to the terms of the Rehabilitation of Offenders Act 1974; what training is given in the duties and by whom; and what ratio of staff to prisoner Group 4 provides when escorting prisoners to and from court.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Ms Joan Ruddock, dated 20 April 1993:

Court escort: Rehabilitation of Offenders Act 1974; Training given; Ratio of prisoner custody officer staff to prisoners.

The Secretary of State has asked me to write to you directly in reply to your recent Parliamentary Question asking what provision has been made for private sector employees undertaking court escort duties to be subject to the terms of the Rehabilitation of Offenders Act 1974; what training is given in the duties and by whom; and what ratio of staff to prisoner Group 4 provides when escorting prisoners to and from court.

Prisoner Custody Officers (PCOs) are required to be certified as such by the Home Secretary as provided by Section 89 of, and Schedule 10 to, the Criminal Justice Act 1991. PCOs are exempt from the terms of the Rehabilitation of Offenders Act 1974, and therefore, like Prison Officers, all previous convictions are taken into consideration in assessing their fitness for certification.

Schedule 3 of the Court Escort Service Operational Specification, a copy of which has been placed in the Library of the House, sets out the requirement for the training of Prisoner Custody Officers. In the East Midlands and Humberside training has been overseen by the Prisoner Escort Monitor and his deputy.

In general, prisoners are transported in cellular vehicles. As for the Prison Service, the staffing normally consists of a driver, and an escort who is located in the cells area of the vehicle and is able to monitor the prisoners during the journey.

This basic staffing level is the same regardless of vehicle size but can be increased should intelligence deem it necessary. Where non-cellular vehicles are employed, a minimum of one PCO to each pair of prisoners or singleton prisoner, plus one additional PCO must be used.

Mr. Redmond: To ask the Secretary of State for the Home Department what requirement there is for those tendering for transporting prisoners or managing prisons to declare *(a)* contributions to political parties, *(b)* relationships of directors to members of the Government and *(c)* membership of directors of organisations which could be construed to be subversive; and if he will make a statement.

Mr. Peter Lloyd: Tenders are sought from companies which have the required capabilities, facilities and resources to deliver the required services. Evaluation is carried out by a panel consisting of officials and outside experts co-opted for the purpose. Tenderers are not required to declare any information about contributions to political parties, as this does not form part of any

evaluation process; it would be against the public interest for the level of contributions to be a factor in the evaluation process.

Similarly, the quality of both personnel and management of tenderers is evaluated on the merits of their experience and skills, and the matter of relationships to members of the Government whether of directors or other staff is irrelevant to the evaluation process, and the information is not sought.

Prior to the issue of invitations to tender, prequalification assessment is carried out on potential bidders. During this process, reference is made to a range of sources and agencies for financial, security and commercial aspects.

Prisoners (Drug Offences)

Ms Ruddock: To ask the Secretary of State for the Home Department how many prison inmates at each prison in Britain have been put on report for drugs offences in *(a)* 1991, *(b)* 1992 and *(c)* 1993 up to the latest available date.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General for the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Ms Joan Ruddock, dated 20 April 1993:

Drugs offences in prisons

The Secretary of State has asked me to write to you directly in reply to your Parliamentary Question about drugs offences in prisons. The available information for each prison in England and Wales is in the enclosed table and is published annually in "Statistics of offences against prison discipline and punishments, England and Wales" (Tables 9-11 of the 1991 issue, Cm 2066). It relates to actual and attempted drugs offences which were punished under the prison discipline system during 1991, 1992 and the first quarter of 1993. The data for 1992 and 1993 are provisional and subject to revision.

Drugs offences[1] proved at adjudications in Prison Service establishments in England and Wales, 1991 to March 1993: by establishment at which punished.

Establishment where punished	*1991*	*1992[2]*	*1993[3]*
ALL ESTABLISHMENTS	2,840	2,064	389
Male Prisons and Remand Centres	2,285	1,588	277
Remand Centres	323	278	60
Brinsford	1	23	0
Brockhill	30	0	0
Cardiff	40	0	0
Exeter	8	0	1
Feltham	73	85	25
Glen Parva	30	43	9
Hindley	35	25	4
Holme House	0	4	1
Low Newton	24	22	2
Moorland	14	48	11
Norwich	18	1	0
Reading	0	1	0
Rochester	16	13	0
Stoke Heath	14	11	6
Swansea	20	2	1
Male Local Prisons	1,268	795	133
Bedford	14	5	1
Bellmarsh	16	64	1
Birmingham	65	45	1
Bristol	25	12	1
Brixton	206	77	11
Canterbury	14	10	0
Cardiff	38	1	0
Chelmsford	14	4	0
Dorchester	1	0	0
Durham	44	23	0
Elmley	0	8	1
Exeter	10	1	3
Gloucester	0	0	1
Highdown	0	2	0
Holme House	0	3	1
Hull	8	15	1
Latchmere House	1	0	0
Leeds	24	33	12
Leicester	26	61	7
Lewes	72	22	0
Lincoln	0	5	0
Liverpool	113	60	21
Manchester	24	15	10
Norwich	21	8	0
Oxford	2	1	0
Pentonville	77	67	15
Preston	40	14	0
Risley	0	0	1
Reading	29	14	0
Shrewsbury	40	16	0
Swansea	9	1	0
Wandsworth	138	74	35
Winchester	34	24	0
Wolds	0	1	0
Wormwood Scrubs	163	109	10
Male Closed Training Prisons	573	428	66
Acklington	36	11	3
Albany	7	4	0
Aldington	3	3	0
Ashwell	19	10	0
Blantyre House	1	0	0
Blundeston	11	4	0
Brockhill	0	7	0
Camp Hill	13	1	0
Channings Wood	23	7	0
Coldingley	13	9	0
Dartmoor	24	17	0
Downview	6	14	0
Erlestoke	1	19	10
Elmley	0	1	0
Everthorp	0	4	0
Featherstone	9	14	2
Frankland	4	2	0
Full Sutton	7	6	0
Garth	12	3	0
Gartree	27	8	4
Grendon	1	1	0
Haverigg	16	7	0
Highpoint	41	28	12
Kingston (Portsmouth)	0	0	1
Lancaster	8	1	0
Latchmere House	0	1	0
Lindholme	16	34	0
Littlehey	30	11	0
Long Lartin	6	4	0
Maidstone	16	7	3
Mount (The)	14	13	0
Northeye	22	3	0
Norwich (Britannia)	15	1	0
Nottingham	2	3	0
Parkhurst	11	6	4
Ranby	12	3	0
Risley	5	15	1
Rochester	1	2	0
Send	5	2	0
Shepton Mallet	14	4	0
Stafford	22	20	0
Stocken	18	10	2
Swaleside	22	17	2
Thorpe Arch	4	1	0
Verne (The)	21	8	1
Wakefield	12	4	3
Wayland	9	44	1
Wellingborough	4	5	3

Establishment where punished	1991	1992[2]	1993[3]
Whitemoor	0	4	0
Wymott	20	25	4
Male Open Prisons	121	87	18
Ford	63	57	8
Hewell Grange	0	1	0
Highpoint	0	2	0
Kirkham	3	4	1
Leyhill	6	0	3
Morton Hall	13	8	5
North Sea Camp	2	2	1
Rudgate	6	5	0
Spring Hill	1	0	0
Stanford Hill	14	4	0
Sudbury	13	4	0
All Male Young Offender Institutions	462	415	102
Male Closed Young Offender Institutions	286	272	52
Aylesbury	17	10	5
Castington	8	13	0
Deerbolt	11	13	0
Dover	19	17	8
Everthorpe	4	0	0
Feltham	41	44	7
Glen Parva	33	38	8
Hollesley Bay	25	12	1
Huntercombe	23	15	1
Moorland	4	13	0
Mount (The)	2	0	0
Northallerton	7	8	1
Onley	19	14	2
Portland	18	19	10
Stoke Heath	37	50	9
Swinfen Hall	6	3	0
Wetherby	12	3	0
Male Open Young Offenders Institutions	116	91	36
Finnamore Wood	20	8	8
Guys Marsh	11	1	1
Hatfield	9	7	0
Hewell Grange	8	0	0
Hollesley Bay	10	1	0
Lowdham Grange	3	0	0
Thorn Cross	48	69	25
Usk	7	5	2
Male short sentenced institutions	16	22	2
Eastwood Park	3	7	0
Hollesley Bay	10	3	0
Lowdham Grange	1	0	0
Werrington	2	2	2
Wetherby	0	10	2
Male juvenile institutions	44	30	12
Feltham	9	15	9
Kirklevington	23	2	0
Onley	3	10	3
Werrington	9	3	0
All female establishments	93	61	10
Female local prisons	60	52	9
Holloway	48	35	1
Low Newton	3	1	0
New Hall	2	6	0
Pucklechurch	1	4	0
Risley	6	6	8
Female closed training prisons	17	4	1
Bullwood Hall	1	1	0
Cookham Wood	13	1	1
Styal	3	2	0
Female open prisons	13	4	0
Askham Grange	2	0	0
Drake Hall	7	4	0
East Sutton Park	4	0	0
Female open young offender institutions	2	1	0
Drake Hall	1	1	0
East Sutton Park	1	0	0
Female closed young offender institutions	1	0	0
Styal	1	0	0

[1] Includes attempts, incitements and assisting.
[2] Data are provisional.
[3] Data are provisional and relate to the first quarter only.

Gwent Police

Mr. Flynn: To ask the Secretary of State for the Home Department how many representations he has received up to 17 April *(a)* in favour of and *(b)* against the amalgamation of the Gwent police force with another force.

Mr. Charles Wardle *[holding answer 20 April 1993]:* Up to 17 April, my right hon. and learned Friend received 13 representations about the future of Gwent constabulary. All these were against its amalgamation with another force. My right hon. and learned Friend made a statement about the future of the police service in England and Wales on 23 March. As he said then, he has no plans at present for any amalgamations.

DEFENCE

Blue Circle Cement

Mr. Llew Smith: To ask the Secretary of State for Defence when he was first told of the radioactive contamination of the Blue Circle Cement headquarters at Aldermaston house arising from the Atomic Weapons Establishment at Aldermaston; and what action he has taken over the contamination.

Mr. Aitken: Ministers were first told of the contamination of land at Aldermaston court in April 1991. The contamination is well below levels which could cause any harm to individuals, but the Ministry of Defence is making arrangements with the owner of the land to remove the affected soil.

Russian Forces

Mr. William Powell: To ask the Secretary of State for Defence what is his latest estimate of the number of Russian forces stationed in *(a)* Germany, *(b)* Poland, *(c)* the Baltic Republics and *(d)* Georgia.

Mr. Archie Hamilton: It is estimated that there are approximately 97,000 Russian personnel in Germany, fewer than 4,000 in Poland, 42,000 in the Baltic republics and 20,000 in Georgia. This is a major reduction over the last 12 months.

Ports and Airports

Mr. Rogers: To ask the Secretary of State for Defence if he will list those ports and airports, or portions of ports and airports, in the United Kingdom over which he has jurisdiction.

Mr. Archie Hamilton: The ports in the United Kingdom that are subject to dockyard port orders and are

administered by the Secretary of State for Defence are: Portsmouth, Plymouth, Pembroke Dock, Clyde—Holy Loch/Gareloch and Loch Long—Cromarty and Rosyth.

Commercial airport-type operations are conducted at the following military airfields in the United Kingdom for which the Secretary of State for Defence has authority:

RAF Machrihanish (Campbeltown Airport)
RAF Manston (Kent International Airport)
RAF St. Mawgan (Newquay International Airport)
RAF Stornoway (Stornoway Airport)

Munitions Shipments

Mr. Rogers: To ask the Secretary of State for Defence what arrangements were made by his Department's agencies, or third parties acting on his Department's behalf, for shipping munitions in the eastern Mediterranean in each year from 1981 to 1989.

Mr. Archie Hamilton: The information requested could be provided only at disproportionate cost.

Departmental Properties (Sales)

Mr. Hendry: To ask the Secretary of State for Defence how many houses owned by his Department are eligible to be bought by their occupants; how many sales have taken place; how many applications are being processed; what proportion of the total these figures represent; and if he will make a statement on his Department's plans for increasing the number sold.

Mr. Archie Hamilton: As part of a continuous programme, all Ministry of Defence civilian houses that are surplus to requirements and are not within a secure area may normally be purchased by their occupants. In the last financial year, 360 such sales were completed and 190 further sales are currently under negotiation. The remaining 700 properties are currently being retained to house key staff. The possibility of future sales is being kept under review.

In addition, my Department operates a scheme for selling surplus and vacant married quarters to service personnel at a discount.

Aston Down

Mr. Redmond: To ask the Secretary of State for Defence, pursuant to his answer of 2 March, *Official Report*, column *110*, what work is currently being carried out by his Department's six civil servants at his Department's establishment at Aston Down; and if he will make a statement.

Mr. Archie Hamilton: The six civil servants at Aston Down control and monitor the depot operating contract to ensure that the required standards are maintained by the contractor. They also manage the depot budget and associated buildings and estate matters.

Cambodia

Mr. Mullin: To ask the Secretary of State for Defence how many British military personnel are based in Cambodia; and for what reason.

Mr. Archie Hamilton: There are currently 122 British service men based in Cambodia. All are serving with the United Nations as part of the United Nations transitional authority in Cambodia.

Mr. Mullin: To ask the Secretary of State for Defence what contribution the United Kingdom is making to mine-clearing operations in Cambodia; where and with which faction the British unit is based; and if he will make a statement.

Mr. Archie Hamilton: The United Kingdom is providing 14 mine clearance training experts as part of the United Nations transitional authority in Cambodia—UNTAC—including the overall commander of the UNTAC mine clearance training unit—MCTU. The headquarters of the MCTU is in Phnom Penh and British mine clearance training personnel are located at a number of different locations in Cambodia.

Mr. Mullin: To ask the Secretary of State for Defence how many mines have been lifted in Cambodia by the British mine-clearing unit since it commenced its operations.

Mr. Archie Hamilton: United Kingdom personnel are not directly involved in mine clearance in Cambodia. They provide training for indigenous personnel and an element of supervision of mine clearance operations.

Departmental Properties

Mr. Straw: To ask the Secretary of State for Defence, pursuant to his answer of 11 January, *Official Report*, column *633*, if he will list the full address of each site with 20 or more dwellings which are vacant.

Mr. Archie Hamilton: The information requested could be provided only at disprortionate cost.

Mr. Jamieson: To ask the Secretary of State for Defence what plans he has for the empty Ministry of Defence houses in Mantle gardens, Barne Barton, Plymouth.

Mr. Archie Hamilton: The sale of the surplus married quarters at Mantle Gardens to the Devon and Cornwall housing association has been agreed. We hope to complete the sale shortly.

Mr. Jamieson: To ask the Secretary of State for Defence if he will make a statement on the progress of the discussions with Devon and Cornwall housing association to acquire empty Ministry of Defence dwellings at Raglan barracks, Mount Wise, Plymouth.

Mr. Archie Hamilton: The sale of the former married quarters estate at Raglan barracks has been agreed in principle but the Devon and Cornwall housing association —DCHA—has been unable to secure the necessary funding for completing the purchase. In order to ensure that the empty properties are brought back into early use and with DCHA agreement, the properties have now been placed on the open market.

Mr. Jamieson: To ask the Secretary of State for Defence how many dwellings owned by his Ministry are currently unoccupied.

Mr. Archie Hamilton: As at 31 March 1993, a total of 9,291 Ministry of Defence-owned houses and flats were unoccupied, of which 9,166 were service married quarters. Of these, 2,153 were either undergoing or awaiting major maintenance work or modernisation, 2,493 were already

allocated to service families who were due to move in shortly and 870 were being held for agreed deployment or deployments under study. In addition, some 2,433 vacant service married quarters and 265 civilian houses, most of which were occupied, were in the process of being sold.

PRIME MINISTER

Lichfield

Q8. **Mr. Fabricant:** To ask the Prime Minister when he next plans to pay an official visit to Lichfield and its cathedral.

The Prime Minister: I am making plans for a series of visits to all parts of the country and hope to include Staffordshire among them.

Mr. Stephen Kock

Mr. Rogers: To ask the Prime Minister what the official duties of Mr. Stephen Adolphus Kock have been since 1990.

The Prime Minister: None.

Incomes Policy

Mr. Redmond: To ask the Prime Minister what plans he has to introduce an incomes policy.

The Prime Minister: The Government have no such plans.

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Thursday 22 April.

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Thursday 22 April.

The Prime Minister: This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Serbia (Sanctions)

Mr. Mackinlay: To ask the Prime Minister to what extent the new sanctions against Serbia Montenegro prevent or limit British nationals, or public relations consultancies based in the United Kingdom, from promoting or representing in the United Kingdom the interests of *(a)* the Government of Yugoslavia, *(b)* the Government of Montenegro, *(c)* the Government of Serbia and *(d)* the Bosnian Serb leadership.

The Prime Minister: United Nations Security Council resolution 820 of 17 April 1993 prevents British nationals or public relations consultancies based in the United Kingdom from promoting or representing in the United Kingdom the interests of the Governments of Serbia and Montenegro.

Western Goals Institute

Mr. Hain: To ask the Prime Minister which Downing street policy advisers have spoken at meetings of the Western Goals Institute *(a)* from 1979 to 1990 and *(b)* since 1990; and what meetings Government Ministers have had with officers of the Western Goals Institute since 1979.

The Prime Minister: The activities of the Western Goals Institute are wholly incompatible with the policies of the Government and the Conservative party. I am not aware of any contacts between Government Ministers or officials and the Western Goals Institute.

South African Conservative Party

Mr. Hain: To ask the Prime Minister what discussions Ministers have had with representatives of the South African Conservative party since 1979.

The Prime Minister: My right hon. Friend the Foreign Secretary visited South Africa in September 1992 as leader of the EC troika. He met leaders of all major groups including the Conservative party. The Government have kept in contact with all the main parties in South Africa in the context of encouraging progress towards a democratic, non-racial constitution.

Bosnia

Mr. Flynn: To ask the Prime Minister what is his current assessment of the results of the London accord on Bosnia of last summer; and if he will make a statement.

The Prime Minister: The statement on Bosnia resulting from the London conference on the former Yugoslavia in August 1992 set out a number of provisions to be included in a peace settlement and called upon the parties to resume negotiations. The international conference on the former Yugoslavia, under the co-chairmanship of Lord Owen and Mr. Vance, has since worked tirelessly to establish a peace plan building on these principles. The Bosnian Muslims and Croats have signed all the elements of the peace plan. But the Bosnian Serbs continue to refuse to agree the interim government arrangements and the maps. The United Nations Security Council has now adopted a further resolution setting out extremely tough sanctions which will be imposed on the Serbs if they remain intransigent.

B. Dixon-Bate Ltd.

Mr. Barry Jones: To ask the Prime Minister if he will visit the company headquarters of B. Dixon-Bate Ltd.

The Prime Minister: I have at present no plans to do so.

Mr. Ghazanfer Ali

Mr. Madden: To ask the Prime Minister what further information he has received about court proceedings in Pakistan concerning Mr. Ghazanfer Ali.

The Prime Minister *[holding answer 21 April 1993]:* The two murder charges facing Mr. Ghazanfer Ali were heard on 13 and 14 March and adjourned until 8 and 12 April. We have been informed that they have been further adjourned until 27 April and 10 May.

AGRICULTURE, FISHERIES AND FOOD

Frogs' Legs

Mr. Spellar: To ask the Minister of Agriculture, Fisheries and Food what position his Department has taken on the meeting of agriculture Ministers regarding the importation of frogs' legs, with particular reference to Indonesia.

Mr. Curry: EC Council directive 92/118/EEC lays down animal health and public health requires governing trade in and imports into the Community of a wide range of animal products. The directive provides for specific health conditions applicable to trade in, and import of, frogs' legs to be established by the EC standing veterinary committee by 1 January 1994. The Commission has not yet presented a proposal.

Sheep Dips

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food if he will place in the Library full details of the research supplied by the manufacturers *(a)* Battle, Hayward and Brewer, *(b)* Ciba Agriculture, *(c)* the Cross Vetpharm Group Deosan, *(d)* Grampian Pharmaceuticals and *(e)* Pitman-Moore when they applied to his Department to sell sheep dips based on organophosphorus compounds; and if he will make a statement.

Mr. Soames: No. Under section 118 of the Medicines Act 1968, all data supplied by pharmaceutical companies in support of applications for product licences are classified commercial in confidence and cannot be disclosed by the licensing authority.

Integrated Administration and Control System

Mr. Clifton-Brown: To ask the Minister of Agriculture, Fisheries and Food if he will simplify the annual June returns in view of the amount of information provided by farmers on the IACS form.

Mr. Curry: As my right hon. Friend the Minister made clear in the letter that accompanied the IACS documentation, we are reviewing the forms that farmers are required to complete, including those required for the agricultural census, to see whether they can be made shorter and easier for farmers in future years.

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food (1) when he expects the European Commission to complete its report on the application of the integrated administration and control system in the various member states of the European Community;

(2) if he will place in the Library a copy of the European Commission's report on the application of the integrated administration and control system in the various member states of the European Community, as soon as it is available.

Mr. Curry: The European Commission is undertaking a series of visits to examine how the integrated administration and control system is being applied in each EC member state. The visits will not be completed until about the end of July. I intend to press the Commission to provide a report of its findings.

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food if he will place in the Library copies of the forms and related documents sent to farmers and others by other member states of the European Community under the integrated administration and control system.

Mr. Curry: I refer my hon. Friend to the reply I gave to the hon. Member for North Cornwall (Mr. Tyler) on 2 April 1993, *Official Report*, col. *456*.

Comfrey Products

Sir David Mitchell: To ask the Minister of Agriculture, Fisheries and Food which alkaloids with known toxicity have been found in samples of comfrey products sold in the United Kingdom.

Mr. Soames: The following Pyrrolizidine alkaloids have been found in samples of comfrey products sold in the United Kingdom:—

lycopsamine/intermedine;
acetyl lycopsamine/acetyl intermedine;
symphytine/symlandine and;
echimidine isomers.

Chemically similar alkaloids were determined together as indicated. Symphytine has been shown to be positive in carcinogenicity and mutagenicity studies.

International Whaling Commission

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his oral statement of 2 April, *Official Report*, column 810, what information he has on the attempts being made by some members of the International Whaling Commission to influence the voting in the Commission of some of its less important members; and if he will make a statement.

Mr. Curry: I am aware of reports, including those from published sources produced by various non-governmental organisations, that suggest that certain members of the Commission have been seeking to unfairly influence others. The Government deplore any action designed to subvert democratic discussion and decision making within international fora such as the International Whaling Commission.

Lambs (Embryotomy)

Mr. Mullin: To ask the Minister of Agriculture, Fisheries and Food what steps he has taken to enforce the law outlawing embryotomy on lambs in the womb; and if he will make a statement.

Mr. Soames: Embryotomy is sometimes performed on dead lambs in the womb in the welfare interest of the ewe. However, the Department is not aware of any evidence to suggest that embryotomy is performed on live lambs.

Should anyone have such evidence, it should be reported immediately to the state veterinary service.

Whales

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to support the French proposal to declare the entire southern ocean south of 40 deg S as a sanctuary for whales.

Mr. Curry: As I made clear to the hon. Member in my statement on 2 April 1993, *Official Report*, column 81[illegible]we

are keenly interested in the proposal for an Antarctic whale sanctuary south of 40 deg S. This is due for detailed consideration by the International Whaling Commission when it meets in Japan next month. We have put forward a strong case for twinning this proposal with the as yet unquantified but very important issue of environmental changes, such as global warming, ozone depletion and pollution, and how these may impact on whale stocks. We intend playing a full part in the Commission's further deliberations on this basis.

Veterinary Investigation Centres

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many veterinary investigation centres were in operation in 1979; what is the current number; and how many are projected for 1996.

Mr. Gummer *[holding answer 21 April 1993]:* Since 1979, the veterinary investigation service has undergone two very thorough and carefully considered reviews which were designed to produce significant improvements in the quality, efficiency and cost-effectiveness of the service and to reflect changes in national requirements and methods of operation of the veterinary investigation service. Advances in diagnostic technology, automated analytical equipment, information technology and improvements in road transport systems have meant that a larger proportion of services provided by the veterinary investigation service can now be carried out more efficiently in a reduced number of locations.

As a result of the reviews there are currently 14 full veterinary investigation centres in operation and following the amalgamation of Reading and Winchester centres on the Winchester site in mid-1994 it is expected that 13 full veterinary investigation centres will be in operation in 1996. The position of the veterinary investigation service unit at Truro will be reviewed in the interim period. In 1979 there were 25 veterinary investigation centres in operation.

Agriculture and Food Research Council

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food if he will list the amounts spent by his Department on the Agriculture and Food Research Council for each year since 1978-79 to 1992-93 in *(a)* cash and *(b)* constant prices.

Mr. Gummer *[holding answer 21 April 1993]:* Ministry of Agriculture, Fisheries and Food commissions with the Agriculture and Food Research Council, together with my Department's total expenditure on research and development, in both cash and constant prices, are set out in the table.

	Commissions with the Agriculture and Food Research Council		*Total research and development expenditure*	
Year	*Cash £ million*	*Constant prices[1] £ million*	*Cash £ million*	*Constant prices £ million*
1978-79	n/a	—	n/a	—
1979-80	30·4	70·2	n/a	—
1980-81	37·4	73·0	n/a	—
1981-82	44·3	79·0	106·8	190·4
1982-83	48·6	80·9	113·9	189·5
1983-84	51·3	81·6	118·6	188·6
1984-85	52·8	79·9	119·4	180·6
1985-86	51·8	74·3	118·4	169·9
1986-87	47·9	66·5	118·3	164·3
1987-88	44·2	58·2	113·8	149·9
1988-89	46·4	57·0	113·4	139·3
1989-90	46·0	53·0	110·2	127·0
1990-91	45·6	48·6	117·6	125·4
1991-92	34·5	34·5	119·6	119·6
1992-93	34·8	33·6	132·2	127·7

[1] Using the GDP deflator (1991-92 = 100).

NORTHERN IRELAND

Manufacturing Industry

11. **Mr. Nicholas Winterton:** To ask the Secretary of State for Northern Ireland what specific steps he is taking to assist manufacturing industry in Northern Ireland.

Mr. Atkins: Government provide a wide range of assistance, financial and other, to manufacturing industry in Northern Ireland through the Department of Economic Development and its businesses. The various programmes of assistance are designed to encourage inward investment, to promote the competitiveness of local industry, to build up management and work force skills and to support innovation.

Talks

12. **Mr. Winnick:** To ask the Secretary of State for Northern Ireland if he will make a statement on the latest position over talks regarding Northern Ireland.

Sir Patrick Mayhew: The Government trust that further political talks will commence as soon as practicable, and I am in contact with the other talks participants about that. A fair and widely acceptable political accommodation in relation to Northern Ireland would bring very substantial benefits to all the people of Northern Ireland, and more generally.

Electricity

13. **Sir Fergus Montgomery:** To ask the Secretary of State for Northern Ireland what proposals he has to assist electricity users in the Province; and if he will make a statement.

25. **Mr. William Ross:** To ask the Secretary of State for Northern Ireland what further steps he intends to take to reduce the cost of electricity in Northern Ireland.

Mr. Atkins: My right hon. and learned Friend announced on 25 March that he had agreed to additional relief on prices for monthly billed industrial users.

Public Expenditure

14. **Mr. Cohen:** To ask the Secretary of State for Northern Ireland what was the total amount of public expenditure incurred in 1992-93 in Northern Ireland; and what proportion of this was spent through the Northern Ireland Office.

Mr. Mates: The estimated outturn for 1992-93 is £7,092 million. Of this total, the Northern Ireland Office estimated outturn is £857 million.

Race Relations Legislation

15. **Mr. Corbyn:** To ask the Secretary of State for Northern Ireland what plans he has to extend race relations legislation to cover Northern Ireland.

Mr. Hanley: On 16 December 1992, my right hon. and learned Friend published a consultative document which seeks views on the scope for legislation on racial discrimination and on any additional action which the Government might take to promote equity of treatment for ethnic groups in Northern Ireland. The consultation period ends on 30 April and Government will then consider carefully the various views expressed and will publish their findings.

"Making Londonderry Work"

16. **Mr. Whittingdale:** To ask the Secretary of State for Northern Ireland how much his Department is spending on the "Making Londonderry Work" campaign; and if he will make a statement.

Mr. Atkins: The Department is spending £3·064 million on the "Making Londonderry Work" campaign in the 1993-94 financial year. This involves an intensified town centre development programme to restore the built environment, a community action programme to improve the social, economic and environmental conditions of people in the most disadvantaged areas of the city and a promotional strategy emphasising the more positive aspects of life in Londonderry. By the end of March 1994, a total of almost £15 million will have been spent on this initiative.

Security

17. **Mr. Cyril D. Townsend:** To ask the Secretary of State for Northern Ireland if he will make a statement on security in Northern Ireland.

24. **Mr. Hunter:** To ask the Secretary of State for Northern Ireland if he will make a further statement on the security situation in Northern Ireland.

Sir Patrick Mayhew: Since my hon. Friend answered a similar question on 18 March seven murders have occured in circumstances to which my hon. Friend's question relates. All the victims were civilians.

The security forces will continue to oppose all terrorism implacably, with the full support of the Government. It is our overriding purpose to defeat and eradicate all terrorism, and we shall do all in our power to encourage the practical help of the public, who undoubtedly share our concern.

19. **Mr. Thurnham:** To ask the Secretary of State for Northern Ireland what representations he has received about the future security of Northern Ireland; and if he will make a statement.

Mr. Mates: I frequently receive representations from a wide range of bodies and individuals on the security of Northern Ireland. These representations are carefully considered.

Our security policy is founded on the maintenance of the rule of law, the defence of democratic principles against those who try to promote political objectives by violence or threat of violence, and the creation of conditions in Northern Ireland in which a just, peaceful and prosperous society can develop. It is our first priority to eradicate terrorism from whatever quarter it comes; for so long as violence continues, it will be met with a firm and resolute response.

Homelessness

18. **Mr. Simpson:** To ask the Secretary of State for Northern Ireland what are the latest numbers of people who are homeless in Northern Ireland; and what action his Department is taking.

Mr. Atkins: It is not possible to give a figure for the total number of homeless people in Northern Ireland at any specific point in time. However, I am advised by the chief executive of the Northern Ireland Housing Executive that at 6 April 1993 the number of households living in temporary accommodation secured for them under the homeless provisions of the Housing (Northern Ireland) Order 1988 was 327.

The Housing Executive has statutory responsibility for dealing with homelessness and arranges both temporary and permanent accommodation throughout Northern Ireland. Its housing selection scheme gives top priority particularly to families accepted as homeless. In addition, the Housing Executive and other local bodies provide extensive advice to those who are homeless, or are threatened with homelessness.

Standard Assessment Tasks

20. **Mr. Harry Greenway:** To ask the Secretary of State for Northern Ireland if he will make a statement on the progress of SATs at key stages 1 to 4.

Mr. Hanley: At key stages 1 to 3 assessment will be, as in England and Wales, by a combination of teacher assessment and external tests. In Northern Ireland these tests are called common assessment instruments. Assessments at key stages 2, aged 11, and 3 (aged 14) are being piloted this year. The key stage 2 pilot CAIs, in English, mathematics and Irish in Irish-medium schools, were administered in mid-February; the key stage 3 pilot CAIs, in English, mathematics and science, will be administered in May. The pilot arrangements this year are being fully evaluated by NISEAC, and whilst the findings

are not yet available early feedback indicates that schools did not find the key stage 2 CAIs to be as onerous as expected.

The key stage 1 CAIs, in English, mathematics and Irish in Irish-medium schools, will be piloted next year. Assessment at key stage 4 will be mainly via GCSE: the first year of the new arrangements at key stage 4 will be in 1995.

Republic (Relations)

21. **Mr. Soley:** To ask the Secretary of State for Northern Ireland whether he has any plans to meet representatives of the Irish Government to discuss the relationship between the Province and the Republic.

Sir Patrick Mayhew: I am in frequent contact with Irish Ministers, and expect to meet them again shortly at a meeting of the intergovernmental conference.

Water Privatisation

22. **Mr. Gordon Prentice:** To ask the Secretary of State for Northern Ireland if he intends to introduce domestic water meter trials in any areas of Northern Ireland prior to the Government's privatisation of water services.

Mr. Atkins: The Department of the Environment has since 1992 been installing meters in randomly selected domestic properties in Northern Ireland. This is a sampling exercise to obtain an assessment of the rate of domestic water consumption. The assessment will be used as a basis for estimating future domestic needs as part of an overall water resource strategy for Northern Ireland. There are no plans to introduce other domestic water meter trials.

Northern Ireland Sports Council

23. **Mr. Duncan:** To ask the Secretary of State for Northern Ireland what plans he has to reform the Northern Ireland Sports Council; and if he will make a statement.

Mr. Hanley: I refer my hon. Friend to the answer that I gave the hon. Member for Belfast, East (Mr. Robinson) on 14 April, *Official Report*, columns *635-36*.

Northern Ireland Care Homes Association

26. **Ms Lynne:** To ask the Secretary of State for Northern Ireland if he or his colleagues have met recently representatives of the Northern Ireland Care Homes Association; and if he will make a statement.

Mr. Hanley: Senior officials in the Department of Health and Social Services have met representatives of the association on several occasions, most recently on 10 March 1993 at the request of my noble Friend Lord Arran.

Unemployment

27. **Mr. Cryer:** To ask the Secretary of State for Northern Ireland what is the current level of unemployment in Northern Ireland.

Mr. Atkins: At 11 March 1993, the latest date for which figures are available, there were 106,016 unemployed claimants in Northern Ireland, representing 14·1 per cent. of the work force.

Political Parties (Meetings)

28. **Mr. Skinner:** To ask the Secretary of State for Northern Ireland what recent meeting he has had with representatives of political parties in Ireland regarding the future of Northern Ireland.

Sir Patrick Mayhew: I am in frequent contact with representatives of the main constitutional parties in Northern Ireland, and with the Irish Government, over the prospects for future political talks.

Invalidity Benefit

29. **Dr. Godman:** To ask the Secretary of State for Northern Ireland if the exercise designed to identify all those women whose invalidity benefit was reduced at the age of 60 years has been completed; what is the estimated number of such women; and if he will make a statement.

Mr. Hanley: The exercise to identify women whose invalidity benefit was reduced at age 60 has been completed. The estimated number of such women is 2,700. A case involving the payment of invalidity benefit to women aged 60 to 64 is at present with the Court of Appeal in England, but no date has been set for the hearing. The Department of Health and Social Services will give full consideration to the judgment of the Court of Appeal when it is delivered.

Irish Constitution

30. **Mr. Alton:** To ask the Secretary of State for Northern Ireland what discussions he has had with the Irish Government about the repeal of articles 2 and 3 of the Irish constitution.

Sir Patrick Mayhew: I have met the Irish Tanaiste, Foreign Minister, Mr. Spring, several times since his taking office, and on each occasion constitutional issues were among the subjects we discussed.

Rural Development Council

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland at which locations there are projects in which the Rural Development Council is involved; and at which locations the Rural Development Council is considering future projects.

Mr. Hanley: Projects which have been approved by the Rural Development Council through its administration of the EC LEADER programme are located as follows:

Mid-Ulster Enterprises (Creggan Ltd.), Omagh, Co. Tyrone.
The Seeconnel Initiative, Castlewellan, Co. Down.
South West Fermanagh Development Organisation Ltd.

Further applications under the LEADER programme are being considered by the council, but no final decisions have yet been taken.

The Rural Development Council is also assisting 120 projects under the farm diversification action research programme which it operates in South Armagh and West Fermanagh on behalf of the International Fund for Ireland.

Terrorists

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland how many persons wanted by the police in Northern Ireland in connection with *(a)* terrorist

murders and *(b)* other terrorist offences are now reported to be in the Republic of Ireland; how many in other foreign countries; what requests for extradition have been made; and what proceedings have been started under the criminal law jurisdiction legislation.

Mr. Mates: It is not possible to give meaningful figures in relation to the first part of the question. We are currently seeking the extradition of three persons from the United States to Northern Ireland and one person from the Republic of Ireland to Northern Ireland. There are two prosecutions proceeding under the Criminal Law (Jurisdiction) Act.

Armed Robberies

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland how many armed robberies took place in Northern Ireland in each year since 1990; and what was the total amount stolen in each year.

Mr. Mates: The information is as follows:

	1990	*1991*	*1992*
Number of armed robberies[1]	579	686	866
Amount stolen[2] (£ million)	1·5	1·7	2·7

[1] Including attempted armed robberies.
[2] Approximately.

Stolen Cars

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland how many cars were stolen in Northern Ireland in each year since 1990.

Mr. Mates: Police statistics on vehicle theft do not distinguish between cars and other vehicles. The total number of vehicles stolen was 7,026 in 1990, 8,565 in 1991 and 9,175 in 1992.

University Funding

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what is the annual cost to the Government of funding for *(a)* Queen's university, Belfast and *(b)* the University of Ulster.

Mr. Hanley: I refer the hon. Gentleman to the answer given to the hon. Member for Newry and Armagh (Mr. Mallon) on 14 April 1993, *Official Report*, columns *658-60*.

Civil Service

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what was the size of Northern Ireland civil service on 1 January in each year since 1981.

Mr. Mates: Northern Ireland civil service staff in post figures at 1 April for the years 1981-93 are as follows:

Year	*Staff in post*	
	Non-industrial	*Industrial*
1981	23,367	7,324
1982	22,720	6,804
1983	22,640	6,327
1984	22,471	6,091
1985	22,598	5,948
1986	23,013	5,881
1987	23,248	5,737
1988	23,546	5,459
1989	23,240	5,321
1990	23,336	5,258
1991	23,790	4,694
1992	24,256	4,852
1993	24,900	[1]4,576

[1] As at 1 March 1993.

Public Debt

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what is the current size of public debt in Northern Ireland; and by how much it has increased or decreased since May 1991.

Mr. Mates: Provisional figures for the main areas of public sector debt—housing, rates, water, electricity and gas supplies—currently put the level of such debt at some £29·6 million. This represents a decrease of £4·1 million from 31 March 1991. Information for May 1991 is not available.

Health and Social Services Boards

Mr. McGrady: To ask the Secretary of State for Northern Ireland what is the budgetary allocation to each of the health and social services boards in Northern Ireland for the 1993-94 financial year.

Mr. Hanley: For the 1993-94 financial year the allocation to each of the health and social services boards is:

	£
Northern board	
Hospital, community health and personal social services	198,812,000
Family health services	59,318,000
General practice fund holding	9,350,000
Southern board	
Hospital, community health and personal social services	163,657
Family health services	49,978,000
Eastern board	
Hospital, community health and personal social services	393,619,000
Family health services	104,896,000
General practice fund holding	18,540,000
Western board	
Hospital, community health and personal social services	142,154,000
Family health services	43,322,000
General practice fund holding	3,637,000

These allocations may be increased in-year to fund service developments and other priorities.

SOCIAL SECURITY

Elderly People

Sir David Steel: To ask the Secretary of State for Social Security what estimate he has made of the consequences for retirement pensioners of the United Kingdom's opt-out from the social chapter.

Miss Widdecombe: Assuming the Maastricht treaty is ratified, the protocol on social policy which has annexed to it an agreement on social policy—also known as the social chapter—between the other 11 member states of the European Community will come into effect. The United Kingdom's negotiated exclusion from this agreement is not expected to result in any direct consequences for retirement pensioners.

European Court Judgment

Dr. Godman: To ask the Secretary of State for Social Security what plans there are to seek an early listing of Commissioners' decision C. S. 27/91 (Mrs. Graham) at the Court of Appeal following the European Court of Justice judgment in case C328/91; and if he will make a statement.

Mr. Scott: Officials of the Court of Appeal have already contacted the Department with a view to arranging the listing of this case.

Attendance Allowance

Mr. Robert B. Jones: To ask the Secretary of State for Social Security whether, in the case of Mrs. Vera Vogel, on behalf of the late Mrs. Ivy Garrett, ZP 379254 C *(a)* the letter from Mrs. S. Scholfield dated 9 March or *(b)* the letter dated 12 March from the attendance allowance unit represents the correct position.

Mr. Scott: The administration of attendance allowance is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write shortly to my hon. Friend and a copy will be placed in the Library.

Letter from David Riggs to Mr. Robert Jones, dated 2 April 1993:

As Chief Executive of the Benefits Agency, it is the responsibility of Mr. Michael Bichard to answer questions about relevant operational matters. However, as Mr. Bichard is away at the moment I am replying on his behalf to your recent Parliamentary Question to the Secretary of State for Social Security asking whether, in the case of Mrs. Vera Vogel, acting on behalf of the late Mrs. Ivy Garrett, ZP379254C *(a)* the letter from Mrs. S. Scholfield dated 9 March or *(b)* the letter dated 12 March from the Attendance Allowance Unit represents the correct position.

Following Mrs. Garrett's death, Mrs. Vogel who is Mrs. Garrett's daughter has been in correspondence with the Attendance Allowance Unit in Blackpool to determine whether her late mother could establish either statutory or extra-statutory title payment to Attendance Allowance (AA).

The letters to which you mention were with regard to this subject but were for entirely different purposes. Due to the confidential nature of this matter I have written to you separately and in greater detail about it.

I hope that you find this reply helpful. A copy will appear in the *Official Report* and a copy will be placed in the Library.

Income Support

Mr. William Powell: To ask the Secretary of State for Social Security if he will list the most recently available figure for the income support live load of each of his Department's offices in Northamptonshire; and what are the costs involved.

Mr. Burt: The administration of income support is a matter for Mr. Michael Bichard the chief executive of the Benefits Agency. He will write to my hon. Friend with such information as is available and a copy will be placed in the Library.

Letter from Michael Bichard to Mr. William Powell, dated 20 April 1993:

As Chief Executive of the Benefits Agency it is my responsibility to answer questions about relevant operational matters. I am therefore replying to your recent Parliamentary Question to the Secretary of State for Social Security if he will list the most recently available figure for the Income Support live load of each of his Department's offices in Northamptonshire; and what are the costs involved.

The Benefits Agency offices covering Northamptonshire are Corby, Northampton and Wellingborough. I have given below the latest figures for the Income Support live load by office. The information has been provided by the Income Support Management Information Statistics. Information regarding the costs of benefit involved are not available. This is because information if only held on a National basis and it is not possible to estimate costs for local areas.

Office	*Live Load*
Corby	6,051
Northampton	25,576
Wellingborough	16,057

I hope you find this reply helpful. A copy of this letter will appear in the *Official Report* and a copy will also be placed in the Library.

Invalidity Benefit

Dr. Godman: To ask the Secretary of State for Social Security if the Benefits Agency has now completed its exercise to identify those women in receipt of invalidity benefit whose benefit was reduced at age 60 years; and if he will make a statement.

Mr. Scott: The administration of invalidity benefit is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available and a copy will be placed in the Library.

Letter from Michael Bichard to Dr. Norman A. Godman, dated 21 April 1993:

As Chief Executive of the Benefits Agency it is my responsibility to answer questions about relevant operational matters. I am therefore replying to your recent Parliamentary Question to the Secretary of State for Social Security asking if the Benefits Agency has now completed its exercise to identify those women in receipt of Invalidity Benefit whose benefit was reduced at age 60 years.

On 1 April 1992 the Social Security Commissioner decided that Invalidity Benefit rules linked to pension age breach the EC Equal Treatment Directive; that women aged 60-64 should receive standard rate invalidity Benefit instead of the Retirement Pension rate; and that women should receive Invalidity Allowance if incapacity begins between 55 and 59 years of age.

The Chief Adjudication Officer and Secretary of State (jointly) have appealed against this decision to the Court of Appeal. Meanwhile payment of any additional benefit resulting from the Commissioner's decision is being suspended by the Secretary of State until this appeal has been resolved.

Instructions have been issued to District Offices to identify the women affected by the Commissioner's decision. This will enable the Agency to act promptly once the decision of the Court of Appeal is known. The Agency's initial estimate of the numbers of cases involved is a maximum of 82,500. The exercise to identify the cases and establish a more accurate figure is continuing but should be concluded shortly.

I hope you find this reply helpful. A copy will appear in the Official Report and a copy will also be placed in the Library.

EMPLOYMENT

Social Affairs and Labour Council

Ms Quin: To ask the Secretary of State for Employment what matters will be discussed at the next meeting of the EC Social Affairs and Labour Council; and if she will make a statement.

Mr. Michael Forsyth: The agenda for the next meeting of the EC Labour and Social Affairs Council on 1 June has not yet been fixed.

However, at the last meeting on 6 April, the Danish presidency indicated that it hoped to bring the proposals for directives on European works councils, on the protection of young people at work, and on working time to that meeting.

Employment Creation

Ms Quin: To ask the Secretary of State for Employment what assessment her Department has made as to a link between improved environmental protection and employment creation.

Mr. Michael Forsyth: The Department has made no such assessment.

May Day Holiday

Mr. Tony Banks: To ask the Secretary of State for Employment (1) what representations she has received on the Government's proposals to end the May day holiday;

(2) when she expects to introduce legislation to end the May day holiday.

Mrs. Gillian Shephard: An announcement will be made in due course.

Unemployment Benefit Disqualification

Ms Eagle: To ask the Secretary of State for Employment if she will list for each standard region and for the United Kingdom as a whole, for the quarter to December 1992, the number of claimants subject to unemployment benefit disqualification broken down on the same basis as in the answer of 26 March, *Official Report*, columns *849-51*.

Mr. McLoughlin: Responsibility for the subject of the question has been delegated to the Employment Service Agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mr. M. Fogden to Ms Angela Eagle, dated 22 April 1993:

As the Employment Service is an Executive Agency, the Secretary of State has asked me to write to you direct to respond to your Parliamentary Question to her about the number of claimants subject to unemployment benefit disqualifications listed for the quarter to December 1992 for each standard region and for the United Kingdom as a whole. This is something which falls within the responsibilities she has delegated to me as Chief Executive of the Agency.

The tables attached to my reply of 26 March showing the number of claimants subject to unemployment benefit disqualification were compiled in the form requested by means of a special exercise. This information is, in fact, available in a published document, the "Analysis of Adjudication Officers' Decisions", copies of which are held in the Library. The analysis for the quarter ending 31 December 1992, for each standard region and for Great Britain as whole, has been published and, as indicated in Mr. Turner's reply of 2 April, copies were sent to the Library on 29 March.

As decided by the Administration Committee of the House of Commons, Chief Executive replies to written Parliamentary Questions will be published in the *Official Report*. I will also place a copy of this letter in the Library of the House.

Explosives

Mr. Bellingham: To ask the Secretary of State for Employment what are the implications of the European directive on explosives for civil uses for individuals who make their own ammunition for sporting or recreational purposes.

Mr. Michael Forsyth: The Health and Safety Commission is considering how to implement this directive with a view to putting proposals to my right hon. Friend the Secretary of State in the summer.

This directive is primarily concerned with the safety of explosives for civil uses. It also covers controls on the movement of explosives which require the recipient to obtain prior approval from a competent authority. This provision was originally intended to address the loss of systematic checks of imports, previously undertaken by Customs and Excise, following the abolition of border controls on 31 December 1992.

As finally agreed, the directive also applies to movements of explosives within member states, and it does not exempt individuals acquiring components of small arms ammunition for sporting and recreational purposes. However, the Government do not believe that transfer of components of small arms ammunition to and by individuals for their own sporting or recreational purposes was intended to be covered by this directive.

As soon as the United Kingdom identified this problem it was brought to the attention of the European Commission, which has since agreed, in a minutes statement made when the directive was finally adopted at the Internal Market Council on 5 April 1993, that it will urgently consider what measures can be adopted to resolve the problem. In the meantime the United Kingdom will be seeking the support of other member states.

Taking the minutes statement made by the Commission into account, and subject to HSC's advice, the Government are not at present proposing to apply the approval to transfer requirements to such individuals in Great Britain.

Written Answers to Questions

Friday 23 April 1993

TRANSPORT

Traffic Pollution

Mr. Jon Owen Jones: To ask the Secretary of State for Transport if he will introduce measures to reduce the noise and pollution resulting from increases in the amount of road traffic.

Mr. Kenneth Carlisle: There is a wide range of measures already in place or planned which will reduce noise and pollution from road traffic. These include the recently adopted European Commission directive 92/93, which will introduce lower noise limits for cars, lorries and coaches by 1995. Lower noise limits for motor cycles are also being considered in the European Community.

Tight new emission standards for both cars and lorries throughout the European Community are coming in over the next few years. Since the beginning of this year most new cars have to be fitted with catalytic converters. These reduce harmful emissions by about 80 per cent.

The MOT emissions check introduced for cars in November 1991 is helping to reduce emissions of carbon monoxide and hydrocarbons. Since 1 September there has been a metered smoke test in the annual test for heavy diesels.

The Government have recently issued a consultative document seeking views on ways of limiting CO_2 emissions. Transport must certainly play its part. We are particularly keen to encourage more economical use of fuel by road transport. We have already taken steps to do this. In the Budget speech, the Chancellor of the Exchequer announced a 10 per cent. increase in road fuel duties. He also announced that in future Budgets he will increase duty on all road fuels by at least 3 per cent. in real terms. We are also discussing with our EC partners how best to encourage manufacturers to produce more fuel efficient cars.

Measures to reduce congestion in urban areas will also help—these involve a mix of traffic management, parking controls and better public transport. We are also looking at a number of other initiatives which could have the effect, in the longer term, of reducing the rate of traffic growth including road pricing in urban areas and using the planning system to reduce the need for travel.

British Rail

Mr. Gordon Prentice: To ask the Secretary of State for Transport when he last met the chairman of British Rail to discuss the level of spending on maintenance of BR track.

Mr. Freeman: The Secretary of State regularly meets the BR chairman and board members to discuss a wide range of matters relating to the railways. It is for the board to decide on its expenditure on track maintenance within the overall external financing limit.

Mr. Gordon Prentice: To ask the Secretary of State for Transport, pursuant to his answer of 31 March, *Official Report*, column *301*, what estimate he has made about the number of miles of British Rail track which are, or are likely to be, subject to speed restrictions caused by reduced maintenance resulting from reductions in the planned level of public service obligation grant in 1993-94.

Mr. Freeman: Speed restrictions, for maintenance and other reasons, are constantly changing. It is therefore not possible to give any estimate of such restrictions for 1993-94.

Rail Privatisation

Mr. Bellingham: To ask the Secretary of State for Transport what conclusions he has come to about liability for injuries caused by railway accidents after rail privatisation.

Mr. Freeman: I have concluded that the basis of liability—negligence—should be the same as it is for all transport accidents so as not to disadvantage rail in relation to competing modes of transport. I shall shortly appoint insurance advisers to make recomendations about effective insurance arrangements in the industry, taking into account the position on liability. Operators will be required by licence to have in place adequate insurance.

EMPLOYMENT

Training Consultants

Mrs. Helen Jackson: To ask the Secretary of State for Employment if she will issue guidance as to the means by which training consultants gather information about their past students, in connection with Government-funded schemes.

Mr. McLoughlin: Training and enterprise councils, which deliver Government-funded training locally, are private companies and are free to gather information about students in the manner that best suits local circumstances.

We have issued a training and enterprise council management information guide, which may be passed on to training providers and specifies when information about past students should be gathered.

Training Companies

Mrs. Helen Jackson: To ask the Secretary of State for Employment if she will bring forward proposals to ban the practice of a training company offering financial rewards to former trainees on an employment training course who inform them that they now have a job.

Mr. McLoughlin: The Employment Department partly funds training and enterprise councils by payments for trainees who gain jobs after leaving ET. TECs and their training providers are free to use their own methods to gather information about the employment status of former trainees so that they can claim these payments. We do not intend to ban the offer of financial rewards to former trainees as an incentive to provide this information.

OVERSEAS DEVELOPMENT

Forestry

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will make a statement on the findings of the recently published evaluation of six forestry projects funded by the Overseas Development Administration and the Commonwealth Development Corporation;

(2) if he plans to take action on the basis of conclusions reached in the recent evaluation of British Government-funded forestry projects in developing countries.

Mr. Lennox-Boyd: A copy of the recently published evaluation synthesis report on six forestry projects, including one co-funded by the Commonwealth Development Corporation, was placed in the Library of the House earlier this year, together with copies of the individual evaluation reports.

Independent consultants played major roles in each of the individual project evaluations and in the evaluation synthesis study. The evaluators judged five of the projects to be partially successful and the sixth successful. Large areas of trees were successfully established and the environmental impact was generally positive. But institutional achievements were mixed and rarely sustainable, while there were also some problems with timber utilisation. These projects were started during the 1970s and early 1980s and lessons drawn from the evaluations are being applied to current programmes.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he plans to publish the results of work to expand and revise the World Conservation Monitoring Centre's database on timber tree species of conservation concern.

Mr. Lennox-Boyd: We have no plans to publish this work, which forms part of a continuing process of developing the World Conservation Monitoring Centre's timber database. I shall place a copy of WCMC's report to ODA in the Library of the House.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs how many environmental impact assessments have been completed in the last 12 months with respect to Overseas Development Administration or CDC-funded forestry projects.

Mr. Lennox-Boyd: Environmental appraisal is a standard element in the examination of all project proposals following the procedures set out in the Overseas Development Administration's "Manual of Environmental Appraisal", a copy of which is in the Library of the House. Full environmental impact assessments have been undertaken on one ODA and one CDC forestry project in the last year.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the United Kingdom's position with respect to the renegotiation of the international tropical timber agreement.

Mr. Lennox-Boyd: Along with other tropical timber-consuming countries, the United Kingdom has proposed focussing the objectives of the new agreementt on the sustainable production of tropical timber. We have also proposed measures to improve the operational performance of the International Tropical Timber Organisation. We aim to enhance its capacity to meet its target for all internationally traded tropical timber to come from sustainable sources by the year 2000.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will provide details of the funding so far allocated to implement the tropical forestry action plan from loan compared to grant sources.

Mr. Lennox-Boyd: All the Overseas Development Administration's aid related to the tropical forestry action programme is provided on grant terms.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs what relationship exists between the Overseas Development Administration project to expand and revise the World Conservation Monitoring Centre's database on threatened timber species and work funded by the Government of Japan into the conservation status of trees species of conservation concern carried out under the auspices of the same organisation.

Mr. Lennox-Boyd: The work financed by the Overseas Development Administration was undertaken as preparation for the proposed future development of the initial study which was financed by the Government of Japan. The results were considered at a workshop held in Cambridge in March, under the auspices of the International Tropical Timber Organisation, on methodologies for the assessment of the commercial and biological conservation status of tropical timber trees. The future of this work will be discussed at the International Tropical Timber Council meeting in Kuala Lumpur next month.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will commit long-term funding to support for monitoring of timber species of conservation concern.

Mr. Lennox-Boyd: We are considering providing funds for this purpose.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement regarding progress made in Geneva on the renegotiation of the international tropical timber agreement.

Mr. Lennox-Boyd: Progress is slow. A further meeting will take place from 21 to 25 June.

El Salvador

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the World bank consultative group meeting on El Salvador on 1 April in Paris.

Mr. Lennox-Boyd: The United Kingdom was not represented at the World Bank consultative group meeting on El Salvador. We understand that representatives pledged their continuing support for El Salvador's peace process and economy recovery, and indicated pledges totalling some $800 million for 1993.

DUCHY OF LANCASTER

Market Testing

Mr. Jon Owen Jones: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the introduction of market testing throughout the civil service: and what effect this will have on current employees' prospects.

Mr. Waldegrave: The "Citizen's Charter First Report", Cmd 2101, published in November 1992, set out the Government's programme for market testing in central Government up to September 1993. Rolling programmes for subsequent years are being prepared. Generally, the opportunity to bid will be given to employees currently doing the work concerned. The effect on their employment prospects will depend on the individual circumstances of each market test, including their success in winning the work and, where the work is awarded to outside contractors, to contractors' own plans, as well as the scope for redeployment within the civil service.

HOME DEPARTMENT

Car Unlocking Devices

Mr. Mills: To ask the Secretary of State for the Home Department what plans he has to counter the use of electronic devices which record and can replicate remote control car unlocking systems; and if he will make a statement.

Mr. Jack: We are aware that devices which are capable of recording and replicating remote controlled car locking systems have recently been advertised on the British market. We are actively looking into their availability and effectiveness with a view to assessing what action may be required.

The motor manufacturers and the vehicle security industry are also aware of the capabilities of these devices and are working to improve the security of their products to counter the threat posed by this technology.

It may reassure my hon. Friend to know that it is already an offence under section 25 of the Theft Act 1968 to carry equipment for use in any burglary or theft. This would cover the use of these particular devices by car thieves and, upon conviction, an offender is liable to imprisonment for up to three years.

Group 4 Security

Mr. Blair: To ask the Secretary of State for the Home Department (1) if he will publish the conclusions of the inquiry his Department has required from Group 4 into escapes from their prison escort services;

(2) what conclusions he has drawn from the recent prison escort escapes from those in the custody of Group 4 Security; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the prison service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Tony Blair, dated April 1993:

The Home Secretary has asked me to reply to your recent Parliamentary Questions about escapes by prisoners in the custody of Group 4 Court Services Limited.

The Prisoner Escort Monitor has yet to complete the detailed investigations into these escapes. When he has done so, I shall write to you again.

Mr. Redmond: To ask the Secretary of State for the Home Department (1) if the contract with Group 4 to manage the Wolds prison contains any clause prohibiting the employment of convicted criminals; and if he will make a statement;

(2) if the prisoner transportation contract with Group 4 contains a clause prohibiting the employment of convicted criminals; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the prison service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Martin Redmond, dated April 1993:

The Home Secretary has asked me to write to you directly in reply to your recent Parliament Questions asking if the contracts with Group 4 on prisoner transportation and the management of the Wolds Prison contain a clause prohibiting the employment of convicted criminals.

The contracts with Group 4 do not contain such a clause, but they do require all Prisoner Custody Officers (PCOs) to be certified by the Home Secretary in accordance with Section 89 of, and Schedule 10 to, the Criminal Justice Act 1991. PCOs are exempt from the terms of the Rehabilitation of Offenders Act 1974, and therefore, like Prison Officers, all previous convictions are taken into consideration in assessing their fitness for certification and the same assessment criteria apply.

Escaped Prisoners

Dr. Spink: To ask the Secretary of State for the Home Department what steps he is taking to prevent dangerous prisoners from escaping while on temporary leave from prison; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the prison service who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Dr. Robert Spink, dated 22 April 1993:

The Home Secretary has asked me to write to you in response to your Parliamentary Question asking what steps are taken to prevent dangerous prisoners from escaping while on temporary leave from prison.

Any prisoner who presents a risk to public safety either by absconding or re-offending will not be granted temporary release. Before granting an application to be released temporarily for any purpose a very careful and detailed assessment is made of the risk involved. Any prisoner who has been temporarily released may also be recalled to prison at any time whether the conditions of his licence have been broken or not.

Guidance on the procedures and arrangements for granting temporary release are set out in Circular Instructions 12/1988 (for young offenders), 36/1989 (for adult prisoners) and 43/1992 (home leave), copies of which are in the Library.

Refugees

Mr. Allen: To ask the Secretary of State for the Home Department what is his policy regarding the issuing of United Kingdom travel documents to refugees on exceptional leave to remain.

Mr. Charles Wardle: People who have been refused asylum in the United Kingdom but granted exceptional leave to remain, in common with others who are not settled here, have no entitlement to Home Office travel documents. However, it is our practice to look at such applications sympathetically and to issue a certificate of identity to those who can show that they are unable to obtain a passport from their own authorities.

Mr. Allen: To ask the Secretary of State for the Home Department how many refugees currently in the United Kingdom have been granted exceptional leave to remain; what proportion of these were issued with brown United Kingdom travel documents in *(a)* 1990, *(bv)* 1991 and *(c)* 1992; and if he will analyse these figures by ethnic origin.

Mr. Charles Wardle: The available information is that during the years 1986-92 a total of 29,000 asylum applicants, excluding dependants, not recognised as refugees were granted exceptional leave. Information on the number who have left the United Kingdom, or been granted leave to stay on another basis, is not readily available.

Information on the number and nationalities of these cases issued with a certificate of identity is not available. Persons with exceptional leave are not identified separately in the statistics of issues of these certificates.

Criminal Injuries Compensation Board

Mr. Corbyn: To ask the Secretary of State for the Home Department (1) how many metropolitan police officers made applications to the Criminal Injuries Compensation Board for injuries incurred on duty since 1987; and how much was paid each year;

(2) what percentages of total awards made by the Criminal Injuries Compensation Board in each year since 1987 were made to *(a)* police and *(b)* non-police.

Mr. Jack: I regret that the available records do not separately identify applications from, or payments made to, the police or other occupational groups.

Metropolitan Police Vehicles

Mr. Corbyn: To ask the Secretary of State for the Home Department how many metropolitan police vehicles were damaged beyond repair as a result of chasing suspect vehicles in each year since 1987; and what were the costs of their replacement.

Mr. Charles Wardle: Information is not held in the form requested.

Prisoner Transfers

Mr. Corbyn: To ask the Secretary of State for the Home Department (1) what is the average number of prisoners being transferred from prison to court and from police station to court in the Greater London area on any day when the courts are sitting;

(2) how many prisoners in custody were transferred between police stations and prisons to the London courts in each year since 1988.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the prison service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Jeremy Corbyn, dated 22 April 1993:

The Home Secretary has asked me to reply to your recent Parliamentary Questions about the numbers of prisoners escorted to the London courts.

I am afraid that the information which you requested is collected neither centrally nor routinely by the establishments now responsible for this work. We are in the process of collecting such information covering the last few months for inclusion in the invitation to tender for the court escort service in London, but as yet this work is incomplete. Our best guess is that in excess of 200,000 prisoner movements to and from court are performed each year.

Mr. Corbyn: To ask the Secretary of State for the Home Department how many prisoners escaped from custody whilst being transferred from police stations and prisons to courts in the Greater London area in each year since 1988.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the prison service, who has been asked to arrange for a reply.

Letter from Derek Lewis to Mr. Jeremy Corbyn, dated 23 April 1993:

The Home Secretary has asked to me to reply to your Parliamentary Question asking how many prisoners escaped from custody whilst being transferred from police stations and prisons to courts in the Greater London area in 1988, 1989, 1990, 1991 and 1992.

I regret that information is not available centrally on escapes from escorts staffed by the police. This information could only be gathered at disproportionate cost. The information provided relates only to escorts staffed by the Prison Service. Additionally, this information is recorded against individual prison establishments and not by geographical area. The information relates to court escorts manned by the Greater London prisons and refers to escapes between 20 June 1988 and 31 December 1992. This information was not collected centrally until June 1988.

Escapes from court escort (London Prisons)

	Number
1988	4
1989	3
1990	6
1991	12
1992	8

The information above is derived from incidents reported to the Incident Management Support Unit, a part of the Directorate of Custody.

Civil Damages Claims

Mr. Corbyn: To ask the Secretary of State for the Home Department how much has been paid from the Metropolitan police fund to members of the public in settlement of civil damages claims for *(a)* false imprisonment, *(b)* assault and *(c)* malicious prosecution in each year since 1987; and for each category how many cases were (i) settled out of court and (ii) settled at trial.

Mr. Charles Wardle: The information is not available in the form requested.

Sam Kulasingham and Prem Sivalingham

Mr. Corbyn: To ask the Secretary of State for the Home Department what considerations have been given in to the safety of the convictions of Sam Kulasingham and Prem Sivalingham; and if he will make a statement.

Mr. Jack: Following a number of representations about the safety of these convictions, Essex police were asked to make some further inquiries. A report was received last month. It is now being considered, together with all other relevant factors, in order that my right hon. and learned Friend may decide whether grounds exist for a reference back to the Court of Appeal.

Betting Office Association

Mr. Frank Field: To ask the Secretary of State for the Home Department how far the application of the British Betting Office Association for membership of the Bookmakers' committee of the levy board has progressed.

Mr. Peter Lloyd: The association's request for representation on the Bookmakers committee is under consideration. We will write to the association quite soon.

EDUCATION

Primary Education

Mr. Knox: To ask the Secretary of State for Education what was spent per primary school pupil in England in the most recent year for which figures are available; and what the comparable figure was in 1978-79, at constant prices.

Mr. Forth: Figures for expenditure on nursery and primary pupils are not collected separately. In 1990-91, the latest year for which figures on actual spending are available, average spending per pupil in nursery and primary schools in England was £1,437 in 1992-93 prices. This compares to £1,131 for 1978-79 in 1992-93 prices. For 1991-92, it is estimated to rise to £1,467, also in 1992-93 prices. This figure includes estimates of expenditure for six LEAs and is subject to final checking by the Department of the Environment and the Department for Education.

Pupils, Staffordshire

Mr. Knox: To ask the Secretary of State for Education (1) how many children were being educated in *(a)* primary and *(b)* secondary schools in Staffordshire in the most recent year for which figures are available; and what the comparable figures were in 1978-79;

(2) what was the pupil-teacher ratio in *(a)* primary and *(b)* secondary schools in Staffordshire in the most recent year for which figures are available; and what the comparable figures were in 1978-79.

Mr. Forth: Information on pupils and pupil: teacher ratios in maintained schools in Staffordshire local education authority in 1979 and 1992 is shown in the table.

Pupils and pupil: teacher ratios in maintained primary and secondary schools in Staffordshire LEA: 1979 and 1992
Position as at January each year

	Total pupils		*Pupil: Teacher ratio*	
	1979	*1992*	*1979*	*1992*
Primary	105,978	91,015	23·19	23·45
Secondary	86,670	68,192	16·72	16·00

Mr. Knox: To ask the Secretary of State for Education how much was spent by Staffordshire county council on education in the most recent year for which figures are available; and what the comparable figure was in 1978-79, at constant prices.

Mr. Forth: In 1990-91, the latest year for which figures on actual spending are available, spending on education in Staffordshire was £387·382 million, and estimated for 1991-92, £411·589 million at 1992-93 prices. In 1978-79, Staffordshire spent, at 1992-93 prices, £371·209 million on a comparable basis. This figure excludes expenditure on what is now Staffordshire university.

Secondary Pupils

Mr. Knox: To ask the Secretary of State for Education how much was spent per secondary school pupil in England in the most recent year for which figures were available; and what the comparable figure was in 1978-79, at constant prices.

Mr. Forth: In 1990-91, the latest year for which figures on actual spending are available, spending per pupil in secondary schools in England was £2,170 in 1992-93 prices. This compares to £1,742 for 1978-79, in 1992-93 prices. For 1991-92, it is estimated to rise to £2,273, also in 1992-93 prices. This figure includes estimates of expenditure for six LEAs and is subject to final checking by the Department of the Environment and the Department for Education.

Spending

Mr. Knox: To ask the Secretary of State for Education how much was spent per *(a)* primary and *(b)* secondary school pupil in each of the local education authorities in England and in the most recent year for which figures are available; and what the comparable figures were in 1978-79, at constant prices.

Mr. Forth: Figures for expenditure on nursery and primary pupils are not collected separately. Spending per pupil for each English local education authority in nursery and primary schools combined and in secondary schools in 1978-79 and 1991-92 at 1992-93 prices is as shown in the table. The figures for 1991-92 are subject to final checking by the Department of the Environment and the Department of Education.

Spending per pupil
1992-93 prices

	1978-79		*1991-92*	
	Nursery and primary	*Secondary*	*Nursery and primary*	*Secondary*
ILEA	1,678	2,280	—	—
City	—	—	2,686	0
Camden	—	—	2,011	2,517
Greenwich	—	—	1,894	2,376
Hackney	—	—	n/a	n/a
Hammersmith	—	—	2,119	2,835
Islington	—	—	n/a	n/a

	1978-79		1991-92	
	Nursery and primary	*Secondary*	*Nursery and primary*	*Secondary*
Kensington	—	—	2,367	3,312
Lambeth	—	—	2,156	3,082
Lewisham	—	—	1,777	2,459
Southwark	—	—	1,892	2,546
Tower Hamlets	—	—	2,332	3,049
Wandsworth	—	—	2,250	3,328
Westminster	—	—	3,668	2,669
Barking	1,175	1,754	1,582	2,326
Barnet	1,180	1,748	1,712	2,375
Bexley	1,018	1,552	1,420	2,171
Brent	1,424	1,919	1,628	2,563
Bromley	1,085	1,659	1,448	2,522
Croydon	1,122	1,639	1,608	2,438
Ealing	1,371	1,818	1,816	2,713
Enfield	985	1,385	1,664	2,367
Haringey	1,390	1,793	n/a	n/a
Harrow	1,387	1,863	1,704	2,459
Havering	1,116	1,636	1,423	2,312
Hillingdon	1,127	1,692	1,653	2,720
Hounslow	1,166	1,653	1,635	2,243
Kingston-upon Thames	1,136	1,575	1,547	2,535
Merton	1,239	1,564	1,617	2,770
Newham	1,393	1,759	1,659	2,518
Redbridge	1,049	1,656	1,500	2,321
Richmond-upon Thames	1,169	1,591	1,713	2,185
Sutton	1,040	1,510	1,498	2,299
Waltham Forest	1,192	1,894	1,659	2,700
Birmingham	1,007	1,524	1,418	2,227
Coventry	1,068	1,496	1,428	2,269
Dudley	881	1,351	1,466	2,212
Sandwell	1,024	1,533	1,540	2,364
Solihull	957	1,435	1,393	2,183
Walsall	1,021	1,485	n/a	n/a
Woverhampton	1,099	1,564	1,569	2,423
Knowsley	1,018	1,600	1,485	2,350
Liverpool	1,164	1,673	1,459	2,470
St. Helens	934	1,499	1,348	2,145
Sefton	965	1,421	1,331	2,092
Wirral	951	1,440	1,357	2,215
Bolton	929	1,415	1,406	2,193
Bury	973	1,396	1,313	1,933
Manchester	1,250	1,846	1,448	2,374
Oldham	948	1,393	1,588	2,270
Rochdale	1,057	1,591	1,346	2,212
Salford	982	1,505	1,339	2,259
Stockport	926	1,398	1,380	2,196
Tameside	1,001	1,466	1,459	2,194
Trafford	1,038	1,396	1,316	2,187
Wigan	954	1,485	1,285	2,350
Barnsley	1,082	1,519	1,397	2,119
Doncaster	1,275	1,382	1,331	2,031
Rotherham	1,001	1,468	1,525	2,236
Sheffield	1,136	1,589	1,536	2,306
Bradford	1,175	1,387	1,685	1,868
Calderdale	1,043	1,502	1,605	2,072
Kirklees	965	1,343	1,433	2,108
Leeds	1,166	1,225	1,688	2,048
Wakefield	1,052	1,371	1,508	2,149
Gateshead	1,102	1,496	1,628	2,215
Newcastle upon Tyne	1,326	1,762	1,672	2,099
North Tyneside	1,130	1,519	n/a	n/a
South Tyneside	1,253	1,569	1,438	2,161
Sunderland	1,063	1,522	1,461	2,137
Isles of Scilly	1,499	3,133	n/a	n/a
Avon	1,068	1,513	1,460	2,135
Bedfordshire	1,217	1,541	1,527	2,090
Berkshire	1,021	1,488	1,532	2,241
Buckinghamshire	1,018	1,608	1,448	2,236
Cambridgeshire	1,001	1,508	1,450	2,078
Cheshire	1,013	1,527	1,376	2,167
Cleveland	1,060	1,471	1,401	2,299
Cornwall	940	1,496	1,428	2,012
Cumbria	1,049	1,547	1,494	2,249
Derbyshire	976	1,457	1,460	2,241
Devon	951	1,452	1,424	2,069
Dorset	1,035	1,471	1,419	2,013

	1978-79		1991-92	
	Nursery and primary	Secondary	Nursery and primary	Secondary
Durham	1,113	1,485	1,432	2,123
East Sussex	1,010	1,550	1,436	2,139
Essex	948	1,485	1,371	2,185
Gloucestershire	990	1,449	1,427	1,874
Hampshire	943	1,494	1,44[illegible]	2,182
Hereford and Worcester	962	1,421	1,497	2,024
Hertfordshire	1,105	1,670	1,523	2,251
Humberside	1,057	1,457	1,467	2,155
Isle of Wight	1,043	1,393	1,498	1,993
Kent	957	1,491	n/a	n/a
Lancashire	923	1,452	1,529	2,244
Leicestershire	979	1,496	1,495	2,288
Lincolnshire	979	1,550	1,376	2,169
Norfolk	1,032	1,513	1,477	2,178
North Yorkshire	1,063	1,508	1,430	2,229
Northamptonshire	934	1,432	1,379	2,033
Northumberland	1,088	1,494	1,505	2,010
Nottinghamshire	985	1,480	1,646	2,569
Oxfordshire	1,060	1,485	1,629	2,165
Shropshire	934	1,505	1,521	2,413
Somerset	926	1,387	1,368	1,995
Staffordshire	1,068	1,544	1,433	2,114
Suffolk	1,054	1,373	1,615	2,087
Surrey	1,029	1,659	1,538	2,333
Warwickshire	948	1,466	1,322	2,185
West Sussex	934	1,435	1,337	2,231
Wiltshire	965	1,463	1,451	2,088

Notes:
1. n/a indicate that the details of expenditure are not available.
2. Spending on nursery and primary pupils is not collected separately.

Fitzherbert School, Brighton

Mr. Byers: To ask the Secretary of State for Education what is the cost to date of providing security at the former Fitzherbert school, Brighton; and which security firm has been awarded the contract.

Mr. Forth: The cost to date of security at the former Fitzherbert school, Brighton has been some £199,000. Security is provided by Group 4 Total Security Limited.

Law Society Finals Course

Mr. Byers: To ask the Secretary of State for Education if he will extend the mandatory grant regulations so as to cover the Law Society finals course; and if he will make a statement.

Mr. Boswell: No. The Government have no present plans to change the scope of the Education Act 1962. That Act requires local education authorities to make mandatory awards only in respect of attendance on designated full-time courses up to first degree level and on designated initial teacher training courses. It also permits authorities to make discretionary awards for other courses, subject to certain exclusions. Where postgraduate law courses are eligible for discretionary awards, the decision whether to make such an award is a matter for the authority.

National Exclusions Reporting System

Mrs. Angela Knight: To ask the Secretary of State for Education if he will give details of the final analysis of the information obtained over the two years of the national exclusions reporting system.

Mr. Forth: Analysis of the returns made to the Department under NERS over the two-year period 1990-92 shows that a total of 6,743 permanent exclusions were reported; there was an increase from 2,910 in year one to 3,833 in year two; exclusions in the primary phase accounted for 13 per cent. of the total in year one and 14 per cent. in year two; pupils with statements of special educational needs accounted for 12·5 per cent. of the total in year one and 15 per cent. in year two; many more boys than girls were excluded—a ratio of 4:1 in year one and 5:1 in year two; 15 was the peak age for exclusions for both boys and girls; Afro-Caribbean pupils appeared to be disproportionately represented within the excluded pupil population—8·1 per cent. of the overall total in year one and 8·5 per cent. in year two; aggression against other pupils and disobedience in various forms were the main reasons for pupils being excluded; decisions taken to exclude a pupil were not often over-turned. Over the two years, 170 decisions taken by heads to exclude pupil permanently were reversed by local education authorities and 160 by governors and 213 parental appeals were lodged, of which 37 were successful; information about the alternative educational provision made for excluded pupils was not always included in the returns. Such information as was made available shows that 45 per cent. of those permanently excluded were said to be receiving home tuition, 30 per cent. had secured a place in another mainstream school, 19 per cent. were in units, and 6 per cent. had gone to a special school or changed special school: there were often lengthy delays in completing exclusion procedures and in securing alternative educational provision for permanently excluded pupils, either by admission to another school or otherwise.

PRIME MINISTER

Taxation

Mr. Rogers: To ask the Prime Minister, pursuant to his answer of 18 March, *Official Report*, column *325*, why no information on the potential effects of a change of the law on taxing United Kingdom assets of overseas owners is available.

The Prime Minister: It is not practicable for the Inland Revenue to maintain information on all the very wide range of changes which could, in theory, be made to the tax system.

Nuclear Materials

Mr. Llew Smith: To ask the Prime Minister if he will set out responsibilities of each Government Department regarding the import and export of *(a)* plutonium and *(b)* other nuclear materials, to and from the United Kingdom.

The Prime Minister: The Department of Trade and Industry is responsible for the issuing of import and export licences for controlled plutonium and other specified nuclear materials. The controls are implemented under the Import, Export and Customs Powers (Defence) Act 1939 as amended by the Import and Export Act 1990. The current controls are contained in the Import of Goods (Control) Order 1954 and the Export of Goods (Control) Order 1992. HM Customs and Excise are responsible for taking action as necessary under the Customs and Excise Management Act 1979 to enforce these controls.

NATIONAL HERITAGE

Items in Lieu of Tax

Mr. Faulds: To ask the Secretary of State for National Heritage if he will list the objects and property accepted in satisfaction of inheritance tax during the financial year ended 31 March; and if, in listing these, he will specify *(a)* the amount of tax satisfied in each case, *(b)* whether any offers of objects carried conditions as to destination, *(c)* the dates in each case of the recommendations received by him from the Museums and Galleries Commission for the acceptance of objects, *(d)* the total for the financial year of the tax thus satisfied and *(e)* how much of this total was covered in the public accounts by means of resort to the reserve in accordance with Government policy as announced on 26 July 1985, *Official Report*, column *779*.

Mr. Brooke: The information the hon. Member requests is as follows:

Item	*Tax satisfied (£)*	*Conditions or wishes*	*Date of MGC recommendation*
Two busts by Rysbrack	418,920	Conditional	24 February 1987 14 August 1987
Land at Nolands Farm	57,600	Unconditional	Not applicable
Portrait by Greenham	8,500	Conditional	11 February 1992
Portrait by Van Dyck Portrait by Reynolds	404,544	Conditional	25 September 1991
Rembrandt etching and 31 illuminated manuscripts	139,923	Conditional	3 May 1990
Sculpture by Henry Moore	87,500	Conditional	11 February 1992
Painting by Beccafumi with chalk study and two Michaelangelo diagrams	119,000	Wish Beccafumi works to Fitzwilliam and diagrams to the British Museum	26 May 1992
Sheringham Hall chattels	119,119	Conditional	13 July 1989
Charles I silver gilt standing cup and cover	206,015	Unconditional	27 April 1992
Painting by Reni	2,492,875	Conditional	21 June 1991
Corbridge Lanx silver dish	1,832,000	Conditional	No formal recommendation
Chattels at Nostell Priory	30,820	Conditional	21 June 1991
Barrington Archive and a model gun ship	147,000	Unconditional Unconditional	29 January 1993 8 September 1992
Two Hepworth-Nicholson sculptures	156,750	Conditional	5 February 1993
Collection of glass	99,975	Conditional	8 September 1992

The total expenditure for the 1992-93 financial year was £6,324,875·13. This includes a further payment for the Statham porcelain collection which was accepted in 1991-92. Of this £4,324,875 was met by access to the reserve.

Mr. Faulds: To ask the Secretary of State for National Heritage whether he will specify the amounts of inheritance tax satisfied in connection with the acceptance of objects and property, which have been covered in the public accounts by means of resort to the reserve in respect of each of the three financial years 1990-91, 1991-92 and 1992-93; and whether, taking account of the answer of 30 April 1990, *Official Report*, columns *439-40*, he will indicate the average annual figure of such resort to the reserve which would arise from a breakdown of the total amount of tax satisfied which was thus covered during the eight financial years ensuing since the answer on 26 July 1985 on behalf of the then Minister for the Arts, *Official Report*, column *779*.

Mr. Brooke: The amount of tax satisfied by means of resort to the Reserve in the last three financial years is as

follows. Due to underspends in each financial year on the annual provision of £2 million for the acceptance in lieu of objects and property, the amount actually spent from the reserve was less than the original call. The actual spend from the reserve for 1992-93 was lower as it was partly offset from savings elsewhere in the Department—*Official Report*, 4 February 1993, columns *250-51* I list the actual money spent from the reserve for the hon. Member's information.

Year	*Amount of tax Satisfied/Call on the Reserve* £	*Amount actually spent from the Reserve* £
1990-91	Nil	Nil
1991-92	2,144,172	1,430,445
1992-93	4,324,875	3,281,875
Total	6,469,047	4,712,320

The annual average figure of such resort to the reserve which would arise from the total amount of tax satisfied thus covered during the last eight financial years is £3,881,885·24—tax satisfied—and £3,360,989·74—actually spent.

Sir John Wheeler: To ask the Secretary of State for National Heritage what offers in lieu of tax have been accepted or allocated since his last announcement of 31 March, *Official Report*, column *235*.

Mr. Brooke: Since my last announcement on 31 March, I am pleased to inform the House of the acceptance of three offers in lieu of taxation. The offers consist of a collection of glass which will satisfy £99,974 tax, two sculptures entitled "Parent" and "Young Girl" by Dame Barbara Hepworth-Nicholson which will satisfy £156,750 tax and a portrait of Lady Rouse Boughton by George Romney which will satisfy £105,000 tax. The collection of glass will be allocated to the Victoria and Albert museum and the sculptures will be allocated to Wakefield district council. Those allocations are in accordance with conditions on which these offers were made. No decision has yet been made on the allocation of the portrait by Romney.

Music Libraries

Mr. Flynn: To ask the Secretary of State for National Heritage what discussions he has held with Westminster city council on the maintenance of support for the central music library and the music library service both in Westminster and nationally.

Mr. Key: The central music library service is a matter for Westminster city council. The Government believe that library authorities themselves are best placed to decide on the detail of their service provision, and my statutory responsibility to ensure that library authorities meet their duty to provide comprehensive and efficient library service does not give me the right to intervene in the day-to-day management of services.

Although Westminster city council plans to reduce the opening hours of the central music library and make commensurate staff savings, its service will remain exceptional even when the reductions have been implemented.

There are particular problems in relation to the provision of music scores and information in libraries, which it is unreasonable to expect any single local authority to solve. For this reason, we are investigating alternative possibilities.

My Department is already jointly funding a study for a library and information plan for music. This study is investigating the provision of music scores and music information across the country, and is expected to be completed this June. It will produce an action plan for improvements in service.

One of the current applications for funding from the Department's public library development incentive scheme is for the establishment of a national music lending service, based on the present collections of the Yorkshire and Humberside joint library service and the British Library. A final decision on the application will be taken in September.

National Lottery

Mr. Riddick: To ask the Secretary of State for National Heritage what is the policy of Her Majesty's Government towards allowing the sale of national lottery tickets in pubs and other licensed premises; and if he will make a statement.

Mr. Key: At Second Reading and in Committee we indicated that we were minded not to allow the sale of national lottery tickets in pubs. This was primarily to protect the image of the National lottery, and to avoid confusion with other forms of soft gambling which might take place in pubs. I have since received a number of representations on this matter, and I met the Brewers' Society on 23 March.

Engagements

Mr. Harvey: To ask the Secretary of State for National Heritage what public costs were incurred in his attendance at a meeting at the Redcliffe hotel, Paignton on 16 April.

Mr. Brooke: None, other than the cost of security precautions which are required for all my engagements.

Mr. Harvey: To ask the Secretary of State for National Heritage if he will list his official engagements for 16 April.

Mr. Brooke: My official engagements for 16 April comprised visits to Sheepstor church; Buckland abbey; Westcountry Television studio, in order to open it; BBC Radio Devon studios; the Dartington Hall estate; the Plains conservation area, Totnes; and Follaton house for a meeting with South Hams district council.

English Heritage

Sir John Wheeler: To ask the Secretary of State for National Heritage what is his response to English Heritage's recent proposals for the transfer of certain conservation responsibilities in London to the boroughs; and if he will make a statement.

Mr. Brooke: I gave my full support to the broad objectives of English Heritage's forward strategy at the time of its publication in October last year. The recent consultation exercise has, I believe, achieved a better general understanding of English Heritage's objectives for London, and a useful refinement of the proposed means of moving forward.

In the light of that, I am happy for English Heritage to proceed to the next stage, of direct negotiations with

individual boroughs, with a view to defining the scope for flexible authorisation of certain categories of grade II casework from 1994-95. In this initial period, any transfer of responsibiities must be by agreement with the individual boroughs concerned. Similarly, any question of assistance to the boroughs to strengthen their conservation expertise must be a matter for bilateral agreement with English Heritage, which has made clear its willingness to provide support for the boroughs concerned during this stage, for instance through help with training, through funding of conservation posts, and through joint grant schemes and jointly funded conservation studies.

English Heritage has stated its intention to review progress in four years' time. Clearly agreements with individual boroughs which by that time are working satisfactorily will continue. The financial impact will vary from borough to borough. Only at the end of the four-year period will it be possible to quantify the long-term costs, as well as the benefits and savings, both to the individual boroughs and to English Heritage.

If at that stage English Heritage satisfies my right hon. and learned Friend the Secretary of State for the Environment and myself that we should take the further step of a general and permanent transfer of responsibilities, we shall need to consider, in consultation with the boroughs and their associations, the case for an appropriate transfer of resources to reflect the additional responsibilities which the boroughs would be asked to undertake.

ATTORNEY-GENERAL

BCCI

Mr. Vaz: To ask the Attorney-General what has been the cost of the Serious Fraud Office inquiry into BCCI to date.

The Attorney-General: The cost of the Serious Fraud Office inquiry into BCCI to date has been £6,203,000

SCOTLAND

Mental Handicap Hospitals

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland (1) what is the average total cost per patient per week of providing in-patient care to residents of long-stay mental handicap hospitals in Scotland;

(2) what is the average total cost per patient per week of providing in-patient care to residents of Gogarburn hospital and St. Joseph's hospital in Lothian.

Mr. Stewart: The average cost at 31 March 1992 per patient per week of providing in-patient care to residents of NHS long-stay mental handicap hospitals in Scotland was £527. The corresponding figure for Gogarburn hospital was £448. The cost to Lothian health board per patient per week at St. Joseph's hospital was £286.

Local Government Reform

Mr. Dalyell: To ask the Secretary of State for Scotland what further work he is carrying out after taking into account responses made to the consultation document on local government reform.

Mr. Stewart: We are studying carefully the 3,300 responses received. Thereafter we shall come to a decision about the best shape for the single-tier system in Scotland and will announce our conclusions in a White Paper before the summer recess.

Mr. Dalyell: To ask the Secretary of State for Scotland what action he is taking to refine the Touche Ross figures in local government reform costs.

Mr. Stewart: The provisional estimates made by Touche Ross of the financial implications of restructuring are, in a number of specific areas, being examined in the light of the comments received as part of our recent consultation exercise. When we announce our proposed new structure we will set our forecast of the likely cost implications, in the light of this further work.

Health Board Employees (Transfer)

Mrs. Fyfe: To ask the Secretary of State for Scotland, pursuant to his answer of 14 April *Official Report*, column *590-91*, what information he has on the wage rates offered to new employees of companies which also employ staff transferred from employment with health boards.

Mr. Stewart: This information is not held centrally. Wage rates are a matter between the individual employees and the companies concerned.

HEALTH

Doctors (Retirement)

Ms Primarolo: To ask the Secretary of State for Health what provision has been made for a central fund to pay for early retirement of doctors following implementation of proposals in "Making London Better".

Dr. Mawhinney: There is no specific central fund for meeting the costs of early retirement of doctors in London. Where early retirements occur as part of the implementation of "Making London Better," providers may be able to claim against the overall resources allocated for implementing the proposals.

GP Fund Holders

Ms Primarolo: To ask the Secretary of State for Health what is her estimate of the percentage of general practitioner fund holders underspend in 1991-92 resulting from hospitals not operating in the last four months of the financial year.

Dr. Mawhinney: Nil.

Community Health Councils

Ms Jowell: To ask the Secretary of State for Health if she will increase the funds available to community health councils.

Mr. Sackville: Regional health authorities are responsible for ensuring that community health councils are properly resourced.

Brook Advisory Centres

Mrs. Ann Winterton: To ask the Secretary of State for Health (1) what public funding is made available to the Brook advisory centres; for what purpose those funds are made available; and if she will make a statement;

(2) what has been the net change in percentage terms in the real level of the funding made available by her Department to the Brook advisory centres in each year since such funding commenced; if she will indicate the net percentage change in the number of conceptions to girls under the age of sixteen which occurred in each of those years; and if she will make a statement on the effectiveness in terms of impact on teenage pregnancy rates of Government funding for the Brook advisory centres;

(3) what restrictions are placed on the extent to which the grant to the Brook advisory centres may be used for costs of legal actions.

Mr. Sackville: The information available is given in the tables. The core grant funding that the Department gives to Brook is a contribution towards the organisation's headquarters administrative costs. It may not be used for any other purpose. All 10 Brook branches receive income from local health authorities on whose behalf they provide clinic and counselling services to young people. Only 5 per cent. of Brook's clients are under 16. They have a key role to play in providing the responsible information and advice that young people need in relation to their sexual health generally, and in helping to achieve the "Health of the Nation" target of reducing the rate of conceptions amongst the under 16s by at least 50 per cent. by the year 2000.

Funding by the Department of Health to Brook Advisory Centres under Section 64 of the Health Service and Public Health Act 1968

Financial year	*Department of Health funding*[1] *£*	*At 1992-93 prices £*	*Percentage change (+ or −) compared to previous year*
1977-78	5,250	16,249	—
1978-79	15,750	43,963	+170·6
1979-80	21,000	50,236	+14·3
1980-81	21,000	42,456	−15·5
1981-82	30,000	55,308	+30·3
1982-83	22,500	38,722	−30·0
1983-84	34,500	56,749	+46·5
1984-85	35,000	54,792	−3·4
1985-86	35,000	51,954	−5·2
1986-87	35,000	50,333	−3·1
1987-88	45,000	61,344	+21·9
1988-89	45,000	57,177	−6·8
1989-90	45,000	53,653	−6·2
1990-91	65,000	71,753	+33·7
1991-92	65,000	67,275	−6·2
1992-93	68,500	68,500	+1·8

[1] Since 1987 the Department has also given a total of £105,050 to Brook for specific projects, for example on AIDS, and in connection with "Health of the Nation".

Information about conception rates is available only on a calendar year and England and Wales basis and is therefore not directly comparable with the above table.

Conception rates for England and Wales
Per 1,000 women aged 13 to 15

Calendar year	*Percentage change in conception rate compared to previous year*
1977	−3·8
1978	−1·3
1979	0·0
1980	−5·3
1981	1·4
1982	8·3
1983	6·4
1984	3·6
1985	0·0
1986	1·2
1987	5·7
1988	2·2
1989	0·0
1990	6·4

Source: Birth statistics—OPCS.
Series FM1 Conceptions 1993.

Community Care

Ms Lynne: To ask the Secretary of State for Health if she will ask the NHS advisory board to review its 1986 report "Bridges Over Troubled Waters" and to update its recommendations to take account of the changes in the funding and management of care in the community.

Mr. Yeo: The national health service health advisory service is conducting a thematic review of child and adolescent mental health services. This takes into account the changes in funding and management arrangements flowing from both the NHS and community care reforms as well as other relevant developments, such as the "Health of the Nation" intiative.

Mental Illness Survey

Ms Lynne: To ask the Secretary of State for Health if she will ask the Office of Population Censuses and Surveys to pay special attention in its survey of mental illness in Great Britain to the problems of people between the ages of 16 to 25 years with mental illness and the services which are available to them.

Mr. Sackville: The Office of Population Censuses and Surveys will record the age of respondents making it possible to analyse separately the results for people aged 16 to 25.

Hospital Episode System

Mr. Blunkett: To ask the Secretary of State for Health what plans she has to publish data from the hospital episode system.

Dr. Mawhinney: A publication containing hospital episode system figures for 1989-90 is in preparation, and is expected to be published in a few weeks. Further publications are planned to follow later this year.

Research

Mr. Blunkett: To ask the Secretary of State for Health, pursuant to her answers of 2 December 1992, to the hon. Member for Waveney (Mr. Porter), *Official Report*, column *230* and of 3 December 1992, *Official Report*, column *321*, what progress her Department is making in its review of the research units it funds; and when it expects to announce details of its plans for setting up a larger research centre as a pilot project.

Dr. Mawhinney: A programme of peer review including site visits has now been arranged for all 13 units and should be completed by early 1994. I expect to announce details for setting up a pilot research centre shortly.

Mr. Blunkett: To ask the Secretary of State for Health what was the total cost of the research projects her Department has commissioned for each of the past five years; and what was the total cost of projects undertaken by staff employed by *(a)* universities and polytechnics, *(b)* independent research institutes, *(c)* health authorities, *(d)* management consultants and *(e)* other organisations in each of those years.

Dr. Mawhinney: The total cost of the research projects commissioned under the Department's centrally commissioned programme for health and personal social services research, for each of the last five years is shown in the table:

Year	*Total cost of research £ million*
1988-89	12·9
1989-90	15·4
1990-91	18·3
1991-92	22·3
1992-93	23·4

The majority of research projects commissioned in this way is undertaken by staff employed by universities. Of this, about 10 per cent. is carried out under the auspices of the Medical Research Council. About 3 per cent. of the research is carried out by independent research institutes, health authorities or management consultants: details of this research are not readily available in the form requested and could be provided only at disproportionate cost.

Mr. Blunkett: To ask the Secretary of State for Health whether research projects commissioned by her Department from management consultants are subject to peer review in the same way as those commissioned from universities and research institutes.

Dr. Mawhinney: Most projects commissioned in the centrally commissioned research programme undergo scientific/peer review, irrespective of whether the research is being carried out by management consultants, universities or research institutes.

Management consultants are used in many capacities by the Department. When not engaged for research purposes, they are selected by commercial competitive tendering rather than subject to peer review.

Disturbed Adolescents

Ms Lynne: To ask the Secretary of State for Health what information disturbed adolescents, who have had their liberty restricted, receive on their rights to judicial review.

Mr. Yeo: The form in which such information is made available is a matter for individual local authorities. A local authority wishing to keep a child in secure accommodation beyond 72 hours must seek the authority of the court. A child is entitled to be legally represented when such applications are considered and has a right to apply for legal aid for such purposes. The Department's guide for children and young people "The Children Act and the Courts" explains the arrangements for placing children in secure accommodation and their right to legal representation.

NHS Review

Mr. Blunkett: To ask the Secretary of State for Health, pursuant to her answers of 11 November 1992, *Official Report*, column *850*, 23 November 1992, *Official Report*, column *503* and 27 November 1992, *Official Report*, column *875*, when she will publish the report of the review of centrally collected NHS statistics which she has commissioned from Touche Ross management consultants; what consultations she has had about its conclusions; which data series it has been decided to discontinue; and if she will place a copy of the report in the Library.

Mr. Sackville: As I stated in my reply on 11 November the study by Touche Ross management consultants was only one component in the current review of the Department's requirements for information from the national health service. For the conclusions of the review, I refer the hon. Member to the reply my right hon. Friend the Secretary of State gave my hon. Friend the Member for Rutland and Melton (Mr. Duncan) on 21 April at col. *126*.

Hospital Admissions

Mr. Blunkett: To ask the Secretary of State for Health if she will update her answer of 22 October 1992, *Official Report*, columns *369-70*, on patients waiting for admission in each six months period since that ended March 1988 to include the figure for the six months period ended September 1992.

Mr. Sackville: Information on the number of patients waiting for admission at 30 September 1992 is given in table 1 of the Department of Health's "Statistical Bulletin" (ISBN 1 85839 083 4) a copy of which is available in the Library.

Comfrey

Mr. Simpson: To ask the Secretary of State for Health (1) what consideration was given by the committee on the toxicity of chemicals in food in preparing its recent report on comfrey to studies which have demonstrated a regression of tumours in rodents fed upon comfrey or comfrey extracts; and if she will make a statement;

(2) what consideration was given by the committee on the toxicity of chemicals in food in preparing its recent report on comfrey to studies which have demonstrated either no adverse effects or a thriving effect upon the health of populations of rodents fed upon comfrey; and if she will make a statement;

(3) what consideration was given by the committee on the toxicity of chemicals in food in preparing its recent report on comfrey to the review of the literature in this area undertaken by the *British Medical Journal* in 1978; and if she will make a statement.

Sir David Mitchell: To ask the Minister of Agriculture, Fisheries and Food what research findings he has on the relative toxicity of comfrey tablets and capsules to that of saccharine tablets.

Mr. Sackville *[holding answer 21 April 1993]:* The Committee on the Toxicity of Chemicals in Food, Consumer Products and the Environment reviewed the available research data on the toxicity of saccharin in 1990 and recommended an acceptable daily intake (ADI) of 0-5

milligrams per kilogram body weight per day. It advised that provided intakes do not regularly exceed this ADI, saccharin is safe to use. In comparison, when the committee recently reported on its review of comfrey and preparations made from it, it advised that it was not possible to identify an ADI for comfrey nor for its pyrrolizidine alkaloid constituents, some of which research studies have shown to be potentially carcinogenic. The committee therefore recommended that concentrated forms of comfrey such as capsules and tablets should no longer be available.

Copies of the Ministry of Agriculture, Fisheries and Food's analysis of comfrey products, the advice of the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment and the Food Advisory Committee together with the draft information note are available in the Library. A list of key studies considered by the committee are included in its advice.

NORTHERN IRELAND

Student Nurses

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many persons are in training as student nurses; how many of them come from the Republic of Ireland; and if he will make a statement about job prospects in the nursing profession.

Mr. Hanley: At 19 April there were 2,624 student nurses in training in Northern Ireland of whom 264 came from the Irish Republic.

In recent years the nursing workforce in Northern Ireland has stabilised, in part due to to the nurse clinical grading system introduced in April 1988. This improved retention of staff has reduced the employment opportunities for nurses completing their training. Changes in patterns of service and proposals for rationalisation of services will impact on nurse employment in the future. However, until discussions are completed and decisions are taken by the health boards and trusts, it is not possible to assess accurately the scale of change. The management executive of the Department of Health and Social Services is monitoring the situation carefully and is currently discussing with the National Board for Nursing and Midwifery and health boards future requirements for student nurse training.

SOCIAL SECURITY

Severe Hardship Payments

Mr. Dewar: To ask the Secretary of State for Social Security when his Department plans to announce the outcome of its review of simplifying procedures for claiming severe hardship payments.

Mr. Burt: We are keeping the subject under active consideration.

Social Fund

Mr. Dewar: To ask the Secretary of State for Social Security when his Department plans to respond to the social policy research unit's research on the social fund.

Mr. Scott: We are currently carefully considering the operation of the social fund in response to the research commissioned from York university's social policy research unit, along with a number of other reports and our own close monitoring of the fund.

Ms Estelle Morris: To ask the Secretary of State for Social Security, in respect of the Birmingham south-east district office social fund budget, *(a)* how many people were refused community care grants, budgeting loans and crisis loans in 1992-93, *(b)* how many people were refused each payment on priority grounds, *(c)* by what amount the grants and loans were underspent, *(d)* why social fund officers did not use their powers under Direction 31 to review the decisions of some of those previously refused to prevent the underspend and *(e)* what steps will be taken to prevent an underspend in the future.

Mr. Scott: The administration of the social fund is a matter for Mr. Michael Bichard the chief executive of the Benefits Agency. He will write to the hon. Member and a copy will be placed in the Library.

Letter from Michael Bichard to Ms Estelle Morris, dated 22 April 1993.

As Chief Executive of the Benefits Agency, it is my responsibility to answer questions about relevant operational matters. I am therefore replying to your recent Parliamentary Question to the Secretary of State for Social Security about the operation of the Social Fund at Birmingham South East District.

Information on the number and reason for refusals of Social Fund applications is held by application, rather than by applicant. Details of the number of refusals and the number refused on grounds of insufficient priority in the financial year 1992-93 for Birmingham South East District are given in Annex A.

Area Social Fund Officers (ASFOs) are obliged by Direction 41 to manage their District's allocations so that the planned level of expenditure is not exceeded in the financial year. In addition, they aim to meet consistently the highest priority needs throughout the year. ASFOs closely monitor expenditure throughout the year to ensure that any underspending of the District budget is kept to a minimum. These are standing arrangements which will continue. The outstanding allocation in the Birmingham South East District at 31 March 1993 was £11,028 for loans and £12,012 for grants. These figures represent 1·4 per cent. of the gross Social Fund allocation for the District. The number of decisions reviewed by Social Fund Officers (SFOs) under Direction 31 is not collated as a matter of routine. It is, however, known that no such reviews were undertaken in Birmingham South East District during March 1993 when, under the standing arrangements mentioned above, the ASFOs were monitoring claims intake and priorities closely with the aim of achieving a total Social Fund spend as close as possible to the annual budget figure.

I hope you find this reply helpful. A copy of this letter will appear in the *Official Report*. A copy will also be placed in the Library.

Annex A

Birmingham South East District—1 April 1992 to 31 March 1993

	BL[1]	*CL*[2]	*CCG*[3]
Total number of refusals	2,344	85	4,169
Refusals (insufficient priority)	853	3	296

[1] BL = Budgeting Loan.
[2] CL = Crisis Loan.
[3] CCG = Community Care Grant.

Mrs. Sylvia Marin

Mr. Robert B. Jones: To ask the Secretary of State for Social Security when he expects a decision to be reached in the case of Mrs. Sylvia Marin's application for disability living allowance (ZM 706889C).

Miss Widdecombe: The administration of disability living allowance is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write shortly to my hon. Friend and a copy will be placed in the Library.

Letter from David Riggs to Mr. Robert B. Jones dated 2 April 1993.

As Chief Executive of the Benefits Agency, it is the responsibility of Mr. Michael Bichard to answer questions about relevant operational matters. However, as Mr. Bichard is away at the moment I am replying on his behalf to your Parliamentary Question to the Secretary of State for Social Security about when a decision is expected to be reached in the case of Mrs. Sylvia Marin's application for Disability Living Allowance.

Mrs. Marin's case is at present being reviewed by the Adjudication Officer and the outcome will be notified to Mrs. Marin as soon as possible. I have written to you further and in greater detail about this matter.

I am grateful to you for bringing this mater to my attention. I hope you find this reply helpful. A copy will appear in the Official Report and a copy will also be placed in the Library.

Automatic Credit Transfer

Mr. Cousins: To ask the Secretary of State for Social Security what expansion of the number of benefits paid by automatic credit transfer is assumed in his Department's planning.

Miss Widdecombe: The method of payment of Social Security benefits is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member and a copy will be placed in the Library.

Letter from David Riggs to Mr. Jim Cousins, dated 1 April 1993.

As Chief Executive of the Benefits Agency, it is the responsibility of Mr. Michael Bichard to answer questions about relevant operational matters. However, as Mr. Bichard is away at the moment I am replying on his behalf to your recent Parliamentary Question to the Secretary of State for Social Security asking what expansion of the number of benefits paid by automated credit transfer is assumed in his Department's planning.

By the end of 1994 enhanced computer systems will enable payments to be made by ACT for Income Support, Invalidity Benefit, Sickness Benefit, Severe Disablement Allowance and Unemployment Benefit in addition to those benefits already paid by this method.

I hope you find this reply helpful. A copy will appear in the Official Report and a copy will also be placed in the Library.

Local Offices

Mr. Llew Smith: To ask the Secretary of State for Social Security (1) what reasons underlay the decision by the district manager of the north Gwent and Brecon area to reduce the Abertillery office from its current full status to that of a caller office;

(2) what provision will be made in the new arrangements for the Abertillery benefits office to allow customers to receive emergency payments on the loss or destruction of order books and benefits cheques, or on their failure to arrive by post;

(3) if he will extend beyond 30 April the consultation period for trade unions to reply to the plans to change the status of the Abertillery benefits office;

(4) what was the most recent efficiency ranking awarded to the Abertillery benefits office before the league tables on operational efficiency of benefits offices ceased to be compiled;

(5) what arrangements he will make for the transport of benefit claimants to the Ebbw Vale benefits office from Abertillery on the change of status of the Abertillery office from a full processing office to a caller office.

Mr. Burt: The operation of benefit offices is a matter for Mr. Michael Bichard the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available and a copy will be placed in the Library.

Letter from David Riggs to Mr. Llew Smith, dated 2 April 1993:

As Chief Executive of the Benefits agency it is the responsibility of Mr. Michael Bichard to answer questions about relevant operational matters. However, as Mr. Bichard is away at the moment I am replying on his behalf to your five recent Parliamentary Questions to the Secretary of State for Social Security, concerning the proposed new arrangements for the Abertillery Benefits Agency Office.

The intended reorganisation of the Abertillery office has been devised in order to further enhance the level of service provided for customers. The proposed changes would enable the District to further improve the speed and quality at which claims and payments are processed.

The report containing the proposals to change the status of the Benefits Agency's Abertillery office was circulated on 19 March for consultation and comment before decisions are taken. A deadline of 30 April has been set for responses from all interested parties and is regarded as reasonable.

The Abertillery office will continue to provide the full range of personal advice and information to customers, regardless of its status. Should the reorganisation take place as envisaged, facilities for dealing with customers in urgent need, for example those requiring emergency payments on the loss or destruction of order books and benefits cheques, or on their failure to arrive by post, would remain unchanged. For these reasons it would not be necessary for customers to visit the Benefits Agency's Ebbw Vale office to obtain a comprehensive service.

An overall efficiency league table has never been maintained for local offices.

I hope that you find this reply helpful. A copy will appear in the Official report and a copy will be placed in the Library.

Income Support

Mrs. Dunwoody: To ask the Secretary of State for Social Security when his Department intends to review the present levels of income support.

Mr. Burt: Income support is reviewed annually. The next uprating is due in April 1994. Details will be announced in the autumn.

Terrence Higgins Trust

Mr. Alfred Morris: To ask the Secretary of State for Social Security, pursuant to the answer from the Minister for Social Security and Disabled People of 24 February, *Official Report*, column *619*, on his reply to a letter sent to him by the Terrence Higgins Trust on 4 February, if he will now give the date of his reply to the trust.

Mr. Scott: A reply was sent on 22 April.

Overlapping Benefits

Mr. Frank Field: To ask the Secretary of State for Social Security what plans he has to review the operation of the Social Security (Overlapping Benefits) Regulations 1979, particularly in respect of the legislation giving entitlement to the higher pensioner premium; and whether it is proposed that the effect of the Overlapping Benefits Regulations should be disregarded for the purposes of assessing whether a qualifying benefit is paid.

Mr. Burt: We have no plans to review the relationship between the Social Security (Overlapping Benefits) Regulations 1979 and entitlement to income support premiums. For the purposes of maintaining entitlement to the higher pensioner premium, in common with other premiums, a person can be treated as being in receipt of any benefit which would be payable if it were not for the provisions of the overlapping benefits regulations.

Anti-discrimination Directive

Mr. Frank Field: To ask the Secretary of State for Social Security (1) what plans he has to introduce common rules for men and women in respect of non-contributory benefits so as to comply with EC directive 79/7;

(2) what plans he has to review the forms of discrimination currently existing within the social security system, particularly those linked to different pensionable ages, so as to comply with EC directive 79/7;

(3) what plans he has following the decision of the Court of Justice of the European Communities in the case of R *v.* Secretary of State for Social Security and Thomas et al (Case C-328/91) to review which forms of discrimination are not necessarily and objectively linked to the differences in retirement age and, therefore, not covered by the exceptions listed in article 7(1) of the directive;

(4) what plans he has to change the rules relating to men and women's rights to defer entitlement to a retirement pension so that there is no discrimination between the sexes so as to comply with EC directive 79/7.

Miss Widdecombe: Directive 79/7 permits unequal state pension ages. The European Court, in case C9/91, confirmed that where different pension ages are maintained under article 7(1) of EC directive 79/7, other forms of discrimination in the benefits system are also permissible if they are necessarily linked to that difference. This would include the rules on deferring entitlement to a retirement pension.

The application of the various derogations in article 7 of the directive is regularly reviewed in the light of developments, including the rulings of the European Court.

Case C328/91 has been referred by the European Court back to the House of Lords for final determination. We propose to consider that particular matter further when the result becomes available.

Working Population

Dr. Liam Fox: To ask the Secretary of State for Social Security how many people are in full-time employment for each recipient of state pension; and what predictions have been made of these numbers for 1995 and every fifth year thereafter.

Miss Widdecombe: The information is not available in the form requested. The latest estimates of the future numbers of basic retirement pensioners and people paying national insurance contributions are in the table.

Year	*Number of contributors (thousands)*[1]	*Number of pensioners (thousands)*[2]	*Ratio*
1990-91	21,650	10,460	2·1
1995-96	22,800	10,700	2·1
2000-01	23,280	10,940	2·1
2010-11	24,030	12,070	2·0
2020-21	24,260	13,410	1·8
2030-31	23,690	15,190	1·6

[1] Based on the assumption that the lower earnings limit for payment of contributions is increased in line with prices.
[2] Based on current state pension ages.
Source: Tables 10 and 12, National Insurance Fund Long Term Financial Estimates—Report by the Government Actuary on the Second Quinquennial Review under Section 137 of the Social Security Act 1975—25 July 1990-582.
Notes: The figures do not incorporate the latest Office of Population Census and Surveys population projections.

DEFENCE

Faldingworth Range

Mr. Rogers: To ask the Secretary of State for Defence what countries had the use of Faldingworth range for training their gun crews between 1980 and 1989.

Mr. Archie Hamilton: Faldingworth is a former RAF station. Following its closure, the site was sold to the British Manufacturing and Research Company in January 1975. I understand it is now owned by Royal Ordnance plc.

Astra plc

Mr. Rogers: To ask the Secretary of State for Defence what steps he has taken to return papers removed from Astra plc to the DTI inspectors; and if he will make a statement.

Mr. Aitken: The Ministry of Defence police took possession of a number of papers from Astra plc in connection with an inquiry into possible corruption. In the event the MDP were unable to pursue this matter to a conclusion. They subseqently wrote to Cork Gully, the company receivers, who are now the legal owners of these papers, listing what is held and seeking advice on its disposal. DTI inspectors never had possession of these papers although they were allowed access to them by and in the presence of the MDP in pursuance of their own separate investigations.

PRB, Belgium

Mr. Rogers: To ask the Secretary of State for Defence what were the products which his Department purchased from PRB of Belgium from 1983 to 1990; and if he will list the value of such purchases in each of those years.

Mr. Aitken: Complete records of MOD dealings with companies during the whole of the period covered by the hon. Gentleman's question are no longer available. However, one contract with PRB has been identified, placed in 1984, for artillery shells for training purposes. The value of the contract was approximately £600,000.

Stonefish Mine

Mr. Rogers: To ask the Secretary of State for Defence on what date the Government gave consent to the transfer of the plans for the Stonefish mine to a Chilean arms manufacturer; and if he will make a statement.

Mr. Aitken: It has been the policy of successive Governments not to give details of such matters, as they are governed by commercial confidentiality.

IMS

Mr. Rogers: To ask the Secretary of State for Defence if he will list those banks and financial institutions recognised as acceptable sources of finance for deals arranged by IMS between 1980 and 1989.

Mr. Aitken: The information requested is not held by the Ministry of Defence, and is a commercially confidential matter for IMS. IMS publishes its accounts for public scrutiny in accordance with the requirements of company law. The company ceased trading with effect from July 1991 and is in the process of rundown.

Helicopter Carrier

Mr. Foulkes: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Tynemouth (Mr. Trotter), of 29 March, *Official Report*, column 16, whether he has now received full clarification from the tenderers of their bids for the amphibious helicopter carrier; when he expects his Department to complete the evaluation of bids; and if he will make a statement.

Mr. Aitken: We received full clarification of bids from the tenderers yesterday. The evaluation of these final bids will be completed this summer and we expect to award the contract later in the year.

Yugoslavia

Mr. Home Robertson: To ask the Secretary of State for Defence if he will set out the expenditure by his Department in financial year 1992-93 on military operations in former Yugoslavia, distinguishing between forces in Croatia under UNPROFOR I, those in Croatia and Bosnia under UNPROFOR II, and operations afloat in the Adriatic; how much of each such item of expediture has been or will be reimbursed to his Department by the Foreign and Commonwealth Office; whether the costs of British forces in UNPROFOR II are now reimbursed by the United Nations; and if he will make a statement.

Mr. Archie Hamilton: The extra cost of operations for UNPROFOR in Croatia and Bosnia is assessed at £606,000 and £63,700,000 respectively for the financial year 1992-93. The additional cost of operations in the Adriatic was some £4,200,000. The Foreign and Commonwealth Office has reimbursed all UNPROFOR costs. The cost of operations in the Adriatic, however, falls to the Defence budget. From 1 April 1993, the United Nations has accepted financial responsibility for operations in Bosnia and reimbursement will be sought to the maximum extent possible.

Tornados

Mr. Home Robertson: To ask the Secretary of State for Defence what are the estimated original and running costs of the deployment of seven F3 Tornados from RAF Leeming to Italy; from which budget these will be met; how many ground crew have been deployed, categorised as appropriate; what ground support will be made available by the Italian Air Force; and if he will make a statement.

Mr. Archie Hamilton: The RAF has deployed six Tornado and two VC-10 tanker aircraft. The additional annual operating cost of these aircraft, which is borne against the Defence budget, is currently assessed as some £20,000,000. As at 21 April, there were 227 ground personnel, but this figure can change from day to day. Italian and other allied forces are providing a wide range of ground support, mostly under NATO arrangements. This, too, varies with requirements.

Exercise Quicksaver

Mr. Ainger: To ask the Secretary of State for Defence what was the purpose of the recent Quicksaver exercise at RAF Lossiemouth; and what it revealed about the cost of providing a civilian search and rescue service.

Mr. Archie Hamilton: The Quicksaver exercise conducted in 1987 was a review of the engineering manning levels in support of search and rescue flights. No direct cost comparison was made with the provision of a civilian SAR flight.

RAF Brawdy

Mr. Ainger: To ask the Secretary of State for Defence if he will give a detailed breakdown of the estimated operatoring costs of B flight 202 squadron at RAF Brawdy in 1992-93.

Mr. Archie Hamilton: The detailed breakdown requested is as follows:

	£ million
Manpower Costs	1·30
Station Support Costs	0·04
Aircraft operating Costs	1·20
Total	2·54

FOREIGN AND COMMONWEALTH AFFAIRS

Non-proliferation Treaty

Mr. Hutton: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to discuss security guarantees at the meeting of the preparatory committee for the non-proliferation treaty extension conference to be held in New York in May; and if he will make a statement.

Mr. Douglas Hogg: Non-nuclear weapon states which are parties to the non-proliferation treaty benefit from positive and negative British security guarantees. In our view, the first preparatory committee for the non-proliferation treaty extension conference should concentrate on procedural matters. We have no plans to discuss security guarantees at that meeting.

Macedonia

Mr. Fry: To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government will now recognise the former province of Yugoslavia, Macedonia.

Mr. Douglas Hogg: We have already done so. The United Kingdom's support for an application for United Nations membership means that the United Kingdom recognises the applicant as a state. Macedonia's application was accepted by the General Assembly on 8 April.

Turkey

Mr. Redmond: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is currently taking to ensure that the Turkish Government protects their Kurdish population.

Mr. Garel-Jones: We regularly raise with the Turkish authorities the human rights situation throughout Turkey, including the south-east of the country.

We welcome the recently improved security situation in south-east Turkey and the reported indefinite extension of the PKK, Kurdish Workers' Party, ceasefire. We also welcome Mr. Demirel's statement that the state of emergency in the south-east will not be extended beyond its expiry on 19 July provided that the present calm situation continues.

North Korea

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what actions have been taken by Her Majesty's Government to ensure that representations are made to the Government of North Korea concerning the nuclear non-proliferation treaty.

Mr. Douglas Hogg: We have supported resolutions in the International Atomic Energy Agency. The co-depositaries of the non-proliferation treaty—Britain, the United States and Russia—issued a statement on 1 April calling on North Korea to reconsider its announcement to withdraw from the non-proliferation treaty and comply with its safeguards agreement. We fully supported the president of the Security Council's statement of 8 April which encouraged the International Atomic Energy Agency to continue to seek a settlement of the issue. The Twelve have issued statements and the Presidency, on behalf of the Twelve, has made representations to the Government of North Korea. We will remain active.

Armenia

Mr. Elletson: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government have made to the Republic of Armenia with regard to its military invasion and occupation of a large part of Azerbaijan.

Mr. Douglas Hogg: We have condemned the recent invasion by local Armenian forces of the Azerbaijani region of Kelbadjar and have called for the withdrawal of forces and an end to hostilities. My right hon. Friend the Prime Minister has written to the President of Armenia urging him to do everything in his power to bring about a ceasefire and to resume talks through the CSCE peace process. I also made our views known to the Armenian ambassador at a meeting on 6 April. The United Kingdom has also supported statements by the President of the United Nations Security Council on 6 April and the European Community on 7 April, both of which expressed concern at the escalation of fighting in Azerbaijan and called for an urgent ceasefire. Both statements also called for an early resumption of talks on the Nagorno-Karabakh conflict through the CSCE. We are glad to see that the Presidents of Armenia and Azerbaijan reaffirmed their commitment to these talks when they met for the first time in Ankara on 21 April.

Bosnia

Mr. Home Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his oral statement of 19 April, *Official Report*, column 22, if he will list the three vessels which have entered Montenegrin ports since November 1992, showing the countries of registration and ownership, the estimated cargo in each case and information available to him on the current whereabouts of the vessel; if he will set out in respect of each vessel the actions taken by NATO or the Western European Union monitoring forces and the reason for their failure to divert the vessel; and if he will make a statement.

Mr. Douglas Hogg: Since November 1992 the NATO and Western European Union ships in the Adriatic have challenged over 9,000 vessels, boarded 599 and diverted 137. The operation is making a most valuable contribution to efforts to block illegal trade to Serbia and Montenegro.

As my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs told the House on 19 April, a small number of vessels have managed to get through to Montenegrin ports. The three vessels he referred to are the Dimitrakis, a Maltese-flagged vessel believed to be carrying around 5,000 tonnes of petroleum coke, Novotsak II, a Greek-flagged tanker believed to be carrying over 20,000 tonnes of oil, and the East River, a Greek-owned tanker believed to be carrying around 50,000 tonnes of gas oil. We also believe that there may have been a fourth in December, early on in the NATO/WEU operation. Since my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs made his statement to the House, we have received information that a further three vessels may have got through. This information is being followed up urgently.

Sierra Leone

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with the Government of Sierra Leone covering human rights; and if he will make a statement.

Mr. Lennox-Boyd: When my right hon. and noble Friend the Minister for Overseas Development saw the Sierra Leone Foreign Minister on 23 March, she made clear our wish to see a major improvement in human rights in Sierra Leone and the establishment of a programme for the return of civilian rule.

Liberia

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what diplomatic exchanges have taken place with forces in Liberia; and if he will make a statement.

Mr. Lennox-Boyd: The United Kingdom has played an active role in consideration of Liberia at the United Nations and maintains regular diplomatic contacts with those West African states contributing troops to the ECOMOG—Economic Community of West African States Monitoring and Observing Group—peace-keeping force.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Government of Nigeria concerning the operation of the Economic Community of West African States Ceasefire Monitoring Group forces in Liberia.

Mr. Lennox-Boyd: We have regular exchanges with the Government of Nigeria and have expressed our support for the important role which Nigeria is playing in the efforts being made by the Economic Community of West African States, ECOWAS, and by the ECOWAS Monitoring and Observing Group, ECOMOG, forces to bring an end to the conflict in Liberia.

Gambia

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Government of the Gambia concerning arbitrary arrests and abuse of human rights; and if he will make a statement.

Mr. Lennox-Boyd: The Gambia has a good record of human rights and there is no evidence to suggest that arbitrary arrests and abuse of human rights are taking place. No recent representations have therefore been made to the Government of the Gambia.

NATIONAL FINANCE

Company Car Tax

Mr. Mills: To ask the Chancellor of the Exchequer if he will make a statement on his assessment of the effect of his proposals on company car tax on the sale of cars at the upper end of the price range.

Mr. Dorrell: The switch from scale charges to 35 per cent. of list price as the basis for personal tax liability on company car use will remove distortions in the new car market. Each car will be taxed on the basis of its individual list price, in response to the weight of views expressed during consultation. Our assessment is that these changes coupled with the abolition of car tax, the lowest interest rates in the EC, a competitive exchange rate, low inflation and sustainable economic recovery—will have a positive effect on sales of United Kingdom manufacturers' cars across the whole price range.

VAT

Mr. Robert Banks: To ask the Chancellor of the Exchequer if he will set out the thresholds in each of the member countries of the EEC before registration for VAT purposes is required.

Sir John Cope: The latest available information is as follows:

Registration threshold as at 1 April 1993

	In national currency	*Approx sterling equivalent*
United Kingdom	£37,600	£37,600
Belgium	nil	nil
Denmark	DK 10,000	£1,060
France	FF 70,000	£8,415
Germany	DM 22,000	£10,150
Greece	nil	nil
Ireland	Goods: IP 32,000 Services: IP 15,000	£31,745 £14,880
Italy	nil	nil
Luxembourg	LF 200,000	£3,950
Netherlands	nil	nil
Portugal	ESC 800,000	£3,500
Spain	nil	nil

Inland Revenue

Mr. Robert Ainsworth: To ask the Chancellor of the Exchequer what percentage of pay-as-you-earn packs distributed by private companies following tendering procedures have been successfully delivered; and what cost has been incurred by the Inland Revenue *(a)* on checking the process and *(b)* providing replacements.

Mr. Dorrell: The Inland Revenue's inquiries indicate that the vast majority of employers annual PAYE guidance packs have been safely delivered and those that have not carry an Inland Revenue return address allowing them to be reissued. The Inland Revenue does not have a central record of the cost of checking the process or providing replacements. Although there have been some additional postage and other costs in reissuing employer code notices to employers, overall there will still be substantial savings this year compared with the cost of issuing last year's annual pack.

Mr. Robert Ainsworth: To ask the Chancellor of the Exchequer what privacy clauses were included in the contracts issued for the delivery of pay-as-you-earn packs by private sector companies.

Mr. Dorrell: The tender document that formed part of the contracts for assembly and distribution of the employers annual PAYE guidance pack contained the standard Inland Revenue confidentiality clause which makes reference to the provisions of section 182 of the Finance Act 1989.

European Monetary Institute

Dr. Lynne Jones: To ask the Chancellor of the Exchequer what are the implications of no decision being made on the seat of the European Monetary Institute by the end of 1992 in accordance with article 13 of the protocol on the European Monetary Institute of the treaty on European union, page 108, Cm. 1934.

Mr. Nelson: None.

Income Tax Forms

Mr. Andrew Smith: To ask the Chancellor of the Exchequer if he will make a statement on the failure of the Inland Revenue to ensure dispatch before the end of the 1992-93 tax year of PAYE forms and tax tables to employers in the Oxford area; how many employers are affected; which other areas of the country are affected; what action is being taken to rectify the situation; and if he will allow employers who have not received forms by the usual date an extended period in which to complete their returns before the imposition of penalties.

Mr. Dorrell: Despite the printing errors which resulted in some of this year's annual PAYE guidance and stationery packs for employers being wrongly addressed, the Inland Revenue's inquiries indicate that the vast majority of employers throughout the country received their packs before the end of the 1992-93 tax year. All packs carry an Inland Revenue return address allowing those which are not delivered to be reissued. To ensure that all employers can operate the correct PAYE codes for their employees from the start of the new tax year, notices giving details where these codes have changed were reissued before 6 April 1993. Employers have until 19 May to send in their 1992-93 end of year returns but will not face penalties provided these are received by 19 June. This later cut-off date has nothing to do with the issue of the annual pack—the summary end of year return form is issued separately—but is in keeping with the previously announced approach of allowing employers time to get up to date before 1995 when automatic penalties may be taken for any return not sent in by 19 May.

Banks (Charges)

Mr. Byers: To ask the Chancellor of the Exchequer if he will commission a report from the Bank of England into the extent to which the clearing banks raise charges to their customers in a co-ordinated way; and what steps he will take to stop this practice.

Mr. Nelson: My right hon. Friend the Chancellor has no plans to commission such a report and is not aware of any evidence that banks are raising charges in a co-ordinated way. The decision by a bank to increase its charges is a matter for its own commercial judgment. The then Director of Fair Trading, Sir Gordon Borrie, announced on 24 October 1991 that, after considering material relating to banking practices passed to him by my right hon. Friend the Chancellor, which covered fees and charges, he had concluded that there were no grounds to justify any further action under the competition legislation. The Bank of England's recent review of bank lending to small businesses also showed that there were divergences between individual banks both in the level of their charges and in their attitude to implementing them.

Mrs. Jane Kennedy: To ask the Chancellor of the Exchequer (1) what representations he has received concerning the practice of high street banks charging customers for certificates showing annual interest and tax paid required by the Inland Revenue in order to claim for tax rebates;

(2) if he intends to introduce measures to compensate individuals charged by high street banks for certificates showing annual interest and tax paid required by the Inland Revenue in order to claim for tax rebates.

Mr. Dorrell: Following a number of representations last year, the British Bankers Association and the Building Societies Association were asked to remind their members that they have a statutory duty to provide tax deduction certificates on receipt of a written request. No charge should therefore arise. There have been no recent reports of institutions continuing to charge.

North Sea Oil Tax

Mr. O'Neill: To ask the Chancellor of the Exchequer which bodies his Department consulted prior to his announcement of changes in the North sea oil tax regime.

Mr. Dorrell: My officials keep in regular contact with representative bodies and individual oil companies. But they were not consulted on specific Budget proposals. Advance consultation on budgetary measures of this sort would have created uncertainty likely severely to have disrupted investment and tax yield.

EC Economic and Finance Council

Mr. Burns: To ask the Chancellor of the Exchequer if he will make a statement on the outcome of the latest meeting of the European Community's Economic and Finance Council.

Mr. Lamont: The Economic and Finance Council of the European Community—ECOFIN—met in Luxembourg on 19 April. I represented the United Kingdom.

The main agenda item was follow-up to the Edinburgh European Council declaration on promoting economic recovery. The Council discussed a paper prepared by the Commission containing a summary of the action taken both by member states and at Community level. Council conclusions were agreed on the results of the Edinburgh declaration and on the importance of economic relations between the EC and the United States to promoting economic recovery internationally. I highlighted the significant measures taken by the United Kingdom consistent with the Edinburgh declaration, including in particular those in the Budget and Autumn Statement, and welcomed progress made by other member states and with the Community measures. I stressed the importance of early progress towards a GATT agreement and drew attention to the favourable growth prospects in the United Kingdom by comparison with those of other major EC member states.

The Council discussed progress in negotiations with the European Parliament on a new inter-institutional agreement on budget discipline and agreed that the presidency should continue to work towards an agreement consistent with the conclusions of the Edinburgh European Council.

There was a brief discussion of the draft seventh VAT directive which covers the VAT treatment of second hand goods. The main outstanding United Kingdom objective remains to secure a final text which protects the essential interests of the United Kingdom art market.

The Commission urged progress with its proposed directive abolishing withholding tax on interest and royalty payments between companies in different member states. The Council agreed to have a substantive discussion of the directive at a future meeting.

Following a brief discussion of possible European investment bank lending to Albania, it was agreed that the Council would return to this issue at a later meeting.

The Council took no formal votes. The conclusions on promoting economic recovery and economic relations with the United States were agreed by consensus.

Although not part of the formal Council proceedings, there was also a meeting of Finance Ministers from EC and EFTA countries in Luxembourg on the same day. There was general agreement on the value of dialogue on economic issues between EC and EFTA countries. Discussion centred on promoting economic recovery in Europe and the results of the joint meeting of Foreign and Finance Ministers from G7 countries on 14 and 15 April.

House Prices/Earnings Ratio

Mr. Milburn: To ask the Chancellor of the Exchequer, pursuant to his answer of 27 January, *Official Report*, columns 751-2, if he will publish figures for the average house price to earnings ratio for each region for the lastest quarters.

Mr. Nelson *[holding answer 22 April 1993]:* Estimates for the fourth quarter of 1992 are given in the following table:

Average house price to earnings ratio fourth quarter 1992

Region	*Number*
Great Britain	3·56
North	3·17
Yorkshire and Humberside	3·28
East Midlands	3·65
East Anglia	3·59
South East	
Greater London	3·51
Rest of South East	4·21
South West	3·83
West Midlands	3·74
North West	3·58
England	3·61
Wales	3·42
Scotland	3·15

European Bank for Reconstruction and Development

Mr. Gordon Brown: To ask the Chancellor of the Exchequer if he will itemise British expenditure on the European bank for reconstruction and development.

Mr. Lennox-Boyd *[holding answer 19 April 1993]:* I have been asked to reply.

By the end of March 1993, United Kingdom expenditure on the European bank for reconstruction and development since its inauguration in April 1991 was about £90 million. A breakdown of this figure is shown in the table. As a shareholder of the bank, the United Kingdom will contribute £255 million to its capital: £53·4 million has already been contributed; the remainder will be paid in the period to the end of 1995-96 by a combination of cash and promissory notes.

The European Community has a 6 per cent. shareholding in the bank and contributes 6 per cent. of the capital. In addition, the EBRD manages technical assistance funds for the EC. The United Kingdom share of this Community expenditure is 16 per cent.

£ million

	1990-91	*1991-92*	*1992-93*	*Total*
Capital Subscription	—	21·6	31·8	53·4
Headquarters grant	0·7	12·3	21·8	34·8
Annual Meetings	—	0·7	0·02	0·72
Transitional Support	1·9	—	—	1·9
				90·82

ecu million	1991	1992	Total
PHARE/TACIS (technical assistance)		40	40

WALES

Mental Handicap Hospitals

Mr. Nigel Griffiths: To ask the Secretary of State for Wales what is the average total cost per patient per week of providing in-patient care to residents of long-stay mental handicap hospitals in Wales.

Mr. Gwilym Jones: The average total cost per patient per week is not available.

Patient treatment services for in-patients and day cases in mental handicap hospitals in Wales in 1990-91—the latest comprehensive figures available—averaged £45·80 per person per day, or £320·60 per week. Figures for general services such as catering, laundry, building and engineering maintenance, etc., which are estimated to add around a further 40 per cent. to the cost, are not included because, although they are available as an overall figure, they cannot be disaggregated into patient types.

Tourism

Mr. Llwyd: To ask the Secretary of State for Wales if he will publish figures showing the origin of British domestic holidaymakers to Wales according to each United Kingdom standardised region for each year since 1985; and if he will indicate in each instance the percentage from each region embarking on *(a)* all holidays, *(b)* short stays of one to three nights and *(c)* long stays of four nights and over.

Sir Wyn Roberts: The requested figures are given in the following tables. This information is derived from sample surveys so may be subject to sampling variability.

Origin of British domestic holiday tourists to Wales by standard region and length of stay
1985

per cent.

	All holidays	*1-3 nights*	*4+ nights*
North	2	2	2
Yorkshire and Humberside	4	3	4
North West	27	31	25
East Midlands	3	3	3
West Midlands	24	24	23
East Anglia	1	1	2
South East	18	14	21
South West	4	2	4
Wales	15	20	13
Scotland	2	—	2

1986 — per cent.

	All holidays	1-3 nights	4+ nights
North	1	—	1
Yorkshire and Humberside	4	1	5
North West	30	25	33
East Midlands	3	3	3
West Midlands	20	24	18
East Anglia	2	1	4
South East	18	12	19
South West	4	6	3
Wales	17	28	11
Scotland	1	—	2

1987 — per cent.

	All holidays	1-3 nights	4+ nights
North	2	1	3
Yorkshire and Humberside	6	5	7
North West	26	22	29
East Midlands	5	4	6
West Midlands	24	30	20
East Anglia	1	—	1
South East	14	12	15
South West	5	3	6
Wales	15	21	12
Scotland	2	1	2

1988 — per cent.

	All holidays	1-3 nights	4+ nights
North	3	3	2
Yorkshire and Humberside	5	3	7
North West	19	24	16
East Midlands	8	2	12
West Midlands	20	25	17
East Anglia	1	—	1
South East	20	12	25
South West	6	8	5
Wales	17	23	13
Scotland	1	—	1

Source: British Tourism Survey (monthly).

Origin of British domestic holiday tourists to Wales by standard region and length of stay

1989 — per cent.

	All holidays	1-3 nights	4+ nights
North	2	1	2
Yorkshire and Humberside	3	2	4
North West	20	20	20
East Midlands	5	3	7
West Midlands	20	22	19
East Anglia	1	1	2
South East	17	10	22
South West	7	7	7
Wales	22	32	15
Scotland	2	—	2

Origin of British domestic holiday tourists to Wales by standard region and length of stay

1990 — per cent.

	All holidays	1-3 nights	4+ nights
North	2	1	3
Yorkshire and Humberside	4	3	5
North West	21	18	24
East Midlands	4	3	6
West Midlands	21	25	18
East Anglia	1	—	2
South East	18	17	20
South West	6	6	7
Wales	20	28	13
Scotland	1	—	2

Origin of British domestic holiday tourists to Wales by standard region and length of stay

1991 — per cent.

	All holidays	1-3 nights	4+ nights
North	1	—	2
Yorkshire and Humberside	5	4	6
North West	24	23	24
East Midlands	4	3	5
West Midlands	21	21	21
East Anglia	1	1	1
South East	16	10	20
South West	4	5	4
Wales	22	34	15
Scotland	1	—	2

Source: British Tourism Survey (monthly).

Mr. Llwyd: To ask the Secretary of State for Wales what was the expenditure of the Wales tourist board in each year from 1985-86, broken down into *(a)* grant-in-aid and *(b)* projects.

Sir Wyn Roberts: The requested figures are in the following table:

Wales Tourist Board expenditure

£ thousand

Year	Grant-in-aid	Projects
1985-86	5,195	2,500
1986-87	5,345	2,542
1987-88	5,736	3,101
1988-89	5,891	3,453
1989-90	6,532	3,419
1990-91	7,249	3,378
1991-92	7,754	3,617
1992-93	9,972	3,810

Source: Wales Tourist Board.

Mr. Llwyd: To ask the Secretary of State for Wales if he will publish figures showing the distribution of non-business overseas visitors in Wales in each year since 1985, indicating *(a)* the number of visits, *(b)* the number of nights stayed and *(c)* the amount spent in (i) North Wales, (ii) Mid Wales, (iii) South Wales and (iv) unspecified parts of Wales.

Sir Wyn Roberts: The requested figures are given in the following tables. Visitors from Ireland and the Channel Islands are excluded. This information is derived from a sample survey and so may be subject to sampling variability.

Number of visits of non-business overseas visitors to Wales

Thousands

	1985	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*
North Wales	173	147	153	138	163	168	156
Mid Wales	67	68	68	76	71	67	69
South Wales	273	242	278	267	309	320	306
Unspecified parts of Wales	38	19	27	32	26	46	28

Source: International Passenger Survey.

Number of nights stayed by non-business overseas visitors in Wales

Millions

	1985	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*
North Wales	1·0	0·9	0·9	0·8	1·1	1·0	1·2
Mid Wales	0·5	0·5	0·5	0·4	0·5	0·6	0·4
South Wales	2·7	2·4	2·4	2·4	3·3	2·7	2·5
Unspecified parts of Wales	0·1	0·1	0·1	0·1	0·2	0·2	0·2

Source: International Passenger Survey.

Expenditure of non-business overseas visitors in Wales

£ millions

	1985	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*
North Wales	21	18	23	19	24	27	26
Mid Wales	8	8	15	8	8	15	10
South Wales	53	48	54	46	56	63	61
Unspecified parts of Wales	3	2	8	5	4	5	6

Source: International Passenger Survey.

Mr. Llwyd: To ask the Secretary of State for Wales if he will publish figures on the section 4 grants and loans assistance given to tourist projects in Wales in each year since 1985-86, indicating *(a)* the number of projects approved, *(b)* the level of grant/loan approved, *(c)* the capital cost of the projects *(d)* the average assistance given and *(e)* the average capital cost.

Sir Wyn Roberts: The requested figures are given in the following table.

Section 4 grants and loans assistance given to tourist projects in Wales

	Number of schemes	*Grant approved* £	*Capital cost* £	*Average grant assistance* £	*Average capital costs* £
1985-86	162	3,398,351	15,689,278	20,977	96,847
1986-87	130	2,907,594	15,838,420	22,366	121,834
1987-88	103	2,259,549	15,520,350	21,937	150,683
1988-89	218	3,888,399	22,675,916	17,837	104,018
1989-90	167	3,843,485	42,170,319	23,015	252,517
1990-91	164	3,253,776	20,313,392	19,840	123,862
1991-92	249	3,979,585	22,628,716	15,982	90,878
1992-93	486	4,790,045	26,722,226	9,856	54,984

Source: Wales Tourist Board.

Special Educational Needs

Mr. Wigley: To ask the Secretary of State for Wales what was the spending by each local education authority in Wales on special educational needs in the latest available year.

Sir Wyn Roberts: Information is available in respect of expenditure on special education in special schools, home teaching, individual teaching in hospitals and expenditure in social services establishments charged to education. Current expenditure in special education units attached to primary and secondary schools is excluded and not available separately.

The information is given in the following table.

Expenditure on special education[1] 1990-91

	Net current expenditure[2] £000	*Gross capital expenditure[3] £000*
Clwyd	7,810	75
Dyfed	4,164	20
Gwent	6,643	80
Gwynedd	2,908	50
Mid Glamorgan	7,898	3
Powys	2,006	33
South Glamorgan	6,641	35
West Glamorgan	3,703	0
Total Wales	41,773	296

[1]Information taken from local education authority revenue and capital outturn forms.

[2]Net current expenditure is defined as expenditure on employees and running expenses, less sales, fees, changes, internal recharges and other non-grant income but gross of specific government grants.

[3]Gross capital expenditure is defined as the provision, acquisition

and enhancement of tangible fixed assets which continue to be of value long after their acquisition.

*Includes expenditure in special education units attached to primary and secondary schools.

Public Buildings (Disabled Access)

Mr. Richards: To ask the Secretary of State for Wales what plans he has to acquire Welsh local authorities to make public buildings accessible to disabled people if these buildings are currently inaccessible; and if he will make a statement.

Mr. Gwilym Jones: It is for owners of public buildings including local authorities, to use their own judgment as to the need for access and the extent to which it is practicable and affordable to improve it.

Statutory powers in respect of existing buildings are limited. Where planning permission is required for development, section 76 of the Town and Country Planning Act 1990 places a duty on local planning authorities to draw applicants' attention to their statutory obligations in this regard under sections 4, 7, 8 and 8A of the Chronically Sick and Disabled Persons Act 1970.

The building regulations require that access and facilities for the disabled are provided in all new non-domestic buildings including extensions. Research is in progress to see how similar measures might be applied when non-domestic buildings are being altered.

Community Care

Mr. Richards: To ask the Secretary of State for Wales what measures are being taken to ensure that Welsh local authorities correctly allocate and spend the money they are receiving to provide community care.

Mr. Gwilym Jones: Additional resources for local authorities' new community care responsibilities are included in the 1993-94 Welsh local government revenue settlement. Within those totals, the amounts in respect of the new duties for each county council have been identified in accordance with their own wishes. The Welsh Office has worked closely with each local authority in the preparation of their social care plans and will continue to do so in monitoring progress on the implementation of community care.

Sight Tests

Mr. Barry Jones: To ask the Secretary of State for Wales if he will ensure that all deaf and hard of hearing people in Wales have access to national health service sight tests; and if he will make a statement.

Mr. Gwilym Jones: There are no plans to extend the categories of those eligible for national health service sight tests which already provide free sight tests to those most in need, for example, children, those on low income and people most at risk at developing serious eye disease. These examination groups cover approximately 45 per cent. of the population of Great Britain.

South Glamorgan TEC

Mr. Morgan: To ask the Secretary of State for Wales what consulations he has had with South Glamorgan training and enterprise council in relation to a proposed merger with the Cardiff chamber of commerce and the Cardiff and Vale Enterprise Agency.

Mr. David Hunt: None.

Pit Closures

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 20 October 1992, *Official Report*, columns *283-84*, what progress he has made in allocating the £4·8 million he announced for employment and training measures in the areas affected by pit closures and job losses; how much of the £4·8 million has already been announced and on what it has been spent; what the residual amount unspent will be spent on; and what evaluation he has made of the best value for money schemes in improving employment and training prospects.

Mr. David Hunt: The introduction of special additional employment and training measures will depend on the future employment position at individual pits. No final decision has yet been taken to close any of the Welsh pits involved in the review.

AGRICULTURE, FISHERIES AND FOOD

Beer

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food when he will be able to complete his assessment of the impact of the new duty-paid allowances on sales of beer in the United Kingdom; and if he will make a statement.

Sir John Cope: I have been asked to reply.

We are monitoring the impact of cross-border shopping in the single market, but seasonal variations in beer sales and the novelty of cross-border shopping make it unsafe to draw firm conclusions for the moment. Customs are meeting the Brewers Society to discuss the society's statistics on duty-paid beer imports. We shall continue to keep a close watch on the position through surveys and other relevant information sources.

TRADE AND INDUSTRY

Radio Telephones

Mr. Redmond: To ask the President of the Board of Trade when he expects to have the conclusions from his Department's research study of the physical interaction of fields from hand-held radio telephones and the human head; which other organisations are assisting his Department in this study; whether the full results of the study will be published; and if he will make a statement.

Mr. Leigh: The project, called "Interaction of the Body with Radio Emissions from Hand Held Transceivers", is part of the LINK personal communications programme. Industry provides 50 per cent. of the funding; the Government contribution is provided by the DTI and the Science and Engineering Research Council. The project was launched in June 1992 and is due to complete by December 1995.

The four research organisations involved in this study are:

University of Bradford
Brunel University
University of Surrey, and
University Microwave Ltd.

It is managed by a team including officials from my

Department, the National Radiological Protection Board, and Multiple Access Communications Ltd. A panel of independent monitors has also been appointed. On completion of the project a document summarising the results will be made public.

Electricity Generation

Mr. Mackinlay: To ask the President of the Board of Trade if he will seek a report from OFFER listing the type, scale, nature and ownership of electricity generation in Greater London, Kent and Essex.

Mr. Eggar: It is for the Director General of Electricity Supply to determine what reports to commission. The National Grid Company is required to produce a seven-year statement and update it at least annually. This includes information about existing generating capacity.

Markets Overt

Mr. Hutton: To ask the President of the Board of Trade what proposals he has to reform the law relating to the operation of markets overt.

Mr. Leigh: I hope shortly to issue a consultation paper on the law relating to transfer of title. This will invite opinions on whether reform is needed to the rule of sales in market overt.

Fuel-conditioning Devices

Ms Walley: To ask the President of the Board of Trade what results have been achieved by Warren Spring Laboratory in tests of in-line fuel-conditioning devices based on tin alloys or magnetic cores; and whether he will issue guidance on the effectiveness of such products in reducing energy use.

Mr. Leigh: Responsibility for the subject of the question has been delegated to Warren Spring Laboratory under its chief executive, Dr. Cormack. I have asked him to arrange for a reply to be given.

Letter from Doug Cormack to Ms Joan Walley, dated 21 April 1993:

Your written Parliamentary Question to ask the President of the Board of Trade what results have been achieved by Warren Spring Laboratory in tests of on-line fuel conditioning devices based on tin alloys or magnetic cones: and whether he will issue guidance on the effectiveness of such products in reducing energy use.

As your question relates to operational activities at Warren Spring Laboratory I have been asked to reply.

Over the past twelve months or so Warren Spring Laboratory has continued to be contracted by the motor vehicle industry to test and assess modifications to motor car designs in respect of fuel consumption and vehicle emissions., I regret that, as this work has been undertaken on a commercial-in-confidence basis, it is not possible for me to publicise the results. I do, however, enclose some background information about the work of our vehicle emissions team. You would be most welcome to visit Warren Spring Laboratory to meet the team and to see the facilities that we use in testing and assessing vehicle emissions.

Collieries

Mr. Cummings: To ask the President of the Board of Trade when he expects the six mothballed collieries to be licensed to the private sector.

Mr. Eggar: The timing of possible licensing to the private sector of those pits being placed on a care and maintenance basis by British Coal is a matter for British Coal, but I expect progress to be rapid.

Mr. Cummings: To ask the President of the Board of Trade what discussions he has had with representatives of private mining companies which have expressed an interest in the collieries scheduled for mothballing or closure.

Mr. Eggar: My right hon. Friend the President of the Board of Trade and I have recently had a number of discussions with representatives of the private mining sector about a range of matters. The licensing to the private sector of pits which British Coal no longer wishes to operate is, of course, the responsibility of British Coal.

Offshore Oil Exploration

Sir Michael Grylls: To ask the President of the Board of Trade what sanctions he has at his disposal against oil companies which fail to carry out exploration and drilling commitments specified in licences granted by his Department in previous United Kingdom continental shelf licensing rounds; and on what occasion he has exercised these powers.

Mr. Eggar: The Secretary of State may revoke a licence if there is any breach or non-observance by the licensees of any terms and conditions of the licence, including exploration and drilling commitments. To date neither the Secretary of State nor his predecessors has exercised these powers.

Small Firms

Ms Quin: To ask the President of the Board of Trade what proportion of economic activity is accounted for by small firms in each standard planning region.

Mr. Leigh *[holding answer 22 April 1993]:* This information is not available.

Trading Standards Officers

Dr. Strang: To ask the President of the Board of Trade how many vacancies existed for trading standards officer posts in each year from 1979 to the latest available date.

Mr. Leigh: *[holding answer 21 April 1993]:* Information provided to my Department by local weights and measures authorities in England, Wales and Scotland indicates that since 1987-1988 the numbers of vacancies for qualified trading standards officers have been:

	1987-88	*1988-89*	*1989-90*	*1990-91*	*1991-92*
England	211	255	287	257	211
Scotland	37	42	35	32	52
Wales	7	8	15	13	11
Total	255	305	337	302	274

Figures for preceding years are not readily available.

Orimulsion

Mr. Ingram: To ask the President of the Board of Trade what is his policy with regard to the desirable level of orimulsion imports into the United Kingdom.

Mr. Eggar: The coal review White Paper, "The Prospects for Coal", states that the Government have been informed by the Venezuelan authorities that Orimulsion exports to the United Kingdom are likely to stay at their minimum contractual level for the foreseeable future. The minimum quantities specified in contracts are commercially confidential.

Steel Prices

Mr. Barry Jones: To ask the President of the Board of Trade what measures he is taking to hold down steel prices; and if he will make a statement.

Mr. Sainsbury: None. Steel prices are a matter for the market.

Written Answers to Questions

Monday 26 April 1993

LORD CHANCELLOR'S DEPARTMENT

Mental Incapacity

Mr. Alex Carlile: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to review legislation concerning the withdrawal of money from a bank account by a relative or carer on behalf of a mentally incapacitated adult; and if he will make a statement.

Mr. John M. Taylor: The Law Commission is reviewing the law and procedures relating to decision making on behalf of mentally incapacitated adults. The commission's initial consultation in 1991 produced a large number of responses in the light of which the commission decided to embark on a second round of separate consultations on particular topics before publishing final proposals. The commission has now published the first of three further consultation papers, "Mentally Incapacitated Adults and Decision-Making: A New Jurisdiction" (L.C.C.P. No. 128) which canvasses proposals for reform of the private law aspects, including financial decision making.

Police Stations, Northern Ireland

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 19 April, *Official Report*, column *28*, if he will place in the Library the results of the survey carried out by the Northern Ireland court service into advice at police stations.

Mr. John M. Taylor: The survey referred to is not in a form which could readily be placed in the Library. However, I will write to the hon. Member enclosing a summary of the results of the survey for his information. The hon. Member will already have received some of this information in the answer provided to his earlier question on 21 April 1993, *Official Report*, column *93*.

Boundary Commission for Wales

Dr. Kim Howells: To ask the Parliamentary Secretary, Lord Chancellor's Department when he intends to appoint a deputy chairman for the Parliamentary Boundary Commission for Wales.

Mr. John M. Taylor: I refer the hon. Gentleman to the answer I gave to the hon. Member for Neath (Mr. Hain) on 20 April, *Official Report*, column *45*.

Lease Law

Dr. Spink: To ask the Parliamentary Secretary, Lord Chancellor's Department what progress has been made on reform of lease law; and if he will make a statement.

Mr. John M. Taylor: I refer the hon. Member to the answer given on 31 March by myself to my hon. Friend the Member for High Peak (Mr. Hendry), *Official Report*, column *197*, and to the answer given on the same date by my hon. Friend the Minister for Housing and Planning to my hon. Friend the Member for Bromsgrove (Mr. Thomason), *Official Report*, columns *293-94*.

PRIME MINISTER

Energy Bills (Pensioners)

Mr. McNamara: To ask the Prime Minister if he will publish the reply he has sent to the letter of Mr. E. B. Glover QC, on the subject of the effect of VAT on energy bills for pensioners.

The Prime Minister *[holding answer 14 April 1993]:* A reply has been sent on my behalf by the Department of Social Security. It is not my normal practice to publish correspondence, but it explains that the annual uprating of benefits will in due course reflect the increases in fuel bills; that we will be making available extra help to people on income support and income-related benefits which we will announce in the autumn and which will be paid from April 1994 before the bills have to be paid; and that the Government are not taking back the extra help they gave to pensioners on income support to assist them in paying the community charge, even though the community charge has now been abolished.

ATTORNEY-GENERAL

Scott Inquiry

32. **Mr. Winnick:** To ask the Attorney-General what evidence the Law Officers have submitted to the Scott inquiry on exports to Iraq.

The Attorney-General: My Department has provided Lord Justice Scott with copies of all documents relevant to the range of issues which he has identified.

Phoenix Companies

35. **Mrs. Gorman:** To ask the Attorney-General how many prosecutions in 1992-93 the Serious Fraud Office has launched in relation to possible offences involving the use of phoenix companies.

The Solicitor-General: None. Such cases are more likely to be handled by other prosecuting authorities.

Crown Prosecution Service (Recruitment)

Mr. Whittingdale: To ask the Attorney-General if he will make a statement about the recruiting policy of the Crown Prosecution Service.

The Solicitor-General: The Crown Prosecution Service continues to recruit on merit in open competition high-quality applicants for a comparatively small number of vacancies for lawyers.

Serious Fraud (Prosecutions)

Mr. Flynn: To ask the Attorney-General what was the success rate in prosecutions by the Serious Fraud Office which were concluded within the last six months.

The Attorney-General: Eleven Crown court trials involving 22 defendants have been concluded since 1

October 1992. Seventeen defendants have been convicted and two acquitted and three were discharged without the jury having to return a verdict. In one further trial in the magistrates court the defendant was acquitted. This decision is the subject of appeal to the divisional court.

HOME DEPARTMENT

Escaped Prisoners

Mr. Tipping: To ask the Secretary of State for the Home Department if he will detail, by category of prisoner, the number of prisoners who escaped while under prison escort for the last five years for which figures are available.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the Prison Service who has been asked to arrange a reply.

Letter from Derek Lewis to Mr. Paddy Tipping, dated 26 April 1993:

The Home Secretary has asked me to reply to your Parliamentary Question asking, by category of prisoner, the number of prisoners who escaped whilst under prison escort for the past five years for which figures are available.

The information you requested is as follows:

	1988	*1989*	*1990*	*1991*	*1992*
Category 'A' Adult Male	—	—	—	1	—
Category 'B' Adult Male	13	13	33	19	28
Category 'C' Adult Male	5	18	25	31	38
Unsentenced Adult Male	29	39	26	54	43
Sentenced Young Offender Male	4	8	14	9	9
Unsentenced Young Offender Male	8	35	16	25	25
Sentenced Female	2	1	1	5	4
Unsentenced Female	—	4	4	—	—
Total	61	118	119	144	147

The information relates to those prisoners who escaped whilst under prison escort between 20 June 1988 and 31 December 1992. Information was not collated centrally prior to June 1988. The information is derived from incidents reported to the Incident Management Support Unit, a part of the Directorate of Custody.

Mr. Tipping: To ask the Secretary of State for the Home Department if he will detail, by category of prisoner, the number of prisoners who escaped while under prison escort during the months of April 1990, April 1991 and April 1992.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general, who has been asked to arrange a reply.

Letter from Derek Lewis to Mr. Paddy Tipping, dated 26 April 1993:

The Home Secretary has asked me to write to you in response to your Parliamentary Question asking, by category of prisoner, the number of prisoners who escaped whilst under prison escort during the months of April 1990, April 1991 and April 1992.

The information is as follows:—

	April 1990	*April 1991*	*April 1992*
Category "B" adult male	5	3	1
Category "C" adult male	1	4	2
Unsentenced adult male	2	4	1
Sentenced young offender	3	—	—
Unsentenced young offender	2	6	2
Sentenced female	—	—	2
Unsentenced female	—	1	1
Total	13	18	9

The above information is derived from incidents reported to the Incident Management Support Unit, a part of the Directorate of Custody.

Prisons

Mr. Mackinlay: To ask the Secretary of State for the Home Department (1) to what extent prisons provide non-smoking recreation and eating areas; and if he will make a statement;

(2) whether prisoners who do not smoke are required to share cells with those who do;

(3) what action his Department has taken to reduce the amount of tobacco smoking by prisoners in Her Majesty's prisons.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the Prison Service, who has been asked to arrange for a reply.

Letter from Derek Lewis to Mr. Mackinlay dated 22 April 1993:

The Home Secretary has asked me to reply to the three Parliamentary Questions on this subject which you tabled for written answer on Wednesday 21 April.

Prison Standing Orders require governors to arrange as far as is practicable for non-smokers not to be compelled to share living accommodation with smokers, and for non-smoking areas to be available in visiting accommodation and association rooms as long as this does not reduce access to these areas. Smoking is prohibited in areas where food is being prepared or served. Practice in dining areas is a matter for individual governors.

We acknowledge the importance of measures to encourage prisoners who smoke to break the habit and this is reflected in our corporate plan. Medical advice is available in all prisons and structured health education and counselling facilities are increasingly being provided. A new health care standard for clinical and related health promotion services will be introduced later this year which will provide a further stimulus to the promotion of healthier lifestyles. We are also planning a number of pilot projects to develop models for co-ordinated health promotion programmes. I would expect measures to reduce smoking to feature in these.

Angling

Mr. John Greenway: To ask the Secretary of State for the Home Department what studies his Department has made or plans to undertake about the policing difficulties arising in connection with the protection of anglers taking part in official and legitimate angling competitions from disruption from anti-angling demonstrations; and if he will make a statement.

Mr. Charles Wardle: The policing of any event is an operational matter for chief officers.

Wheel Clamping

Mr. Callaghan: To ask the Secretary of State for the Home Department how many representations he has received about wheel clamping from persons in the Rochdale metropolitan borough and in the Greater Manchester area.

Mr. Jack: Since 1 April 1992, the Home Office has received 10 letters from hon. Members representing constituencies in the Greater Manchester area concerning the use of wheel clamps on private land. In the same period, five members of the public living in that area have written direct to this office on the same issue. Since the publication of the Home Office consultation paper on 23 February this year, we have received three requests for that document from individuals living in the Greater Manchester area.

Wheel clamping on the public highway currently takes place only in London, and we are not aware of any representations from people in Greater Manchester on that issue.

Mr. Parry: To ask the Secretary of State for the Home Department what recent representations he has received from hon. Members regarding wheel clamping on cars; and if he will make a statement.

Mr. Jack: In the 12 months up to 31 March this year, I received 117 letters from hon. Members in relation to wheel clamping. One hundred and twelve of these concerned clamping on private land, the others related to clamping on public roads.

A Home Office consultation paper concerning wheel clamping on private land was published on 23 February this year and sent to all hon. Members. The closing date for comments is 31 May.

Cults

Mr. Dickens: To ask the Secretary of State for the Home Department if he will consider setting up a working party to conduct a study of the recruitment methods used by secret cults in the United Kingdom and to advise if legislation would be appropriate.

Mr. Jack: The Government do not plan to set up such a working party. Nor do the Government consider it appropriate to legislate specifically in this area. The existing criminal law is adequate to deal with any offences committed by members of a new religious movement or sect.

Racial Assaults

Mr. Gerrard: To ask the Secretary of State for the Home Department (1) in how many cases brought to court during the last year of assault involving racial motivation the defendants were juveniles;

(2) what information his Department has as to the numbers of reported or recorded racial attacks for the latest three years *(a)* in the United Kingdom and *(b)* in London; and in how many of these cases a conviction was obtained;

(3) in how many cases brought to court during the last year involving racial motivation the defendants were granted bail; and how many of these were cases of murder.

Mr. Jack: The only information held centrally relates to the number of reported racial incidents in England and Wales and is given in the table.

Reported racial incidents

Forces	*1988*	*1989*	*1990*	*1991*	*1992*
Avon and Somerset	57	71	83	148	98
Bedfordshire	21	25	33	n/a	57
Cambridge	52	60	71	107	110
Cheshire	0	0	0	3	29
City of London	4	0	0	0	0
Cleveland	29	55	57	68	73
Cumbria	0	4	1	9	13
Derbyshire	17	20	53	143	60
Devon and Cornwall	2	3	6	9	7
Dorset	6	12	3	9	10
Durham	43	23	41	70	40
Dyfed Powys	0	0	0	0	0
Essex	2	26	43	59	80
Gloucestershire	17	20	51	25	33
Greater Manchester	28	40	123	204	401
Gwent	1	4	5	12	31
Hampshire	45	n/a	42	141	139
Hertfordshire	49	49	51	n/a	106
Humberside	49	52	67	81	68
Kent	88	81	88	120	115
Lancashire	75	93	201	119	231
Leicestershire	84	190	287	369	338
Lincolnshire	1	2	2	4	5
Merseyside	136	123	144	162	134
Norfolk	8	22	23	45	30
North Wales	3	1	0	3	4
North Yorkshire	5	6	12	20	22

Forces	1988	1989	1990	1991	1992
Northamptonshire	n/a	72	66	60	120
Northumbria	242	217	289	376	349
Nottinghamshire	4	27	135	221	222
South Wales	86	94	308	385	311
South Yorkshire	n/a	52	117	124	151
Staffordshire	15	44	101	158	95
Suffolk	46	62	74	75	55
Surrey	13	7	7	50	61
Sussex	15	141	92	98	98
Thames Valley	94	128	171	201	195
Warwickshire	27	21	44	32	35
West Mercia	0	6	13	3	19
West Midlands	382	169	268	445	379
West Yorkshire	386	306	254	322	218
Wiltshire	37	19	25	29	24
Provincial total	2,169	2,347	3,451	4,509	4,566
Metropolitan police	2,214	2,697	2,908	3,373	3,227
England and Wales total	4,383	5,044	6,359	7,882	7,793

OVERSEAS DEVELOPMENT

Soviet Union

37. **Mr. Clifton-Brown:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will increase the proportion of the Overseas Development Administration's budget devoted to the problems currently being experienced in the former Soviet Union; what criteria he uses to allocate priorities between different parts of the world; and if the will make a statement.

Mr. Lennox-Boyd: We provide substantial assistance to the former Soviet Union and recently announced the doubling of our bilateral aid for Russia.

Baltic States

40. **Mr. Flynn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what new proposals he has to extend the scope of the know-how fund in the Baltic states.

Mr. Lennox-Boyd: The know-how fund is considering new proposals which will benefit the agriculture, finance and small business and energy sectors and promote good government.

Nagorno-Karabakh

42. **Mr. Pickthall:** To ask the Secretary of State for Foreign and Commonwealth Affairs what role his Department is playing in helping the Azeris of Nagorno-Karabakh.

Mr. Lennox-Boyd: It is not possible to identify assistance specifically provided to the Azeris of Nagorno-Karabakh. However, since December 1992 the ODA has provided £750,000 in response to appeals by the International Committee of the Red Cross and the UN High Commissioner for Refugees. Through these organisations we have provided relief assistance to both Azeris and Armenians displaced by the conflict whether they be in Azerbaijan, Armenia or Norgorno-Karabakh itself.

Food Aid

Mr. Harry Greenway: To ask the Secretary of State for Foreign and Commonwealth Affairs how many people are estimated now to be receiving British food relief on a regular basis; and if he will make a statement.

Mr. Lennox-Boyd: Most United Kingdom food aid is for relief purposes and is not targeted to any group of people on a regular basis. In 1992-93 the United Kingdom supplied over 244,000 tonnes of food aid to developing countries, in addition to paying for our share of European Community food aid. This would in theory be enough to provide around 1·4 million people with their basic needs for a year. But in practice no single group is wholly dependent on food aid from the United Kingdom.

Yugoslavia

Lady Olga Maitland: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans there are to send humanitarian convoys to Goradze and Zepa in Bosnia.

Mr. Lennox-Boyd: The United Nations High Commissioner for Refugees (UNHCR), which co-ordinates the international relief effort to the former Yugoslavia, is making every effort to deliver relief supplies to Gorazde and Zepa. But over the last few months it has only been possible to reach these towns sporadically by road convoy because of the continuing hostilities. The United Kingdom has contributed 58 vehicles plus support staff to UNHCR's road convoys.

However, supplies are presently being airdropped to Gorazde, Srebrenica and Zepa. The United Kingdom has provided almost £600,000 of food for the air drops.

EDUCATION

Environmental Studies

Mr. Hinchliffe: To ask the Secretary of State for Education (1) what plans he has to introduce environmental studies into the national curriculum;

(2) what initiatives promoting environmental awareness in schools his Department supports; and what funding is available for these initiatives.

Mr. Forth: All pupils receive education about the environment through the national curriculum core and foundation subjects, the terms of which are set out in the statutory orders and associated documents issued by the Department. The Government will support £85 million of local education authority expenditure on the basic curriculum and assessment in 1993-94 which will be mainly devolved to schools to spend either on training or on books and equipment; and a further £25 million on training to enhance primary teachers' knowledge in specific subjects, including geography which has particular relevance to environmental education.

Tests

Mr. David Porter: To ask the Secretary of State for Education what rights under statute and remedy against failure parents of children at each of the key stages have to see that their children are tested this term; and if he will make a statement.

Mr. Forth: Section 10 of the Education Reform Act 1988 imposes a duty on head teachers of maintained schools to secure the implementation of the national curriculum, including the assessment arrangements at the end of the key stages. Local education authorities and governing bodies are under a corresponding duty to exercise their functions so as to secure its implementation.

Teachers' conditions of employment require them to assess, record and report on the development, progress and attainment of pupils, under the reasonable direction of the head teacher, and having regard to the curriculum for the school.

Parents who believe that LEAs or governing bodies are failing to discharge a statutory duty associated with the national curriculum should in the first instance complain through the local complaints machinery, provided for in section 23 of the Education Reform Act. If their complaint is not satisfactorily dealt with, they may then complain to the Secretary of State who may give directions to the LEA or governing body concerned, under section 99 of the Education Act 1944, if he considers this is appropriate.

Special Educational Needs

Mr. Keith Hill: To ask the Secretary of State for Education (1) what action he is taking to ensure that children's special educational needs are being identified and met at the earliest possible stage;

(2) what action he is taking to improve the information and support available to parents during the full assessment and drawing up of statements on children with special educational needs.

Mr. Forth: The Education Bill, currently before Parliament, provides for the Secretary of State to issue a code of practice which will give practical guidance to which LEAs must have regard when fulfilling their duties towards children with SEN. The Government have tabled amendments in another place, which, if accepted, would ensure that the code applied to all LEA maintained and self-governing (GM) schools and offered those schools guidance on early action to identify, assess and monitor pupils with special educational needs. The Government envisage one of the guiding principles of the code will be that it should promote partnership between LEAs and parents, not least by ensuring that parents are kept fully informed of the authority's thinking and the reasons behind an authority's decisions at all stages of the process of making assessments and statements. The guidance will be tightly defined to ensure that all children who need an assessment and subsequently a statement are properly safeguarded and will ensure that full parental involvement is encouraged at all stages.

NORTHERN IRELAND

Road Schemes

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what assessment has been made of the costs and benefits of *(a)* the Comber bypass, *(b)* the Balloo road stage 3 Bangor, *(c)* the A5 Burndenneth, *(d)* the Ann street/Thomas street, Dungannon, *(e)* the A5 Magheramason, *(f)* the A5 Leckpatrick, *(g)* the Antrim-Ballymena stage 2, *(h)* the Greenmount link, Coleraine, *(i)* the Omagh throughpass stage 2, *(j)* the Belfast urban area plan roads (95/96) and *(k)* the Belfast urban area plan roads (96/97) road schemes.

Mr. Atkins: Economic and environmental assessments of these road improvement schemes have been undertaken. The assessments showed that each scheme was good value for money.

House Conversion, Donaghadee

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland on what date Donaghadee urban district council, as planning authority, gave planning permission for the conversion of Warren house, Warren avenue, Donaghadee, into two flats.

Mr. Atkins: The Department does not have records of the planning decisions made by Donaghadee urban district council.

Rates

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what is the outstanding demand for rates unpaid in due time; and what steps are being taken for this collection.

Mr. Atkins: Responsibility for rate collection has been delegated to the Rate Collection Agency under its chief executive, Mr. D. Gallagher. I have asked him to arrange for a reply to be given.

Letter from D. W. Gallagher to Mr. Peter Robinson dated 26 April 1993:

You recently asked a Parliamentary Question about overdue outstanding rates and the steps that are taken to collect them. As I am responsible for the Rate Collection Agency the Secretary of State has asked me to reply.

Overdue outstanding rates in Northern Ireland at 31 March 1993 amounted to £6·71 million or 1·84 per cent. of a total collectable rate of £364·97 million. At 31 March 1992 overdue outstanding rates were £7·24 million or 1·99 per cent. of a total collectable rate of £364·8 million.

If rates are not paid on time by one of the prescribed payment methods a ratepayer will be sent a Final Demand following which he/she will be issued with a summons (Process in Debt Proceedings) for the Magistrates Court where the Agency will seek a Decree for the amount outstanding. Ratepayers who remain unwilling or unable to discharge their debts then become liable to enforcement action by the Enforcement of Judgments Office or to further legal action under Insolvency Legislation.

Copies of the Rate Collection Agency's 1991/92 Annual Report have been placed in the House of Common's Library. This report contains statistical information about rate collection and recovery activity.

Should you require further information please let me know.

Terrorism

Mr. McNamara: To ask the Secretary of State for Northern Ireland whether he has sent copies of the consultation paper "Terrorist Exploitation of the Construction Industry in Northern Ireland" to the Northern Ireland Law Society and the Northern Ireland Bar Council.

Mr. Mates: I am not prepared to disclose to whom copies of this confidential consultative paper have been sent.

Mr. McNamara: To ask the Secretary of State for Northern Ireland whether the consultation paper "Terrorist Exploitation of the Construction Industry in Northern Ireland" has been discussed by the Anglo-Irish secretariat.

Mr. Mates: I am not prepared to disclose with whom the Government have had discussions about this confidential consultative paper.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will list those organisations which received copies of the consultation paper "Terrorist Exploitation of the Construction Industry in Northern Ireland", indicating the date which they were dispatched and the date and from whom responses were received.

Mr. Mates: No.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will now forward to the Standing Advisory Commission on Human Rights, NIACRA, the constitutional political parties in Northern Ireland and parties represented in this House, copies of the consultation paper "Terrorist Exploitation of the Construction Industry in Northern Ireland".

Mr. Mates: I will consider requests for copies from individuals and organisations as they arise.

Mr. McNamara: To ask the Secretary of State for Northern Ireland why the Standing Advisory Commission on Human Rights was not sent a copy of the consultation paper "Terrorist Exploitation of the Construction Industry in Northern Ireland".

Mr. Mates: I am not prepared to disclose whether or not a particular individual or organisation received a copy of the confidential consultative paper.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will place copies of the consultation paper "Terrorist Exploitation of the Construction Industry in Northern Ireland" in all the public libraries in Northern Ireland.

Mr. Mates: No.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will extend the period for responses to the consultation paper "Terrorist Exploitation of the Construction Industry in Northern Ireland" until 30 June to enable those bodies and persons previously unaware of the paper to make responses.

Mr. Mates: I will be grateful to receive responses at any time.

Mr. McNamara: To ask the Secretary of State for Northern Ireland when he expects to introduce legislation based on his proposals contained in the consultative paper "Terrorist Exploitation of the Construction Industry in Northern Ireland" and the responses to it.

Mr. Mates: Our ideas are at a formative stage, and it would be premature to announce our intention to legislate or to establish a timetable for possible legislation.

Cormorants

Mr. A. Cecil Walker: To ask the Secretary of State for Northern Ireland how many cormorants were killed under licence to prevent serious damage to fisheries in Northern Ireland in each year since 1985 and 1993 to date.

Mr. Atkins: The information is as follows:

Cormorants recorded as being killed under licence

Year	*Number*
1985	5
1986	24
1987	99
1988	41
1989	36
1990	35
1991	87
1992	82
1993	[1]—

[1] Not yet available.

Mr. A. Cecil Walker: To ask the Secretary of State for Northern Ireland how many licences were *(a)* applied for and *(b)* issued, under section 18 of the Wildlife (Northern Ireland) Order 1985 to permit the killing of cormorants to prevent serious damage to fisheries in Northern Ireland for each year since 1985 and 1993.

Mr. Atkins: The information is as follows:

Year	*Licences applied for*	*Licences issued*
1985	1	1
1986	6	6
1987	14	14
1988	18	15
1989	18	18
1990	24	20
1991	17	17
1992	18	18
[1]1993	12	11

[1] To 22 April.

Rates

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will publish a table to show the rateable value of *(a)* each parliamentary constituency in Northern Ireland, *(b)* each council area in Northern Ireland, *(c)* each district electoral area in each council area

and *(d)* each ward; and if he will indicate the rates due from each of the areas and the average sum due per elector in each such area or as much of such information as is conveniently available to him.

Mr. Atkins: Responsibility for the subject in question has been delegated to the Rates Collection Agency under its chief executive, Mr. David Gallagher.

Letter from D. W. Gallagher to Mr. William Ross, dated 26 April 1993:

As I am responsible for the Rate Collection Agency, the Secretary of State has asked me to reply to a Parliamentary Question recently put down by you. This related to rateable value, rates due and the average sum due per elector in each parliamentary constituency, district council area, each district electoral area and each ward in Northern Ireland.

Unfortunately all of the information you seek is not available. However I am able to provide statistics on a district council basis, and these are set out on the attached schedule.

Rateable values and the number of electors, but not rates data can be provided on a ward basis. However rating due is at present being revised to reflect the outcome of the recent Local Government Boundaries Commission Review and this information will become available during July.

I will write to you again at that time.

District council	*Rateable value*	*Gross collectable rate*	*Number of electors*[1]	*Average sum due per elector* £
Antrim	13,086,494	10,905,708	30,958	352
Ards	15,968,462	12,620,098	49,716	254
Armagh	9,827,200	7,901,448	36,703	215
Ballymena	14,165,158	11,592,839	42,640	272
Ballymoney	4,777,996	3,761,182	17,865	211
Banbridge	7,477,586	5,946,285	27,052	220
Belfast	121,120,370	108,778,912	208,590	521
Carrickfergus	9,510,523	8,005,775	25,124	319
Castlereagh	14,062,542	10,944,271	47,998	228
Coleraine	14,517,282	11,619,154	37,328	311
Cookstown	5,393,031	4,276,577	21,813	196
Craigavon	19,153,959	16,036,148	54,814	293
Downpatrick	12,448,020	10,053,421	41,228	244
Dungannon	7,930,857	6,238,648	32,669	191
Fermanagh	10,293,054	8,410,694	39,608	212
Larne	8,327,225	7,152,082	22,601	316
Limavady	5,523,861	4,442,493	19,683	226
Lisburn	23,603,567	18,922,139	70,664	268
Derry	26,976,839	22,307,967	64,136	348
Magherafelt	6,154,202	4,833,848	25,856	187
Moyle	3,234,579	2,483,773	10,710	232
Newry	16,080,018	12,843,613	57,339	224
Newtownabbey	21,181,377	17,892,255	56,106	319
North Down	19,738,968	15,649,106	55,057	284
Omagh	9,299,768	7,777,179	31,404	248
Strabane	6,060,584	4,942,891	25,542	194
Total	425,913,522	356,338,506	1,153,204	309

[1]Information provided by Electoral Office.

HEALTH

Medicines (Licences)

Ms Lynne: To ask the Secretary of State for Health how many licences the Medicines Control Agency has *(a)* issued and *(b)* refused each year since April 1989; and how many licences have been issued each year since 1989 in response to applications from other EC countries.

Dr. Mawhinney: The figures shown in the table relate to product licences only for the three years up until March 1992. Figures from April 1992 to March 1993 are not yet available. Manufacturers' licences, wholesale dealer and parallel import product licences have been excluded. The numbers of refusals relate to formal refusals; in many cases, applicants chose to withdraw their applications rather than pursue them to a formal refusal. No separate records are maintained which would enable the Medicines Control Agency readily to identify product licence applications arising from other EC countries.

	Product licences issued	*Applications refused*
April 1989 to March 1990	663	3
April 1990 to March 1991	728	0
April 1991 to March 1992	883	5

Mental Health

Mr. David Atkinson: To ask the Secretary of State for Health if she will make a statement on her Department's forthcoming survey on mental health.

Mr. Yeo: The Office of Population Censuses and Surveys is carrying out the first national survey to assess the extent of psychiatric morbidity in Great Britain. The survey, due to be completed in 1995, will provide information on the nature and extent of psychiatric illnesses among adults and will enquire into any associated social disabilities; the variation in the use of health, social and voluntary care services; and the risk factors associated with mental illness. The survey information will form a baseline against which changes in the health and social functioning of people with a mental illness can be

measured, thus providing a means of assessing progress towards achieving the targets set out in our White Paper, "The Health of the Nation" (Cm 1986).

Dr. Lynne Jones: To ask the Secretary of State for Health, pursuant to her answer of 5 February, *Official Report*, column *377-78*, if she will give details of the ethnic origin of those detained under section 136 of the Mental Health Act 1983 during each year from 1984 to 1986 in the North West Thames, North East Thames, South East Thames and South West Thames areas; what assessment she has made of the extent of and the reasons for the discrepancy between such detentions in those areas compared with other regions; and if she will make a statement.

Mr. Yeo: This information is not available centrally.

Hypnotherapists and Psychotherapists

Dr. Lynne Jones: To ask the Secretary of State for Health whether she will introduce regulations for the registration of hypnotherapists and psychotherapists.

Mr. Sackville: We have no such plans.

Community Care

Ms Lynne: To ask the Secretary of State for Health what action she is taking to improve access to community care services for elderly people of Asian origin and other ethnic minorities.

Mr. Yeo: Responsibility for ensuring proper access to community care services for all groups rests with local authorities. To help local authorities do this the Department:

(a) issued policy guidance about ensuring that assessment of community care needs is accessible to people from ethnic minority backgrounds and that services are appropriate (copies are available in the Library);
(b) issued practice guidance on care management and assessment which draws specific attention to the needs of ethnic minority communities and is developing further practice guidance on ethnic minority issues (copies are available in the Library);
(c) produced audio cassettes about community care in seven minority languages;
(d) grant aids the race equality unit, which advises local authorities on good practice in the delivery of personal social services to people from minority groups.

Psychologists

Mr. Vaz: To ask the Secretary of State for Health what representations she has received concerning the statutory registration of psychologists; and if she will make a statement.

Dr. Hampson: To ask the Secretary of State for Health what representations she has received concerning the statutory registration of psychologists; and if she will make a statement.

Mr. Yeo: We have received representations from the British Psychological Society and are considering whether psychologists employed by the national health service should be required to be chartered.

Orthopaedics Units

Mrs. Helen Jackson: To ask the Secretary of State for Health how many small orthopaedic specialised hospital units have been closed in the past two years.

Mr. Sackville: This information is not available centrally.

Mrs. Helen Jackson: To ask the Secretary of State for Health what research she has commissioned on the effect of the closure of small hospital units that specialise in orthopaedics on waiting times for hip or knee replacements.

Mr. Sackville: None. The patients charter guarantees that all patients waiting for hip or knee replacement operations will be treated within a maximum of 18 months. Latest waiting time figures show that the number of orthopaedic patients waiting more than a year fell by over 45 per cent. in the year to September 1992.

Pharmacists

Ms Janet Anderson: To ask the Secretary of State for Health if she will review the working practices of the Prescription Pricing Authority in respect of the remuneration of pharmacists; and if she will make a statement.

Dr. Mawhinney: No.

Ms Lynne: To ask the Secretary of State for Health what representations she has received about the proposed changes to community pharmacists' pay.

Dr. Mawhinney: We have received a number of representations about our proposals for restructuring pharmacists' remuneration. We shall take these into account in the further discussions we shall be having with the pharmacists' representatives.

General Practitioners

Mr. Alex Carlile: To ask the Secretary of State for Health what proposals she has to restrict the ability of general practitioners to work in single-handed practices; and if she will make a statement.

Dr. Mawhinney: None.

Dentistry

Ms Lynne: To ask the Secretary of State for Health how many salaried dentists are currently employed within each health district in England.

Dr. Mawhinney: The information provided by the Dental Practice Board by family health services authority area at 31 December 1992 is shown in the table. The information relating to the first quarter of 1993 is not yet available.

Salaried dentists for each family health services authority 31 December 1992

Family Health Services Authority	*Number of salaried dentists employed*
Buckinghamshire	1
Cambridgeshire	2
City and East London	8
Cornwall and Isles of Scilly	2
Derbyshire	1
Essex	2
Greenwich and Bexley	8
Kensington, Westminster and Chelsea	8
Kent	3

Family Health Services Authority	*Number of salaried dentists employed*
Lambeth, Southwark and Lewisham	27
Liverpool	2
Merton, Sutton and Wandsworth	1
Salford	1
Somerset	4
West Sussex	1
Total	71

Mrs. Ray Michie: To ask the Secretary of State for Health where the pilot scheme is operating which has been agreed between her Department and the British Dental Association for financial assistance towards the setting up or expansion of dental practices within family health services authorities; what is the cost to date of the scheme; how many practices have been awarded assistance; what plans there are to extend the scheme; and if she will make a statement.

Dr. Mawhinney: The 68 family health services authorities taking part in the pilot scheme, aimed at encouraging dentists to set up or expand their practices in areas which need more dentists, are:

Avon
Barking/Havering
Barnet
Barnsley
Bedfordshire
Berkshire
Birmingham
Buckinghamshire
Calderdale
Cambridgeshire
Camden/Islington
City/East London
Cornwall/Isles of Scilly
Coventry
Cumbria
Derbyshire
Devon
Doncaster
Dorset
Durham
Ealing/Hammersmith/Hounslow
East Sussex
Enfield/Haringey
Essex
Gateshead
Greenwich/Bexley
Hampshire
Hillingdon
Humberside
Isle of Wight
Kensington/Chelsea/Westminster
Kent
Kingston/Richmond
Kirklees
Lambeth/Southwark/Lewisham
Lancashire
Leeds
Leicestershire
Lincolnshire
Liverpool
Manchester
Merton/Sutton/Wandsworth
Norfolk
Northamptonshire
North Yorkshire
Nottingham
Oxfordshire
Redbridge/Waltham Forest
Rotherham
St. Helens/Knowsley
Salford
Sandwell
Sefton
Sheffield
Shropshire
Solihull
South Tyneside
Staffordshire
Stockport
Surrey
Suffolk
Sunderland
Trafford
Wakefield
Walsall
West Sussex
Wiltshire
Wolverhampton

Since 1989 when the scheme started, the Department has spent over £720,000 and 140 practices have benefited. An assessment of the scheme is being undertaken and any decisions about its future will be made in the light of the outcome of the assessment.

Ms Lynne: To ask the Secretary of State for Health what information she has on the number of dentists who offer NHS patients the option of a Denplan care programme as an alternative.

Dr. Mawhinney: None. Private dental treatment is entirely a matter between individual patients and dentists.

Child Migrants

Mr. Hinchliffe: To ask the Secretary of State for Health (1) what is the present level of funding for the Child Migrants Trust; and what future support is envisaged;

(2) what action she will take to advise relatives of child migrants of the present locations of persons who left the United Kingdom prior to 1967; and if she will make a statement;

(3) what action she will take to assist child migrants living abroad to receive details of family background and to re-establish United Kingdom family contact.

Mr. Yeo: The Department has no information regarding the location of former child migrants. There are no plans to assist directly. The Department has provided funds to the Child Migrant Trust which provides a record tracing and advisory service. The trust has been awarded a grant of £25,000 for this year. Decisions about future funding will be taken at the appropriate time.

Mr. Hinchliffe: To ask the Secretary of State for Health (1) what dialogue she has undertaken with health departments in *(a)* Australia, *(b)* New Zealand and *(c)* Canada concerning the welfare of United Kingdom child migrants;

(2) what dialogue she has undertaken with the *(a)* Australian, *(b)* New Zealand and *(c)* Canadian Governments in order to identify and provide support services and advice to United Kingdom child migrants.

Mr. Yeo: None.

Mr. Hinchliffe: To ask the Secretary of State for Health what information she has available identifying the number of child migrants who have located and rejoined their families in the United Kingdom.

Mr. Yeo: None.

Ambulance Service

Mr. Hinchliffe: To ask the Secretary of State for Health what changes are planned in the pay of the ambulance service in the 1993-94 financial year.

Mr. Sackville: My right hon. Friend the Secretary of State set out in her letter of 12 November 1992 to national health service employing bodies, including NHS trusts, the limits she expected to be applied to pay settlements throughout the NHS in the year from that date, a copy of which was deposited in the Library. In that context, offers of an increase of 1·5 per cent. in pay and allowances for the 1993-94 year have been made for those ambulance personnel whose pay is negotiated centrally. Information is not available about pay settlements for staff on NHS trust-specific terms and conditions.

Drug Prescribing

Mr. Couchman: To ask the Secretary of State for Health what sources, independent of her Department and of the pharmaceutical industry, have been used by the Advisory Committee on National Health Service Drugs since 1985 to obtain advice on the costs of the products considered for inclusion on the selected list or on the impact of their actions on other national health service costs.

Dr. Mawhinney: The Advisory Committee on National Health Service Drugs is an independent body of experts whose members use whatever sources they consider necessary to obtain advice and information for their deliberations.

Mr. Couchman: To ask the Secretary of State for Health (1) what are the elements of the costs of administering the selected list scheme;

(2) what has been the cost of the administration of the selected list in each year of its operation; and what is the estimated cost for 1993-94 and 1994-95.

Dr. Mawhinney: The cost elements of administering the selected list scheme are those incurred in running the Advisory Committee on National Health Service Drugs and of providing departmental administrative support for the Committee. This amounted to £55,000 in 1991-92. Figures for earlier years are not available but the costs have remained constant in real terms since the inception of the scheme in 1985. An increase of around 50 per cent. is forecast for 1993-94 to deal with the extra work of reviewing the 10 new categories of drugs. Costs thereafter are expected to reduce to the earlier levels.

Hepatitis and Dysentry

Mr. Hain: To ask the Secretary of State for Health how many cases of hepatitis and dysentery there have been in England for each year since 1987.

Mr. Sackville: The information is shown in the tables.

Number of cases notified for Viral Hepatitis in England, 1987-1991

	Hepatitis A	*Hepatitis B*	*Non A-Non B*	*Other/ Not Known*	*Total*
1987	1,797	420	241	823	3,281
1988	3,093	374	334	1,067	4,868
1989	5,210	409	249	1,074	6,942
1990	7,165	419	162	1,002	8,748
1991	7,186	471	149	693	8,499

Number of cases notified for dysentery in England, 1987-91

	Number
1987	3,333
1988	3,601
1989	3,162
1990	2,521
1991	8,963

Health Authorities

Mr. Milburn: To ask the Secretary of State for Health if she will list for each family health services authority the remuneration paid to chief executives and non-executive directors.

Dr. Mawhinney: Chief executives of family health services authorities (FHSAs) are remunerated in range of £33,160 to £60,650 per year according to the size of the FHSA. All non-executive directors are remunerated at the rate of £5,000 per year.

Mr. Milburn: To ask the Secretary of State for Health if she will give details of the remuneration paid to chief executives and non-executive directors of district health authorities.

Dr. Mawhinney: Chief executives of district health authorities (DHAs) are remunerated in the range of £41,830 to £69,990 per year according to the size of the DHA. All non-executive directors are remunerated at the rate of £5,000 per year.

Mr. Milburn: To ask the Secretary of State for Health (1) if she will list for each family health services authority the names of the chief executives and all non-executive directors;

(2) if she will list for each district health authority the names of the chief executive and all non-executive directors.

Dr. Mawhinney: This information is not available centrally. The appointment of chief executives to family health services authorities (FHSAs) and district health authorities (DHAs) is not carried out by Ministers, but is a matter for the FHSAs and DHAs themselves. Non-executive directors of FHSAs and DHAs are appointed by the appropriate regional health authority.

AIDS

Mr. Butcher: To ask the Secretary of State for Health how many people in the United Kingdom have developed AIDS.

Mr. Sackville: Up to 31 March 1993, 7,341 AIDS cases had been reported.

Mr. Butcher: To ask the Secretary of State for Health what has been the total Government expenditure on HIV/AIDS medical research; and if she will provide an estimate of total expenditure from all sources on HIV/AIDS medical research.

Mr. Sackville: The cumulative total of Government funding for AIDS research for the financial years 1986-87 to 1992-93 is £105,239,000. Information about expenditure from non-governmental sources is not available centrally.

Mr. Butcher: To ask the Secretary of State for Health what has been the total expenditure from her Department in support of HIV and AIDS counselling, awareness and education programmes.

Mr. Sackville: Between 1985-86 and 1993-94 the Government have allocated £85 million to the development of the national AIDS public education campaign, including the running costs of the national AIDS helpline and related telephone services. The sum of £11·5 million is being made available in 1993-94.

The table shows the Department of Health and health education authority spend for the development of the national HIV and AIDS public education work including the running costs of the national AIDS helpline and related telephone information services. Not shown in the table are the sums spent by other Government Departments on HIV prevention work within their own spheres of interest.

HIV and AIDS public education

	Department of Health (£ million)	*HEA (£ million)*
1984-85	Nil	—
1985-86	0·52	—
1986-87	7·60	—
1987-88	6·74	4·47
1988-89	—	10·00
1989-90	—	12·00
1990-91	—	10·00
1991-92	—	11·00
1992-93	—	11·225

Since 1989-90 contributions have also been made towards the costs incurred by regional and district health authorities in the development of local HIV prevention activities. Regional AIDS (Control) Act 1987 reports since 1989-90 record expenditure on local HIV prevention initiatives as follows:

	£ million
1989-90	13·4
1990-91	23·4
1991-92	27·95

Figures for 1992-93 are not yet available though they are expected to reflect a steady increase in the development of district based HIV prevention work.

Figures recording the total spent on all aspects of health promotion are not collected centrally. However, the Government continue to spend more on HIV and AIDS education than on any other single health promotion programme.

Mr. Butcher: To ask the Secretary of State for Health how many United Kingdom citizens are HIV positive.

Mr. Sackville: Up to 31 March 1993, 19,524 reports of persons testing positive for HIV had been received. The true number of infected people will undoubtedly be higher as some will not have been tested.

Immunisation

Ms Primarolo: To ask the Secretary of State for Health what was the percentage uptake of immunisations in each year since 1980 by district health authorities and FHSAs for *(a)* MMR, *(b)* rubella, *(c)* under-two diphtheria, tetanus, pertussis, polio and *(d)* pre-school diphtheria, tetanus and polio and BCG, together with the source of this information.

Mr. Sackville: Information on vaccination and immunisation by family health services authority is not available centrally.

Figures for the two-year uptake of diphtheria, tetanus, pertussis and polio by district health authority have been published in the Department of Health publication "Vaccination and Immunisation" since 1987-88, copies of which are available in the Library.

Further information could be provided only at disproportionate cost.

Ms Primarolo: To ask the Secretary of State for Health if she will place in the Library the latest edition of "Vaccination and Immunisation" based on forms KC50, KC50A and KC51.

Mr. Sackville: The latest edition available is for the period 1990-91, a copy of which is in the Library.

Comfrey

Ms Corston: To ask the Secretary of State for Health if she will make a statement indicating the total number of cases in *(a)* the United Kingdom and *(b)* the world of human veno-occlusive liver disease attributable directly to comfrey consumption; and what percentage of the total incidence of this condition these figures represented in the years in which they arose.

Mr. Sackville: This information is not available centrally. However, table 15, pages 184-191, of the World Health Organisation's "Environmental Health Criteria 80", 1988, lists cases of pyrrolizidine alkaloid poisoning and human reports of veno-occlusive disease from the United Kingdom and many other countries. All these cases are linked to the consumption of plants, including comfrey, which contain the toxic pyrrolizidine alkaloids. The Committee on the Toxicity of Chemicals in Food, Consumer Products and the Environment, in its recent statement on the safety-in-use of comfrey, refers to an additional two cases of veno-occlusive disease reported since 1988, one in the USA and one in New Zealand.

Copies of the World Health Organisation publication, the Ministry of Agriculture, Fisheries and Food's analysis of comfrey products, the advice of the Committee on the Toxicity of Chemicals in Food, Consumer Products and the Environment and the Food Advisory Committee together with a draft information note are available in the Library.

WALES

Forestry Commission

Mr. Alex Carlile: To ask the Secretary of State for Wales what plans he has to change the existing status for the Forestry Commission in Wales; and if he will make a statement.

Sir Wyn Roberts: I refer the hon. and learned Member to the answer given by my right hon. Friend the Secretary of State for Scotland to my hon. Friend the Member for Staffordshire, Moorlands (Mr. Knox) on 30 March 1993, *Official Report*, column *150*.

Unadopted Sewers

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will make funding available to enable water public limited companies and local authorities to upgrade existing unadoptable sewers to adoptable standards; and if he will make a statement.

Mr. Gwilym Jones: Responsibility for uprating unadopted sewers to adoptable standards rests with the owners. Sections 104 and 105 of the Water Industry Act 1991 (as amended) provide an adequate mechanism to allow unadopted sewers to be adopted by the relevant authority and include provision for appeals to the Director General of Water Services in the event that adoption is refused.

Mr. Alex Carlile: To ask the Secretary of State for Wales what plans he has to set up and fund a programme of survey work designed to measure the extent of unadopted sewers; and if he will make a statement.

Mr. Gwilym Jones: None.

Mr. Alex Carlile: To ask the Secretary of State for Wales what information he has as to how many households in Wales have unadopted sewers; and if he will make a statement.

Mr. Gwilym Jones: This information is not available centrally.

Water Disconnections

Mr. Hain: To ask the Secretary of State for Wales if he will give figures for the number of disconnections of domestic water supply for each year since 1987.

Mr. Gwilym Jones: The information the hon. Member requested is set out in the following table. Separate data for domestic disconnections are not available for 1987-88 and 1988-89. Information on statutory water company disconnections was not collected prior to 1988-89.

Disconnections by water companies in Wales[1]

	Number
Domestic and non-domestic disconnections	
[2]1987-88	2,067
1988-89	1,249
Domestic disconnections	
1989-90	1,356
1990-91	1,305
1991-92	2,951
[3]1992-93	1,072

[1] Dwr Cymru Cyf, Chester Waterworks Company and Wrexham and East Denbighshire Water Company.
[2] Excluding Chester Waterworks Company and Wrexham and East Denbighshire Water Company.
[3] Half year ended 30 September 1992.

Hepatitis and Dysentery

Mr. Hain: To ask the Secretary of State for Wales how many cases of hepatitis and dysentery there have been in each year since 1987.

Mr. Gwilym Jones: The numbers of notifications of viral hepatitis and dysentery in Wales in each year since 1987 are shown in the table:

	Viral hepatitis	*Dysentery*
1987	98	283
1988	194	91
1989	129	115
1990	257	235
1991	360	972
1992[1]	481	676

[1] 1992 data are provisional.

Notes:
Viral hepatitis, which includes all forms of hepatitis, was notifiable as infective jaundice prior to 1989.
Dysentery includes amoebic and bacillary dysentery.

Source: Office of Population Censuses and Surveys Communicable Disease Statistics (MB2 series).

Careers Services

Mr. Morgan: To ask the Secretary of State for Wales how many careers services organisations of the eight county councils have opted to become *(a)* part of the nearest training and enterprise council, *(b)* free-standing organisations, *(c)* partnership organisations and *(d)* other; and if he will make a statement.

Sir Wyn Roberts: Voluntary partnerships between training and enterprise councils and the careers services of local education authorities have been established in all Welsh counties. We shall be looking closely at the progress of these partnerships before deciding on what arrangements might apply in the future, as a result of legislation proposed in the Trade Union Reform and Employment Rights Bill.

Local Government Finance

Mr. Roger Evans: To ask the Secretary of State for Wales whether he intends to cap any Welsh authorities for 1993-94; and if he will make a statement.

Mr. David Hunt: Local authorities in Wales have now set their budgets and council tax for 1993-94. Almost all have budgeted within or very close to the limits implied by the provisional capping criteria I announced last December.

The provisions of the Local Government Finance Act 1992 require me to determine capping principles for a class of authority prior to announcing a decision to cap any authority of that class.

In the light of careful consideration of their budgets and all other relevant considerations I have now decided my capping principles for district councils.

The principles I have adopted broadly give effect to the provisional criteria I announced to the House last December with one modification. I have included a de minimis proviso to avoid designation in cases where the reduction which could be secured by capping would be less than £1·50 per band D household. Full details of my principles have, this afternoon, been placed in the Library of the House.

On the basis of these principles I have designated Aberconwy borough council for capping. Its 1993-94 budget is £8,734,695 and I have proposed a cap of £8,566,950. The original council tax for a two adult band D dwelling was £69. The reduction implied by the proposed cap is £8.

On the basis of all the information currently available to me, I am satisfied that my proposed cap is reasonable and appropriate in all the circumstances of the authority and that the reduction I propose is achievable this year.

If Aberconwy wishes to accept the amount proposed, it now has 28 days in which to do so. It can also challenge my proposal within 28 days, suggesting an alternative figure together with reasons for it, and in those circumstances it is open to me to set the final cap at a different level from the one I originally proposed. If Aberconwy does not accept my proposed cap, I will seek the approval of the House for a draft order confirming the cap.

Within 21 days of the final cap having been set, Aberconwy must set a new budget requirement reflecting the cap; and this will feed through to the council tax. I expect that by the end of June Aberconwy will have calculated a new budget requirement leading to a reduced level of council tax.

I propose shortly to apply to the High Court for leave to seek a judicial review of the council tax calculations made by Gwent county council for 1993-94. If leave is granted by the court, the judicial review could result in the authority making new budget requirement and council tax calculations. For this reason, I do not consider it appropriate to make a decision on my capping principles for county councils until such time as this matter is resolved. However, on the basis of the budgetary information available to me, I see no reason to pursue the matter of designation in respect of the other county councils in Wales.

AGRICULTURE, FISHERIES AND FOOD

Grey Herons

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food how many grey herons were killed under licence in England and Wales in each year since 1988, to prevent serious damage to fisheries.

Mr. Soames: The information requested is as follows:

	Number
1988	0
1989	0
1990	0
1991	5
1992	[1]1
1993	[1]1

[1] Returns of action taken under licence still awaited, so figures may not be final totals.

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what advice on non-lethal preventive measures is given to those applying for licences to kill grey herons under section 16 of the Wildlife and Countryside Act 1981, to prevent serious damage to fisheries.

Mr. Soames: All applicants receive a site visit carried out by the Agricultural Development Advisory Service which advises on the appropriate use of methods to prevent or deter herons from feeding at the site. These can include the use of physical proofing, such as netting over of small ponds, and the use of audible and visual bird scarers, including pyrotechnic devices.

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food how many licences were *(a)* applied for and *(b)* issued under section 16 of the Wildlife and Countryside Act 1981 to permit the killing of grey herons in England and Wales for each year since 1988, to prevent serious damage to fisheries.

Mr. Soames: The information requested is as follows:

Year	*Applications received*	*Licences issued*
1988	3	1
1989	3	1
1990	2	0
1991	1	1
1992	6	[1]4
Totals	15	7

[1] In two of these cases the applications were received in 1992 but the licences were not issued until January 1993.

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what evidence of serious damage to fisheries is required before a licence under section 16 of the Wildlife and Countryside Act 1981 to permit killing of grey herons is issued.

Mr. Soames: Applicants are required to demonstrate that herons are causing serious economic damage to their fishery enterprise and that other methods of preventing or reducing that damage have been tried or are impractical.

Fishery Inspectors

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food how many fishery inspectors have been employed in total in the United Kingdom in each of the last three years; and how many fishery inspectors or their equivalent have been employed in each of the other EC countries in each of the last three years.

Mr. Curry: The number of British sea fisheries officers employed by the fisheries Departments in the United Kingdom in each of the last three years is as follows:

	Number
1990	181
1991	182
1992	205

Comparable information is not readily available for other EC countries.

Comfrey

Ms Corston: To ask the Minister of Agriculture, Fisheries and Food what plans he has to meet in the near future representatives of the Action Group for the Relief of Pain and Distress or the Society for the Promotion of Nutritional Therapy to discuss the ban on the sale of comfrey products.

Mr. Soames: I met last month with representatives of a number of organisations, including the Society for the Promotion of Nutritional Therapy, in relation to the withdrawal of certain comfrey products. I have no plans for further meetings in the near future.

EC Agriculture Spending

Mr. Marlow: To ask the Minister of Agriculture, Fisheries and Food if he will set out the amounts of the five main EC agricultural spending programmes for the last

year in which figures are available for each EC country, with the best available estimate in each case of the amount that has been fraudulently misapplied.

Mr. Curry: It is not possible to estimate the extent of fraud in the common agricultural policy since, by definition, undetected fraud cannot be measured. However, all member states report cases of EAGGF guarantee-funded irregularity—the definition of which goes wider than fraud). Details of the number and value of cases reported in 1991 are given in annex 20 of the 21st financial report on the European agricultural guidance and guarantee Fund—1991—guarantee section and food aid accounts clearance, a copy of which was placed in the Library. Annex 2 of this report also contains details of expenditure charged by sector and by member state against the 1991 EC Budget.

Agricultural Land (Maps)

Mr. David Nicholson: To ask the Minister of Agriculture, Fisheries and Food, pursuant to the Prime Minister's answer to the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) of 20 April, *Official REeport*, column 181 on the integrated administration control system, what mapping documentation can be used as alternatives by farmers if they have difficulty obtaining maps of the right scale; and what further advice on this he has issued to his Ministry's offices and farmers' organisations.

Mr. Curry: We made clear in the IACS explanatory booklet sent to all farmers the procedure to be followed if they could not obtain the required maps or field reference numbers by the 15 May deadline for submission of the IACS application form. The advice to such farmers was to make sure they submitted the application before the deadline, together with an explanation of why any supporting detail could not be supplied, and give details of each field area and its location. Full details would be required later. My right hon. Friend the Minister has since announced that where existing maps of forage areas do not give field sizes, we will accept estimates. The location could be identified through a 1:25,000 map which is readily obtainable. The advice we have given to the Department's offices and farming organisations is that we should be as reasonable as we possibly can, within the rules of the scheme, over the submission of mapping documentation.

Green Belt Farms

Mr. Mackinlay: To ask the Minister of Agriculture, Fisheries and Food what guidelines and advice his Department has published to encourage farms situated in the green belt to sell their own produce and that of their neighbours.

Mr. Baldry: I have been asked to reply.

I refer the hon. Member to the answer I have given him today.

SCOTLAND

Prison Stores

Mr. Dalyell: To ask the Secretary of State for Scotland *(a)* if he will make a statement on the costs so far of market testing in relation to the central prison stores at Fauldhouse, West Lothian and what is his policy in relation to the future operation of prison stores.

Lord James Douglas-Hamilton: The best estimate of cost to date, including staff time and consultancy fees, in connection with the market testing of the central prison stores is approximately £92,000. The future operation of the stores will be determined by the outcome of the market test.

Hepatitis and Dysentery

Mr. Hain: To ask the Secretary of State for Scotland how many cases of hepatitis and dysentery there have been in each year since 1987.

Mr. Stewart: The number of cases of viral hepatitis and bacillary dysentery notified in Scotland since 1987 are as follows:

Year	*Viral hepatitis*	*Bacillary dysentery*
1987	511	344
1988	848	196
1989	831	154
1990	546	235
1991	556	1,526
1992	316	3,506

Infertility Treatment

Mr. Dunnachie: To ask the Secretary of State for Scotland what are the implications for the funding secured for in vitro fertilisation treatment centres of his decision to cancel the funding of such centres; and if he will make a statement.

Mr. Stewart *[holding answer 23 April 1993]:* No decision was ever taken to provide central funding for in vitro fertilisation services in Scotland. There are therefore no funding implications.

FOREIGN AND COMMONWEALTH AFFAIRS

Deaths, Waco

Mr. Alfred Morris: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the deaths of 24 British citizens in the inferno at Waco, Texas, on 19 April.

Mr. Lennox-Boyd: The 51-day siege by the FBI of the Branch Davidian compound headquarters in Waco, Texas, ended tragically on 19 April with the reported deaths of more than 80 men, women and children, 24 of them British citizens, including a six-year-old girl. Two British men and one British women survived. Throughout the siege we maintained close contact with the United States authorities, including the FBI. The President of the United States has ordered an inquiry into these events.

International Criminal Court

Sir David Steel: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy toward the establishment of an international criminal court.

Mr. Douglas Hogg: It is clear that there are substantial legal, political and practical obstacles to establishing an international criminal court. The International Law Commission has for the last three years been actively addressing many of them. At the General Assembly last year, we supported the commission's request to be granted a mandate to draft a statute of an international criminal court as a matter of priority. We now await that draft and will give it careful consideration.

Sellafield

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government have received from *(a)* foreign Governments, *(b)* foreign parliamentarians and *(c)* foreign non-governmental organisations in regard to the proliferation and nuclear materials safeguards problems posed by the planned opening of the thermal oxide reprocessing plant at Sellafield.

Mr. Douglas Hogg: Since the THORP project was approved by Parliament in 1978 we have received a number of such representations from abroad, especially in categories B and C of the question. We recognise their non-proliferation responsibilities and would not permit any plutonium to be exported from THORP unless they were satisfied that the material would not be misused.

Nuclear Non-proliferation

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what representation his Department had at the non-proliferation seminar at Rhodes house. Oxford on 21 April.

Mr. Douglas Hogg: Foreign and Commonwealth Office officials attended the seminar.

Iraq

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will reconsider Her Majesty's Government's policy towards the imposition of restrictions on the supply of medicines to Iraq.

Mr. Douglas Hogg: There are no restrictions on the supply of medicines to Iraq and they have never been prohibited under the terms of the United Nations sanctions regime against Iraq.

China

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement regarding Lord Howe's visit to China to discuss human rights; and if Lord Howe raised the matter of population control with the Chinese authorities.

Mr. Goodlad: I refer the hon. Member to the reply given by my right hon. Friend the Prime Minister to the hon. Member for Bournemouth, East (Mr. Atkinson) on 15 March, *Official Report*, column *33*. During his visit to China in December last year my right hon. and learned Friend Lord Howe raised a wide number of issues including questions relating to reducing China's population growth.

EC Treaties

Mr. David Porter: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the titles, dates signed and scope of each treaty unaffected by the Maastricht treaty in force between the United Kingdom and *(a)* France, *(b)* Germany, *(c)* Italy, *(d)* Spain, *(e)* Greece, *(f)* the Netherlands and *(g)* Portugal.

Mr. Garel-Jones: The information requested by the hon. Gentleman is not readily available and could only be provided at disproportionate cost.

Yugoslavia

Mr. David Porter: To ask the Secretary of State for Foreign and Commonwealth Affairs of he will make a statement on his assessment of the British interest in the former Yugoslavia.

Mr. Douglas Hogg: We have an important interest in peace and stability in the Balkans. As my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs made clear in his statement to the House on 19 April, our objectives are to make the Bosnian Serbs and the Serb Government abandon the pursuit of their aims by the use of force; to prevent the fighting from spreading to Croatia, Kosovo, Macedonia or elsewhere; to provide the wherewithal, through the Vance-Owen process, for a just political solution; and to relieve the needs of the hungry and sick.

Lady Olga Maitland: To ask the Secretary of State for Commonwealth Affairs what representations he has received regarding protection of those Bosnian Muslims in Sebrenica who have surrendered their weapons to the United Nations from subsequent attack by the Serbs.

Mr. Douglas Hogg: None. UN Security Council resolution 819 demands the immediate cessation of attacks against Srebrenica and that all parties treat the town and its surroundings as a safe area. We have called on all parties to comply fully with this resolution and to co-operate with UNPROFOR in its efforts to monitor the humanitarian situation.

EC Fraud

Mr. Marlow: To ask the Secretary of State for Foreign and Commonwealth Affairs which bodies and institutions can bring about investigations as to fraud in the European Commission; and which institutions can initiate publicity on fraudulent activities within the European Commission.

Mr. Garel-Jones: It is open to any individual, company or other body to bring to the Commission's attention any perceived irregularities, and to publicise such changes as they wish. The Commission itself, like member states, has the main responsibility to ensure adequate controls are in place to prevent fraud and to bring to light any fraud that occurs. In addition to the Commission's internal controls, the Court of Auditors has a responsibility to examine all Community expenditure, including the Commission's

administrative budget, and report to the Council of Ministers and European Parliament. Largely as the result of United Kingdom proposals, the Maastricht treaty would introduce measures aimed at improving the protection of the Community's financial interests. These include:

(i) enhanced status for the Court of Auditors as a Community institution, emphasising the importance of the court's role (Art 4);
(ii) an explicit reference to the Commission's responsibility to implement the Budget with regard to the principles of sound financial management (Art 205);
(iii) a requirement for the court to provide the Council and European Parliament with a statement of assurance on the reliability of the Community's accounts and on the legality and regularity of underlying transactions (Art 206a);
(iv) appointment of an ombudsman, able to receive complaints from citizens of the union and others concerning instances of maladministration in the activities of the Community institutions (Art 138e);
(v) enhanced powers for the European Parliament in scrutinising the implementation of the EC Budget and the discharge procedure (Art 206b), and in setting up temporary committees of inquiry (Art 138c);
(vi) an explicit reference to the obligation on member states to counter EC fraud (Art 209a).

Nepal

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the latest situation concerning human rights in Nepal.

Mr. Lennox-Boyd: We welcome the considerable improvement in Nepal's human rights record since the restoration of democracy in 1990.

NATIONAL FINANCE

Public Sector Pensions

Mr. David Shaw: To ask the Chancellor of the Exchequer if he will estimate the total unfunded liability of civil service and other public sector pensions and the amount by which that liability has increased or decreased in each of the last three years.

Mr. Portillo: The latest figures available for the liabilities of the main unfunded public service pension schemes in the United Kingdom relate to 31 March 1991. The estimated total liabilities of the present and former members accrued to that date are around £170 billion. The comparative figures requested could be provided only at disproportionate cost.

Valuation Office

Mr. Burns: To ask the Chancellor of the Exchequer what targets will be set for the Valuation Office executive agency for the year 1993-94.

Mr. Nelson: I have set the following key targets for the agency in 1993-94.

OPERATIONAL TARGETS

Council tax
To clear 280,000 appeals against the new council tax lists.

Non-domestic rates
To clear 295,000 appeals against the 1990 rating valuation lists.

Direct taxes
To undertake 112,000 valuation cases for the Inland Revenue concerning inheritance and capital gains taxes.

Other
To undertake 130,000 valuations for other government departments, public bodies and local authorities.

Financial performance and cost efficiency
To ensure that the agency's net operating costs are at least fully covered by receipts and to achieve efficiency savings of approximately 2·5 per cent. on its gross expenditure.

Citizen's charter
To reply to 90 per cent. of all correspondence within 28 days of receipt; and to achieve continuing improvements in timeliness and valuation standards in connection with casework of 1 per cent. per annum.

Further details of the performance measures and targets are set out in the agency's business plan for 1993-94 and in its corporate plan, copies of which will be placed in the Library of the House on publication.

Public Servants

Mr. David Shaw: To ask the Chancellor of the Exchequer if he will list the numbers and costs of public servants paid out of the Consolidated Fund and local authorities revenues by (i) each Government Department and agency, (ii) all local authorities and (iii) other public bodies in 1979 and at the latest available date.

Mr. Portillo: The information is set out in the table. Executive agencies did not exist in 1979; agency figures for 1991-92 are included within the relevant departmental total.

Department	*1 April 1979*		*1991-92*	
	Staff	*1979-80 Pay £ million*	*Staff*	*1991-92 Pay £ million*
Defence (including Armed Forces)	577,000	3,917	445,000	8,921
Foreign and Commonwealth Office (including ODA)	12,000	135	10,000	362
Agriculture	15,000	93	11,000	236
Trade and Industry	19,000	145	12,000	271
Employment	54,000	300	53,000	778
Transport	14,000	80	11,000	205
Environment	53,000	450	24,000	673
Home Office	34,000	225	48,000	938
Legal Departments	18,000	100	29,000	504
Education	21,000	143	3,000	67
Heritage	1,000	62	1,000	192
Health (including NHS)	929,000	5,023	879,000	11,880
Social Security	94,000	443	78,000	1,199
Scotland	13,000	600	13,000	1,872
Wales	3,000	400	2,000	826
Northern Ireland	29,000	175	29,000	524

Department	1 April 1979 Staff	1979-80 Pay £ million	1991-92 Staff	1991-92 Pay £ million
Chancellor's Departments	128,000	600	105,000	1,738
Cabinet Office and Other Central Government	56,000	138	50,000	381
Total Central Government	2,070,000	13,029	1,803,000	31,568
Local Authorities	2,368,000	12,843	2,267,000	34,311

Debtor Countries

Mr. Kirkwood: To ask the Chancellor of the Exchequer what further plans he has to alleviate the burden of debt owed by developing countries; and if he will make a statement.

Mr. Nelson: The United Kingdom has an excellent record of helping those developing countries with debt problems. It was a direct result of my right hon. Friend the Prime Minister's initiative for the poorest and most indebted countries following International Monetary Fund sponsored programmes of reform, that the Paris Club of major creditor Governments began implementing the Trinidad terms in December 1992. These provide for the equivalent of the cancellation of up to 50 per cent. of eligible bilateral official debt and a commitment on the part of creditors to examine the whole stock of such debt after a period of proven economic and financial responsibility. So far, 15 of the very poorest and most indebted countries have benefited, resulting in the equivalent debt cancellation of almost $1¾ billion. More will follow.

The Government are, however, aware that for some of the most desperate cases the terms as currently applied will not be enough. For this reason, we are pursuing with our creditor country colleagues improvements in the terms. Specifically, we would like to see the degree of concessionality increased for those countries that need it and quicker action on the stock of debt for those countries that already have a proven track record of reform.

The rationale for the policy is threefold: first, to protect as best we can the interests of taxpayers because their money is at risk when countries cannot repay their debts; secondly, to reduce debt to realistically manageable levels and thereby increase the recoveries received; thirdly, to promote development—for which simply writing off debt is not sufficient. Countries must practise sound social and economic policies to benefit from debt reduction as a catalyst for development.

Insider Dealing

Mr. Cousins: To ask the Chancellor of the Exchequer what was the number of *(a)* prosecutions and *(b)* successful prosecutions under insider dealing control legislation in the last 12 months.

Mr. Nelson: In the last 12 months the prosecution of nine individuals, under the Companies Securities (Insider Dealing) Act 1985, has been concluded. Five prosecutions led to conviction.

Tax Refunds

Mr. Madel: To ask the Chancellor of the Exchequer what is the annual interest paid by the Exchequer caused by delay in making refunds on excessive assessments made by the Inland Revenue; and if he will make a statement.

Mr. Dorrell: The Inland Revenue aims to make repayments promptly as it recognises that hardship can occur if repayment is delayed whatever the reason. Interest on delayed repayments of overpaid tax—called repayment supplement—is added automatically where appropriate.

The total amount of repayment supplement paid for 1991-92 was £76,116,026·51.

Maastricht Treaty

Mr. Marlow: To ask the Chancellor of the Exchequer whether moneys paid through the EC cohesion fund in advance of ratification of the Maastricht treaty are repayable if the treaty is not ratified; and if he will set out the relevant text.

Sir John Cope: The EC cohesion fund envisaged by the Maastricht treaty cannot be established before the treaty has been ratified. Accordingly, the Edinburgh European Council invited the Council to adopt, before 1 April 1993, a regulation to establish an interim cohesion financial instrument, based on article 235 of the present treaty. Since the regulation is based on the present treaty, the question of repayment of expenditure incurred under the interim instrument, if the Maastricht treaty were not to be ratified, does not arise.

Fuel Bills (VAT)

Ms Harman: To ask the Chancellor of the Exchequer what proportion of the revenue raised from his proposal to charge value added tax on supplies of fuel and power for domestic, residential and charity non-business use will be attributable to the standing charges paid by customers in their gas and electricity bills.

Sir John Cope: Standing charges account for around 12 per cent. of total expenditure on domestic fuel and power.

Ms Harman: To ask the Chancellor of the Exchequer what proportion of the revenues raised from his proposal to charge value added tax on supplies of fuel and power for domestic, residential and charity non-business use he expects to be paid *(a)* by charities and *(b)* by private households.

Sir John Cope: It is estimated that around 1 per cent. of the additional yield from extending VAT to all fuel and power is likely to be paid by charities. We expect almost all of the remaining additional yield will be in respect of private housholds, although there is no reliable information on the expenditure by non-private households on fuel and power.

Ms Harman: To ask the Chancellor of the Exchequer what discussions he has had with the Director General of Gas Supply or the Director General of Electricity Regulation on his proposal to charge value added tax on supplies of fuel and power for domestic, residential and charity non-business use.

Sir John Cope: My right hon. Friend has had no such discussions.

Ms Harman: To ask the Chancellor of the Exchequer whether he has met representatives of organisations for elderly people to discuss his proposal to charge value added tax on supplies of fuel and power for domestic, residential and charity non-business use.

Sir John Cope: No such meetings have been held.

Football Pool Betting Duty

Mr. Pendry: To ask the Chancellor of the Exchequer if he will publish the precise text of the terms of the agreement entered into by his Department with the Foundation for Sport and the Arts regarding the distribution of funds made available through the reduction in the football pool betting duty in 1991.

Sir John Cope: The conditions for the distribution of funds by the foundation are set out in its trust deed. My right hon. Friend's implementation of the reduction in pool betting duty from 40 per cent. to 37·5 per cent. indicated that he was content with these arrangements.

Income Tax

Ms Harman: To ask the Chancellor of the Exchequer how many individuals he expects to become liable for income tax as a result of his proposal to freeze allowances in 1993-94; how many individuals he expects to cease to be liable for income tax at the standard rate as a result of his proposal to widen the lower rate band of income tax by £500 in 1993-94; and how many individuals he expects to become liable for the higher rate of income tax as a result of his proposal to freeze the basic rate limit in 1993-94.

Mr. Dorrell: About 300,000 more people will pay tax in 1993-94 under Budget proposals compared with statutory indexation of personal allowances. Increasing the lower rate band by £500 brings about 700,000 more taxpayers into the lower rate than if the lower rate limit had been indexed. Not changing the basic rate limit increases the number of higher rate taxpayers by 100,000 compared with indexation.

Public Sector Finance

Ms Harman: To ask the Chancellor of the Exchequer whether he will publish a table setting out the value of the public sector borrowing requirement in 1991-92 and 1992-93 together with the forecasts of each of these made in the budgets of 1988, 1989, 1990, 1991, 1992 and 1993.

Mr. Portillo: The figures are set out in the table. The "Financial Statement and Budget Report" contains forecasts of the PSBR for only the current year and for the year ahead. PSBR estimates for 1991-92 and 1992-93 given in successive FSBRs prior to 1991 were projections, rather than forecasts, based on illustrative assumptions about the medium-term path of the economy.

£ billion

	1991-92	*1992-93*
Forecast made in:		
1991 FSBR	7·9	n.a.
1992 FSBR	13·8	28·1
1993 FSBR	n.a.	35·1
Outturn	13·8	36·5

Ms Harman: To ask the Chancellor of the Exchequer whether he will publish a table setting out the value of the public sector borrowing requirement as a proportion of gross domestic product at market prices for each financial year from 1963-64 onwards together with the value of public sector capital expenditure, including capital grants to the private sector, as a proportion of GDP at market prices over the same period.

Mr. Portillo: The figures requested are set out in the table. The size of the public sector has been reduced significantly over the past decade as a result of the privatisation programme.

	Public sector capital expenditure[1,2]	*PSBR*[2]
1963-64	7·9	3·4
1964-65	8·4	2·7
1965-66	8·4	2·6
1966-67	9·4	3·0
1967-68	10·7	5·0
1968-69	10·0	0·8
1969-70	9·7	−1·3
1970-71	10·0	1·5
1971-72	9·2	1·7
1972-73	8·7	3·7
1973-74	9·6	5·9
1974-75	10·4	9·1
1975-76	10·3	9·4
1976-77	9·2	6·5
1977-78	7·5	3·6
1978-79	7·0	5·4
1979-80	6·8	4·8
1980-81	6·3	5·4
1981-82	5·4	3·4
1982-83	5·7	3·2
1983-84	5·8	3·2
1984-85	5·3	3·1
1985-86	4·5	1·6
1986-87	3·9	0·9
1987-88	3·4	−0·8
1988-89	3·1	−3·1
1989-90	3·9	−1·5
1990-91	3·7	−0·1
1991-92	3·7	2·4

[1] On a national accounts basis. Comprises gross domestic fixed capital formation—net of receipts from asset sales—increase in stocks, and capital grants to the private sector.

[2] As percentage of GDP at market prices adjusted for the abolition of domestic rates.

NATIONAL HERITAGE

Departmental Contracts

Mr. Cousins: To ask the Secretary of State for National Heritage if he will list the duration, value and nature of contracts awarded by his Department to Arthur Andersen, Kleinwort Benson, Denton, Hall, Begrie and Warren.

Mr. Key: My Department has not awarded any contracts to these firms.

Foundation for Sport and the Arts

Mr. Pendry: To ask the Secretary of State for National Heritage if he will set out the precise criteria governing organisations' eligibility for receiving grant from the Foundation for Sport and the Arts.

Mr. Brooke: The Foundation for Sport and the Arts trust deed states that the main and primary purpose for which the foundation can give grant aid is for
"the promotion, support, encouragement or assistance in such manner of such athletic sports or athletic games in the United Kingdom as the Trustees may from time to time in their absolute discretion think fit".
The secondary purpose for which the trustees are able to give grants with absolute discretion is for the promotion, encouragement or assistance of the arts in the United Kingdom.

Mr. Pendry: To ask the Secretary of State for National Heritage if he will make a statement on the eligibility of angling to receive grant from the Foundation for Sport and the Arts.

Mr. Brooke: It is for the trustees to decide whether or not an activity is eligible for support under the terms of the trust deed.

TRANSPORT

Chlorine

Mr. Alex Carlile: To ask the Secretary of State for Transport what safety regulations govern the transportation of chlorine by road tanker; and if he will make a statement.

Mr. Kenneth Carlisle: The regulations for the transport of dangerous goods by road are made under the Health and Safety at Work, etc. Act 1974. They include the Dangerous Substances (Carriage of Dangerous Substances in Road Tankers and Tank Containers) Regulations 1992 and the Road Traffic (Training of Drivers of Vehicles Carrying Dangerous Goods) Regulations 1992.

Among other things, these regulations require that road tankers carrying dangerous goods such as chlorine meet the appropriate construction standards and are regularly inspected, and that the dangerous goods carried are accompanied by information in writing to indicate the nature of the danger to which they could give rise. Vehicles must display a hazard warning panel and drivers must be properly trained and hold a valid vocational training certificate.

Rail Freight

Mr. Alex Carlile: To ask the Secretary of State for Transport what was the tonnage of goods and materials transported by rail in each year since 1979; and if he will make a statement.

Mr. Freeman: This information is contained in "Transport Statistics", Great Britain, 1992, tables 9.3 and 1.9 and in British Rail's annual reports and accounts for the years in question, copies of which are in the Library.

Mr. Alex Carlile: To ask the Secretary of State for Transport if he will bring forward legislation to enable him to control British Rail charges to freight customers.

Mr. Freeman: No. Charges are set by negotiation with customers in the light of market pressures.

Power Station, Humberside

Mr. Tipping: To ask the Secretary of State for Transport what representations he has received about traffic problems arising from the construction of a gas-fired power station at Keadby, Humberside; and if he will make a statement.

Mr. Kenneth Carlisle: A petition to the Prime Minister with over 150 signatures was received by my Department on 20 April. The petition calls for action mainly by the construction contractors and also the local highway authority.

Railways Bill

Mr. Adley: To ask the Secretary of State for Transport if he will publish notes on each of the amendments made and the new clauses added to the Railways Bill by Standing Committee B in the same form as the notes printed on clauses relating to the Bill as committed.

Mr. Freeman: Revised notes on clauses for the Railways Bill will be prepared for the introduction of the Bill in the House of Lords in the normal way. The record of proceedings in Committee record the reasons I gave in Committee for Government amendments.

Jubilee Line

Mr. Beith: To ask the Secretary of State for Transport further to the answer to the hon. Member for Cardiff, West (Mr. Morgan) of 20 April, *Official Report*, column *70*, what guarantee or underwriting has been undertaken by the Government in respect of the loan from the European investment bank to Canary wharf in connection with the Jublilee line project; and whether he will make a statement.

Ms Harman: To ask the Secretary of State for Transport whether the Government or any other public body has incurred a contingent liability as a result of the agreement by the European investment bank to provide £98 million to finance the extension of the Jubilee line.

Mr. Norris: Detailed arrangements for funding the Jubilee line extension are for agreement between London Transport/London Underground Ltd. and the parties involved in the financing of Canary wharf. These arrangements are currently under discussion and are subject to the normal rules of commercial confidentiality.

Dounreay

Mr. Llew Smith: To ask the Secretary of State for Transport what notification his Department receives of *(a)* dates, *(b)* route and port or airport of arrival and *(c)* transport mode of nuclear fuel rods imported from continental Europe for treatment or storage at the nuclear power establishment at Dounreay.

Mr. Norris: Notification is given to the Department under the requirements of the International Atomic Energy Agency regulations—paragraph 456—for the safe transport of radioactive material.

Plutonium Flights

Mr. Salmond: To ask the Secretary of State for Transport what statutory or voluntary arrangements are made for the operators responsible for the plutonium flights from Carlisle to inform his Department of the timing and routing of the flights; what is the date and route of the next plutonium flight from Carlisle; and if he will make a statement.

Mr. Norris: Notification is made to the Department under the requirements of the International Atomic Energy Agency regulations—paragraph 456—for the safe transport of radioactive material.

The date and route of the next plutonium flight are matters for the operators.

Family Railcard

Mrs. Mahon: To ask the Secretary of State for Transport if he will ensure that the family railcard will be available throughout the rail network after privatisation.

Mr. Freeman: BR's current range of railcards have proved successful in attracting more passengers to off-peak services. Private sector operators will clearly wish to achieve the same result and there is every reason to believe that they will introduce new initiatives in order to increase this market still further. The Government, therefore, see no need to impose specific requirements on operators to offer particular types of discount facility, with the exception of the disabled persons railcard which is provided voluntarily by British Rail and does not make a profit.

HOUSE OF COMMONS

Cutlery

Mr. Cryer: To ask the Chairman of the Catering Committee when was the last occasion that House of Commons cutlery was sold off by auction; what was the revenue gained; what was the reason for the sale; and if he will make a statement.

Mr. Colin Shepherd: This is a matter for the Director of Catering Services and I shall ask her to write to the hon. Member.

DUCHY OF LANCASTER

Natural Environment Research Council

Mr. Dalyell: To ask the Chancellor of the Duchy of Lancaster which component body of the Natural Environment Research Council carries out its geological activities; and which other bodies carry on geological activities of a substantially similar kind to those carried on by the Natural Environment Research Council.

Mr. Robert Jackson: The British Geological Survey, within the Natural Environment Research Council, undertakes geological activities. There is no other comparable organisation in the United Kingdom, although there are equivalent bodies in various other countries.

DEFENCE

M3 BR90 Bridging Equipment

Mr. Frank Cook: To ask the Secretary of State for Defence what progress has been made with procurement of M3 BR90 bridging equipment; which companies are the principal contractors and subcontractors; what is the timetable for development and production; and if he will make a statement.

Mr. Aitken: The Anglo-German development programme of the M3 amphibious bridge has now been completed. An invitation to tender was issued in February 1993 for the production of bridges to meet United Kingdom and German requirements. Following completion of the tender exercise we plan to take a decision on production in mid-1994. A number of European companies have been invited to tender, including ALVIS and GKN from the United Kingdom and EWK, the German contractor which carried out the development. Interested subcontractors have been advised to approach the potential prime contractors.

The BR90 development contract with Thompson Defence Projects (TDP), part of the Rolls-Royce Industrial Power Group, is approximately 75 per cent. complete. Negotiations are now taking place with the company for the production phase of this family of bridges. If these are successful, production is planned to commence in 1993. The principal subcontractor is Unipower, which supplies the common bridge carrying vehicles for the project.

Mr. John Anderson

Mr. Rogers: To ask the Secretary of State for Defence what steps he has taken to investigate the arrest of Mr. John Anderson by MOD police in February 1992.

Mr. Aitken: Mr. Anderson was arrested by the Ministry of Defence police not in February 1992 but in April 1990. He was detained in connection with a possible case of corruption, interviewed and released without charge. Subsequently, he made a number of complaints concerning the circumstances of his arrest. These have been investigated in accordance with the Police and Criminal Evidence Act 1984 and the report currently rests with the Police Complaints Authority whose decision is awaited.

Al Yamamah Contract

Mr. Rogers: To ask the Secretary of State for Defence if he will list the countries, other than Saudi Arabia, which received materials under the terms of the Al Yamamah 1 contract.

Mr. Aitken: There are none.

Atomic Weapons Establishment

Dr. Lynne Jones: To ask the Secretary of State for Defence if he will now order an independent safety investigation into the AWE.

Mr. Aitken: I refer the hon. Member to the answer I gave on 3 February 1993, *Official Report*, column *182*.

RAF Wittering

Mr. Livingstone: To ask the Secretary of State for Defence if he will make a statement on the incident on Thursday 15 April at RAF Wittering involving threatening action by a soldier towards women protesters; what was the position of the women relative to the barbed wire perimeter fence at the time; and what instructions are given to soldiers in such circumstances.

Mr. Archie Hamilton: The women protesters were about 60 yd inside the station perimeter fence when they were challenged. I am satisfied that the action taken by the RAF and MOD police in removing them from the station was in accordance with MOD regulations.

Unoccupied Dwellings

Mr. Jamieson: To ask the Secretary of State for Defence how many dwellings owned by his Ministry in Plymouth are currently unoccupied.

Mr. Archie Hamilton: As at 31 March 1993 the Ministry of Defence owned 250 vacant houses and flats in Plymouth, of which 243 were service married quarters and seven were Ministry of Defence civilian houses. Of these properties, 116 were either undergoing or awaiting major maintenance work or modernisation and 63 were already allocated to service families who were due to move in shortly. In addition, some 277 vacant service married quarters were in the process of being sold.

Yugoslavia

Mr. Home Robertson: To ask the Secretary of State for Defence what instructions have been given to British participants in the European Community monitoring mission to Yugoslavia on the receipt and wearing of medals presented by the European Community; what rules apply to the receipt and wearing of medals awarded by the United Nations for peacekeeping duties; whether British participants in current operations in Croatia, Bosnia, the Adriatic and in enforcing the no-fly zone qualify for British campaign or gallantry medals; and if he will make a statement.

Mr. Archie Hamilton: British participants in the European Community monitoring mission in the former Yugoslavia have been advised that they should not accept the medal awarded by the European Community. Decisions on the acceptance and wearing of medals instituted by other countries are a matter for the sovereign, who is advised by the Foreign and Commonwealth Office. Permission is not normally granted if the award is offered more than five years after the event it commemorates, or if an official British award has been instituted for the same period of service. The question of British awards for service in the former Yugoslavia, the Adriatic and in enforcing the no-fly zone is currently under consideration. The approval of the sovereign is required for British personnel to accept and wear medals awarded by the United Nations for peacekeeping duties. Her Majesty the Queen has recently agreed that British personnel who meet the qualifying criteria may receive the United Nations medal for service in the former Yugoslavia.

Queen Victoria School, Dunblane

Mr. Wallace: To ask the Secretary of State for Defence what investigation was made by service personnel or persons employed by his Department into allegations of bullying at the Queen Victoria school, Dunblane, made by Mr. G. Harrison in December 1991; and if he will make a statement.

Mr. Archie Hamilton: This is a matter for the chief executive of Queen Victoria school, and I have asked him to reply.

Letter from Julian Hankinson to Mr. James Wallace, dated April 1993:

I have been asked to answer to you directly the following Parliamentary Question regarding Queen Victoria School.

Date of Order Paper: 21 April 1993

"6. **Mr. James Wallace** (Orkney and Shetland): To ask the Secretary of State for Defence, what investigation was made by service personnel or persons employed by his Department into allegations of bullying at the Queen Victoria School, Dunblane, made by Mr. G. Harrison in December 1991; and if he will make a statement."

Answer:

As a result of the allegations of bullying at Queen Victoria School made by Mr. G. Harrison in December 1991, Central Region Police carried out an immediate investigation and concluded that there was no cause for further action on their part. At the same time, the Chairman of Her Majesty's Commissioners called for an independent enquiry which took the form of a full pastoral inspection carried out by the Scottish Schools Inspectorate. No investigation was made by Service personnel or persons employed by the Department for the very reason that all enquiries were to be completely independent and impartial.

I trust this answer is satisfactory. I would be happy to supply any further information if you require it.

TRADE AND INDUSTRY

Pit Closures

Mr. Nicholas Winterton: To ask the President of the Board of Trade what is the total projected cost of the package of aid which is to be made available to the coal communities affected by his pit closure programme.

Mr. Eggar: As indicated in "Prospects for Coal", £200 million of additional measures has been available to English areas affected by major job losses in mining. There is a separate package of £43 million available to corresponding areas in Wales.

Mr. Clapham: To ask the President of the Board of Trade if he will guarantee that coal miners working at a mine scheduled for closure, mothballing or development under the Government's review who elect to put the colliery into the modified review procedure do not suffer any financial loss over the period whilst awaiting the decision of the review.

Mr. Eggar: Decisions on the future of individual collieries, including consultation arrangements, and the remuneration and redundancy terms for its work force, are a matter for British Coal.

British Coal Pension Scheme

Mr. Nicholas Winterton: To ask the President of the Board of Trade when he last met representatives of *(a)* British Coal and *(b)* the General, Municipal, Boilermakers and Allied Trades Union to discuss the future of the British Coal staff superannuation scheme; and if he will make a statement.

Mr. Eggar: There have been no such discussions.

Mr. Nicholas Winterton: To ask the President of the Board of Trade (1) what representations he has recently received concerning the proposal by British Coal to withhold from the British Coal staff superannuation scheme the payment of the £500 million which had been previously agreed for the funding of enhanced redundancy pensions;

(2) what recent representations he has received concerning the British Coal staff superannuation scheme; and if he will make a statement.

Mr. Eggar: I have received a number of letters from the public and Members of Parliament about British Coal's staff superannuation scheme.

Mr. Nicholas Winterton: To ask the President of the Board of Trade what is his policy on the decision of British Coal to withhold from the British Coal staff superannuation scheme the payment of the £500 million which had been previously agreed; when that policy was communicated to British Coal; and what assurances he has given to British Coal relating to legal or other costs which might be incurred in resisting moves to force the release of the funds to the superannuation scheme.

Mr. Eggar: The management of British Coal's staff superannuation scheme is a matter for the corporation and the scheme's trustees. British Coal is seeking a court direction on the application of its share of the surplus in the scheme before it proceeds. No indemnity has been given or offered to the corporation in respect of its legal other costs. The Department will make grant payments for additional contributions that are made by British Coal.

Methane

Dr. Kim Howells: To ask the President of the Board of Trade if he will make a statement on the ownership of methane within coal seams in the United Kingdom.

Mr. Eggar: The Petroleum (Production) Act 1934 vests all petroleum in the Crown. For the purposes of this Act the definition of petroleum includes any natural gas—such as methane—existing in its natural condition in strata.

Dr. Kim Howells: To ask the President of the Board of Trade what plans he has to clarify the rights of British Coal in relation to the coal bed methane industry.

Mr. Eggar: The Government announced in their White Paper "The Prospects for Coal" (Cm 2235) that when the coal industry is privatised, it is intended that there will be a new coal authority. The authority's powers and duties would be set out in the relevant legislation. Meanwhile, as the owner of the coal, British Coal's consent is required before any coal bed methane operations can take place.

Dr. Kim Howells: To ask the President of the Board of Trade whether methane extracted under a methane drainage licence under schedule 8 of the Petroleum (Production) Regulations 1982 may be commercially exploited by the holder of that licence.

Mr. Eggar: Methane drainage licences are granted incorporating the model clauses in schedule 8 of the Petroleum (Production) Regulations 1982 for the purposes of making and keeping mines safe. The terms of the licence do not prohibit the commercial exploitation of the methane obtained in this way.

Dr. Kim Howells: To ask the President of the Board of Trade on what basis British Coal assesses the value of coal that has been damaged by methane extraction.

Mr. Eggar: This is a matter for British Coal.

Offshore Oil Industry

Mr. Ainger: To ask the President of the Board of Trade what conditions have been attached to oil exploration licences granted to the oil company for blocks 102/10, 103/1, 103/6, 106/27, 106/18, 106/19 and 106/23.

Mr. Eggar: The conditions attached to the oil and gas production licences granted to a consortium led by Marathon Oil for blocks 102/10, 103/1, 103/6, 106/27, 106/18, 106/19 and 106/23 are not significantly different from those shown in the indicative conditions circulated in October 1992. A copy of this document was placed in the Library of the House.

Mr. Ainger: To ask the President of the Board of Trade what is the shortest distance in nautical miles between *(a)* RAF Chivenor and *(b)* RAF Valley and blocks 102/10, 103/1, 103/6, 106/27, 106/18, 106/19 and 106/23.

Mr. Eggar: The shortest distances are approximately 70 nautical miles from RAF Chivenor to block 103/6 and 53 nautical miles from RAF Valley to block 106/19.

Sir Michael Grylls: To ask the President of the Board of Trade if he treats licences granted by his Department to oil companies under previous United Kingdom continental shelf licensing rounds as contractually binding agreements.

Mr. Eggar: Yes. Licences granted to oil companies offer specified rights, subject to conditions where appropriate, over the areas comprised by the licence, for a period stipulated in the licence. In return, companies undertake to obeserve the terms of the licence and to perform any programme of work agreed with my Department.

Credit

Mr. Alex Carlile: To ask the President of the Board of Trade if he will bring forward proposals for legislation to prevent companies sending credit offers to minors; and if he will make a statement.

Mr. Leigh: My noble Friend the Parliamentary Under-Secretary of State for Consumer Affairs and Small Firms has asked the Director General of Fair Trading to

review consumer credit legislation and the proposals for amending it. The need to tighten up the existing provisions which prohibit the sending of credit circulars to minors will be reassessed in the light of the Director General's advice.

Mr. Alex Carlile: To ask the President of the Board of Trade what plans he has to review the current laws relating to credit; and if he will make a statement.

Mr. Leigh: I refer the hon. and learned Gentleman to the answer I gave to my hon. Friend the Member for Ashford (Sir K. Speed) on 12 March 1993, *Official Report*, columns *777-78*.

Packaging

Mr. Alex Carlile: To ask the President of the Board of Trade if he has any plans to introduce legislation designed to reduce the amount of materials and energy used, and the by-products generated in the manufacture of packaging for goods; and if he will make a statement.

Mr. Eggar: I have no plans to introduce legislation along the lines described. There has been a move towards lightweighting of packaging in recent years for both environmental and commercial reasons. This has been achieved without compromising the essential functions of packaging including protecting and preserving food, which itself reduces waste.

Market Overt

Mr. Alex Carlile: To ask the President of the Board of Trade what plans he has to review the law of market overt; and if he will make a statement.

Mr. Leigh: I hope shortly to issue a consultation paper on the law relating to transfer of title. This will invite opinions on whether reform is needed to the rule of sales in market overt.

Post Offices

Mr. Barry Jones: To ask the President of the Board of Trade which Post Office Counters offices he has visited in Wales.

Mr. Heseltine: I have made no recent visits to any Post Office Counters offices in Wales.

Mr. Barry Jones: To ask the President of the Board of Trade which Post Office sorting offices he has visited in *(a)* Scotland, *(b)* England and *(c)* Wales.

Mr. Heseltine: I have made no recent visits to any Post Office sorting offices in Scotland, England or Wales.

Coal Subsidies

Mr. Cummings: To ask the President of the Board of Trade when he expects the subsidy to the British Coal Corporation described in the White Paper "The Prospects for Coal" to become payable.

Mr. Eggar: The subsidy to the British Coal Corporation will become payable during the current financial year.

Mr. Cummings: To ask the President of the Board of Trade how his Department intends to finance the proposed subsidies to be made available to the British Coal Corporation as detailed in his recent White Paper.

Mr. Eggar: I shall be seeking finance for the proposed subsidy through the usual Supply estimates procedure.

Chemical Weapons Convention

Sir David Steel: To ask the President of the Board of Trade when the United Kingdom will ratify the chemical weapons convention signed in Paris in January.

Mr. Sainsbury: Primary legislation is necessary to enable the United Kingdom to fulfil its obligations under the convention. We intend to ratify the convention when this legislation has been adopted.

Energy Tax

Mr. Shersby: To ask the President of the Board of Trade what proposal has been made by the European Community for a tax on energy designed to reduce the threat of global warming; what consideration the Government have given to this; and if he will make a statement.

Mr. Eggar: Although the Department of Trade and Industry has an interest in the proposed directive for a carbon/energy tax, my right hon. Friend the Chancellor of the Exchequer is responsible for taxation matters.

I refer my hon. Friend to the reply given by my right hon. Friend the Paymaster General on 15 January, *Official Report*, columns *835-36*; and to the Chancellor of the Exchequer's Budget Statement on 16 March, *Official Report*, columns 182-83.

Waste Disposal Contracts

Mr. O'Neill: To ask the President of the Board of Trade whether a municipal waste-to-energy scheme which had been granted a waste disposal contract before a third tranche of the non-fossil fuel obligation is announced would be eligible to bid into the new order when it is announced.

Mr. Eggar *[holding answer 23 April 1993]:* My Department is considering the arrangements for a third renewables order under the non-fossil fuel obligation, including the technologies to be included. However, other things being equal, a scheme that was able to demonstrate a secure supply of the renewable energy resource needed to drive the generation facility would be eligible to bid, and would be better placed to meet the requirements of the legislation, than one that was not.

EMPLOYMENT

Underpayment

Mr. Hinchliffe: To ask the Secretary of State for Employment, pursuant to her answer of 15 March, *Official Report*, column *65*, if she will name the eight companies prosecuted for illegal underpayment in 1992 and give the penalties incurred and the company names and business locations of all 5,165 establishments in England who paid less than statutory minimum remuneration for their workers in 1992; and if she will show how many employees were underpaid at each establishment.

Mr. Michael Forsyth: The names of the employers in England prosecuted in 1992 by the wages inspectorate for

underpayment of wages, together with particulars of penalties imposed by the courts, are set out in the table. The detailed results of inspections carried out by the wages inspectorate and which do not reach court, are disclosed only to the employers and workers concerned.

Prosecutions by the Wages Inspectorate in England in 1992 under section 16 of the Wages Act 1986: Failure to pay Statutory Minimum Remuneration (SMR)

Employer	*Number and type of offences*	*Number of workers*	*Penalties imposed*
American Fried Chicken, Barnsley	1. Failure to pay SMR.	20	Fined £600; costs £75
M. T. Fisher, Jump, Barnsley	1. Failure to pay SMR.	4	Fined £100; costs £117·50
Fosters Yard Hotel, Polesworth, Staffordshire	1. Failure to pay SMR.	2	Fined £400; costs £750
Fountain Stores, South Shields	2. Failure to pay SMR; keeping false records	2	Fined £300; costs £300
Haircut 100, Blaydon, Tyne and Wear	2. Failure to pay SMR; keeping false records	2	Fined £600; costs £250
Mark's Bakery, Mexborough	1. Failure to pay SMR.	8	Bound over for 12 months
Mark's Bakery, Mexborough	1. Failure to pay SMR.	2	Fined £50; costs £50
G. Pickersgill, Peckfield, Leeds	1. Failure to pay SMR.	1	Fined £100; costs £175

Training Programme

Mr. Milburn: To ask the Secretary of State for Employment, pursuant to her answer of 23 June 1992, *Official Report*, columns *169-78*, if she will provide an updated table of her Department's training programmes for 1992-93.

Mr. McLoughlin: This information is not yet available. I shall write to the hon. Member giving the figures requested when the information for 1992-93 is complete.

Social Affairs Council

Mr. Barnes: To ask the Secretary of State for Employment, pursuant to her answer to the hon. Member for Carshalton and Wallington (Mr. Forman) of 16 April, *Official Report*, columns *739-40*, what were the voting figures for each member state recorded in the meeting of the European Community's Social Affairs Council on 6 April.

Mr. Michael Forsyth: None of the items on the agenda for discussion at the 6 April Social Affairs Council was brought to a conclusion, and consequently no votes were taken on them.

Unemployment Benefit

Mr. Dobson: To ask the Secretary of State for Employment how many claimants for unemployment benefit were advised to seek sickness or invalidity benefit instead in each month since January 1992.

Mr. McLoughlin: Responsibility for the subject of the question has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mr. M. Fogden to Mr. Frank Dobson, dated 26 April 1993:

As the Employment Service is an Executive Agency, the Secretary of State has asked me to write to you direct to respond to your Parliamentary Question to her about the number of clients on Unemployment Benefit (UB) who were advised to seek sickness or invalidity benefit instead in each month since January 1992. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

The statistics in the attached table show the number of people claiming UB who left the register to start another, more appropriate, benefit in each month since April 1992. This information was only collected quarterly prior to that date. Figures are not held centrally on the numbers moving into each of the alternative benefits. As you will appreciate, Sickness and Invalidity Benefit are only two in a wide range of benefits to which former UB claimants can transfer.

As decided by the Administration Committee of the House of Commons, Chief Executive replies to written Parliamentary Questions will now be published in the Official Report. I will also place a copy of this letter in the Library of the House.

Other benefit starts

Q/E	*Number*
March 1992	24,432
April 1992	8,029
May 1992	9,581
June 1992	8,641
July 1992	10,142
August 1992	8,174
September 1992	7,808
October 1992	10,231
November 1992	8,855
December 1992	6,055
January 1993	8,824
February 1993	8,902
March 1993	8,405

Workstart

Mr. Beith: To ask the Secretary of State for Employment what area will be included in the Tyneside workstart pilot scheme.

Mr. McLoughlin: This is a matter for Tyneside training and enterprise council to determine. Officials from the Employment Department are currently negotiating with the training and enterprise council to develop a proposal.

The conditions of the workstart scheme, however, mean that the pilot scheme cannot extend to residents outside the Tyneside training and enterprise council area.

Ms Jane Kennedy: To ask the Secretary of State for Employment what plans she has to locate a workstart pilot scheme in Liverpool.

Mr. McLoughlin: I refer the hon. Member to the reply given on 23 March to the hon. Member for Lewisham, Deptford (Ms Ruddock), *Official Report*, column *567*.

SOCIAL SECURITY

European Court of Justice

10. **Mr. Hague:** To ask the Secretary of State for Social Security how many cases in the European Court of Justice have been won by his Department.

Mr. Lilley: Since the beginning of 1992 the European Court of Justice has decided in favour of my Department in two cases in which I was a party.

During this time there was a total of nine ECJ cases involving the United Kingdom social security system.

Mr. Harry Greenway: To ask the Secretary of State for Social Security what has been the outcome of recent European Court of Justice cases affecting his Department's policies.

Mr. Burt: Since the beginning of last year, nine cases involving the United Kingdom's interpretation of EC law as it affects social security have been referred to the European Court of Justice. The European Court confirmed the United Kingdom's policy interpretation of EC legislation in six of these cases. Two cases involved the clarification of issues as they affected the individual concerned and did not require changes in United Kingdom policy. One case has required a change in the United Kingdom rules governing whether family credit may be given to workers whose families are not resident in the United Kingdom. The remaining case has been referred back to the House of Lords for final determination.

The Department can also be affected by cases involving other member states, although there have been no such recent judgments.

Fraud

12. **Mr. Knapman:** To ask the Secretary of State for Social Security what proposals his Department has to reduce fraudulent claims for social security benefits.

Mr. Lilley: For 1993-94 I have set a target for fraud identified and stopped by the Benefits Agency and by local authorities administering housing benefit and council tax benefit of nearly £1 billion.

27. **Mr. David Evans:** To ask the Secretary of State for Social Security how many prosecutions have been brought for social security fraud in the last five years.

Mr. Burt: In the five years ended March 1993 more than 34,000 people were prosecuted for social security fraud.

28. **Mr. Clifton-Brown:** To ask the Secretary of State for Social Security what measures his Department is taking to tackle fraud and the abuse of benefits.

Mr. Burt: The Benefits Agency will be building upon the excellent base established in 1992-93, when over £500 million of fraud savings were achieved. Among the initiatives planned for this year are the deployment of more investigators and greater use of new technology. In addition, new financial incentives for local authorities are expected to result in a clamp down on housing benefit and council tax benefit fraud.

Unemployment Benefits

13. **Mr. Janner:** To ask the Secretary of State for Social Security how much in total has been paid in unemployment benefits and to how many claimants in 1982, 1987 and 1992; and how many claimants he expects to receive what total in 1993.

Mr. Burt: In 1982-83 just under 2·5 million claimants received £5 billion in unemployment benefits. For 1987-88 there were 2·6 million recipients and a total of £6·6 billion was paid in benefits. For 1992-93 it is estimated that 2·5 million claimants received £9·3 billion. The forecast for 1993-94, in the Department's third annual report, is for 2·8 million unemployed people to receive just under £10·4 billion.

Mr. Hinchliffe: To ask the Secretary of State for Social Security how many persons over the age of 55 years received reduced unemployment benefit as a result of occupational pension payments of £35, in the last financial year.

Mr. Burt: Information in the form requested is not available.

At November 1992, the number of people whose unemployment benefit was reduced or extinguished due to their receipt of an occupational and/or personal pension was:

	Number
Unemployment Benefit reduced	18,200
Unemployment Benefit extinguished	11,800

Source: Half yearly analysis of unemployed claimants: November 1992

Mr. Hinchliffe: To ask the Secretary of State for Social Security if he will take steps to ensure that all employees made compulsorily redundant receive full unemployment benefit.

Mr. Burt: We have no plans to change the rules governing entitlement to unemployment benefit of employees made compulsorily redundant.

Mr. Hinchliffe: To ask the Secretary of State for Social Security what plans he has to raise or abolish the £35 per week threshold for over-55s' pension income when claiming unemployment benefit.

Mr. Burt: We have no plans to do so.

Availability for Work

14. **Mr. Martyn Jones:** To ask the Secretary of State for Social Security what are the minimum hours under the availability for work requirement necessary for entitlement to income support.

Mr. Burt: I refer the hon. Member to my reply to his question on 8 March, column *460*.

Benefits

15. **Mr. Thomason:** To ask the Secretary of State for Social Security what plans he has to promote a debate on the balance between selective and universal benefits.

Mr. Lilley: I am always keen to encourage public debate on social security issues. I would particularly welcome any interesting ideas which could inform the ongoing review of the social security system.

21. **Mr. Enright:** To ask the Secretary of State for Social Security what benefits are currently under review; and if he will make a statement.

Mr. Scott: In the course of the long-term expenditure review, we shall be examining all aspects of the social security programme. No decisions have been taken yet; there would be no point in conducting a long-term review if we already knew the outcome. It is our policy, at this stage of the review, to keep all options open.

Child Support Agency

16. **Mr. Milligan:** To ask the Secretary of State for Social Security what progress he has made in setting up the Child Support Agency.

Mr. Burt: The Child Support Agency began operations on 5 April as planned. Operating within the framework of the Child Support Act 1991, the agency will provide a clear focus for the assessment, collection and enforcement of maintenance payments, and ensure that many more parents meet their responsibility to maintain their children.

Housing Benefit

17. **Mr. Raynsford:** To ask the Secretary of State for Social Security if he will make a statement on the proposals for the Audit Commission for improving the administration of housing benefit in so far as they apply to his Department.

Mr. Burt: We welcome the Audit Commission's view that authorities can do much to improve the delivery of housing benefit.

Departmental Budget

18. **Mr. Whittingdale:** To ask the Secretary of State for Social Security what proportion of total Government expenditure is currently taken by his departmental budget; and what the proportion was in 1979.

Mr. Scott: Total social security expenditure as a proportion of general Government expenditure:

	Percentage
1978-79	25·42
1992-93	32·20

Invalidity Benefit

19. **Dr. Godman:** To ask the Secretary of State for Social Security if he will make a statement on the practical and financial implications of the implementation of the judgment of the European Court of Justice, case C-328/91 (30 March 1993), in respect of the resumption of the payment of invalidity benefit to women aged 60 to 65 years; and if he will make a statement.

Mr. Scott: The European Court's ruling specifically concerned the age conditions for entitlement to two non-contributory benefits—severe disablement allowance and invalid care allowance—and the Court expressly referred to this fact. Contributory invalidity benefit for women aged 60 to 65 was *not at issue in the case before the* European Court. That is the subject of a joint appeal by the Chief Adjudication Officer and the Secretary of State for Social Security in a separate case; the appeal follows the decision by a social security commissioner to allow payment of standard rate invalidity benefit to women aged 60 to 65.

Adjudication officers are currently following the commissioner's interpretation of the law in deciding invalidity benefit cases, but payment of any additional benefit awarded as a result of the commissioner's decision is being suspended by the Secretary of State until this appeal has been resolved.

Elderly People

20. **Mr. Spring:** To ask the Secretary of State for Social Security what measures his Department has taken to maintain support for the elderly.

Miss Widdecombe: Since 1979 the Department has maintained the real value of the basic retirement pension; improved choice and flexibility in pension provision so that now 67 per cent. of recently retired pensioners have income from occupational pensions; and targeted additional resources to poorer pensioners—now totalling some £1 billion extra each year. Spending on benefits for the elderly has increased in real terms by 40 per cent. since 1979, to nearly £34·5 billion in 1992-93.

Income Support (Pensioners)

22. **Mr. Duncan:** To ask the Secretary of State for Social Security how many low-income pensioners his Department estimates have gained from the extra increases in income support that have taken effect since the start of 1991.

Miss Widdecombe: Around 3 million pensioners on low incomes have gained from these increases.

Social Fund (Temporary Accommodation)

23. **Mr. Simon Hughes:** To ask the Secretary of State for Social Security what plans he has to review Government and local office DSS policy on the allocation of the social fund to people resident in, or leaving, temporary accommodation.

Mr. Scott: We are currently carefully considering the operation of the social fund in response to a number of authoritative reports and our own close monitoring of the fund.

Value Added Tax (Fuel)

24. **Mr. Salmond:** To ask the Secretary of State for Social Security what representations he has received on the impact on benefit claimants arising from the imposition of VAT on domestic fuel and power; and if he will make a statement.

Mr. Burt: I refer the hon. Member to the reply earlier today to the hon. Member for Angus, East (Mr. Welsh).

Disability Claims

25. **Mr. Skinner:** To ask the Secretary of State for Social Security whether he is now able to announce the removal of the backlog of backdated disability claims; and if he will make a statement.

Mr. Scott: The situation on outstanding claims has improved significantly. Of new claims received prior to 1 December 1992, 99·99 per cent. have now been cleared.

Pensioners

26. **Mrs. Roe:** To ask the Secretary of State for Social Security what is the total value of extra help which has been directed to pensioners on low incomes since 1989.

Miss Widdecombe: The total value of such extra help is now worth around £1 billion a year.

Benefits (Automated Credit Transfer)

Ms Janet Anderson: To ask the Secretary of State for Social Security (1) what has been the cost, for each year since 1987, of seeking to persuade recipients of benefits, pensions and other allowances to switch to payment by automated credit transfer;

(2) what would be the saving to his Department for each category of benefit, pension or other allowance if all recipients in each category were to switch to payment by automated credit transfer;

(3) how many people draw benefits, pensions or other allowances in cash weekly at *(a)* main post offices and *(b)* sub-post offices;

(4) if he will list, for each category of benefit, pension or other allowance, the percentage, and actual number of recipients who are paid by automated credit transfer, the percentage and actual number of recipients who are paid by Giro, and the percentage and actual number of recipients who are paid in cash weekly at post offices;

(5) what proposals he has to seek to persuade recipients of benefits, pensions or other allowances to switch to payment by automated credit transfer; and if he will make a statement.

Miss Widdecombe: Details of the precise number of beneficiaries paid by particular methods of payment are not available. However, the estimated totals for the number of recipients for the main benefits receiving payment other than by automated credit transfer are shown in the table. The number of recipients who are paid at the post office includes all those beneficiaries paid by order book, but Girocheques may of course be cashed either at the post office or through a bank or building society account.

It is estimated that 20 million social security beneficiaries use sub-post offices and 4 million use main post offices.

Information is not available which allows a costing on a benefit basis of the savings that would be made if all beneficiaries were paid by ACT, but the total estimated administration savings from converting all payments of social security benefits to ACT is about £475 million a year.

The estimated costs of the actions taken to encourage beneficiaries to switch to payment by ACT were £535,000 in 1987-1988; £1,500,000 in 1988-1989; and £4,000 in 1990-91. No costs were incurred in the years 1989-1990, 1991-1992 and 1992-1993. During the next year, we will be making changes to form design and to leaflets, and to other information available from the Benefits Agency. These will be introduced gradually and after the appropriate research and piloting.

Estimate of number of recipients by method of payment (at December 1992)
Number (millions) and percentage of beneficiaries paid by:

Benefit	*Four weekly orderbook*		*Fortnightly girocheque*		*Weekly orderbook*	
	millions	*per cent.*	*millions*	*per cent.*	*millions*	*per cent.*
Retirement pension	n/a		n/a		6·5	70
Child benefit	2·25	33	n/a		3·0	45
Income support	n/a		n/a		3·5	100
Unemployment benefit (including income support cases paid by Employment Services)	n/a		2·8	100	n/a	
Invalidity benefit	n/a		n/a		1·8	100

Note: There are some circumstances when payment may be made by weekly girocheque for limited periods—these have been excluded from the table.

Mr. Spellar: To ask the Secretary of State for Social Security at what intervals benefits on credit transfer are paid; and whether these are in advance or arrears.

Miss Widdecombe: People who choose to have their retirement pension, widowed mother's allowance, widows benefit or widows pension paid by automated credit transfer also have a choice of receiving their benefit every four or 13 weeks, paid in arrears. War pensions are also payable either 13 or four-weekly, and if the latter three weeks are in arrears and one in advance. Child benefit, family credit, disability living allowance, disability working allowance and attendance allowance paid by automated-credit transfer are paid four-weekly in arrears.

British Coal

Mr. Nicholas Winterton: To ask the Secretary of State for Social Security what plans he has to refer to the Pensions Law Review Committee matters relating to the British Coal staff superannuation scheme.

Miss Widdecombe: None. Matters relating to the British Coal staff superannuation scheme are for my right hon. Friend the President of the Board of Trade.

Emphysema and Bronchitis

Mr. Eric Clarke: To ask the Secretary of State for Social Security if he will launch a campaign to publicise the new rights for people affected by emphysema and bronchitis.

Mr. Scott: The addition of chronic bronchitis and emphysema to the list of prescribed diseases, for which industrial injuries disablement benefit is payable, will be well publicised. Details of how people can claim will be announced well before the implementation date of 13 September 1993.

Mr. Eric Clarke: To ask the Secretary of State for Social Security if he will have consultations with the mining trade unions and other interested parties prior to starting up the processing of claims for bronchitis and emphysema.

Mr. Scott: Discussions are already under way with British Coal and officials will shortly be writing to the mining trade unions about the arrangements for handling claims. Discussions will be held with other interested parties as necessary.

Mr. Clapham: To ask the Secretary of State for Social Security (1) if the procedures for diagnosing coal miners suffering from emphysema and bronchitis will be carried out by the Pneumoconiosis Medical Board;

(2) if the appeals procedure for coal miners suffering from emphysema and bronchitis will be carried out by the Pneumoconiosis Medical Appeals Tribunal.

Mr. Scott: Diagnosis will be carried out by specially qualified adjudicating medical practitioners or special medical boards at the Department's medical boarding centres. Appeals will be dealt with by the independent tribunal service; those against the decision of a SQAMP or SMB will be dealt with by medical appeal tribunals; those against the decisions of the Department's adjudication officers will be dealt with by social security appeal tribunals.

Mr. Eric Clarke: To ask the Secretary of State for Social Security if he will make it his policy to provide a pension for widows and dependents and for posthumous claims to be processed by the Pneumoconiosis Medical Appeal Tribunal.

Mr. Scott: There is provision in the industrial injuries disablement benefit scheme for widows to make posthumous claims for benefit. Widows may also qualify for widows benefit where the death of their husband was caused by occupational injury or prescribed disease.

Mr. Clapham: To ask the Secretary of State for Social Security from what date the procedures for diagnosing coal miners suffering from emphysema and bronchitis will come into force.

Mr. Scott: I refer the hon. Member to the reply given by my hon. Friend the Member for Brentwood and Ongar (Mr. Pickles) on 29 March 1993 at column *77*.

Sickness and Invalidity Benefits

Mr. Dobson: To ask the Secretary of State for Social Security how many people received *(a)* sickness benefit and *(b)* invalidity benefit in each month since January 1992.

Mr. Scott: Information is not available in the form requested. Such information as is available is in the table, and is obtained from a 100 per cent. count of cases by benefit offices at the end of each month, rounded to the nearest thousand. In particular, the sickness benefit figures include cases registered sick that are not receiving benefit but are receiving national insurance credits.

Date	*Sickness benefit*	*Invalidity benefit*
January 1992	461,000	1,393,000
February 1992	474,000	1,404,000
March 1992	479,000	1,413,000
April 1992	465,000	1,437,000
May 1992	472,000	1,443,000
June 1992	472,000	1,456,000
July 1992	487,000	1,466,000
August 1992	489,000	1,487,000
September 1992	496,000	1,503,000
October 1992	505,000	1,513,000
November 1992	513,000	1,523,000
December 1992	521,000	1,536,000
January 1993	525,000	1,550,000
February 1993	535,000	1,565,000
March 1993	538,000	1,576,000

Benefits Agency (Inquiry Number)

Mr. David Atkinson: To ask the Secretary of State for Social Security what recent representations he has received regarding the frequency of engagement of the Benefits Agency free telephone inquiry number 0800 666 555; and if he will make a statement.

Mr. Burt: The administration of the Benefits Agency inquiry line is a matter for Mr. Michael Bichard, the chief executive. He will write to my hon. Friend and a copy will be placed in the Library.

Letter from Michael Bichard to Mr. David Atkinson, dated 23 April 1993;

As Chief Executive of the Benefits Agency it is my responsibility to answer questions about relevant matters. I am therefore replying to your recent Parliamentary Question to the Secretary of State for Social Security asking what recent representations he has received regarding the frequency of engagement of the Benefits Agency free telephone number 0800 666 555.

The Benefits Agency Freeline was set up to offer comprehensive advice and information on the whole range of Social Security benefits. However, whilst customer surveys have found a high degree of satisfaction with the quality of the service, it is clear from our ongoing monitoring of this exercise that over the last few months a significant proportion of calls have been unsuccessful because demand for the service has increased. Representations have been received regarding the Freeline service but the numbers about particular subjects are not routinely recorded.

I am determined to bring about an improvement in the service. The telephone is increasingly the preferred means of contact for the Agency's customers and I am able to tell you that in the last week for which figures are available 18,185 calls were answered successfully by the Freeline. Last year the Agency began a thorough review of the Freeline service, and customers are being consulted on their requirements. The results of this review will inform our thinking about how the service should evolve in the future. However, to ensure that the service is improved in the short term, five Freeline centres have installed Automatic Call Distribution, which allocates calls to lines on a strictly first come first served basis. The early indications are that the Automatic Call Distribution has been effective in reducing call waiting times.

The Freeline Service is also available in Punjabi, Urdu, Cantonese, and Welsh, as well as a free telephone service giving advice and information to people with disabilities and to those caring for them.

I hope you find this reply helpful. A copy of the reply will appear in the Official Report and a copy will also be placed in the Library.

ENVIRONMENT

Enterprise Zones

Mr. Frank Field: To ask the Secretary of State for the Environment what is the planned expenditure in respect of all current or planned enterprise zones in *(a)* 1993-94, *(b)* 1994-95 and *(c)* 1995-96.

Mr. Robin Squire: The principal costs of enterprise zones are rate relief and capital allowances. Neither can be accurately calculated in advance as they are dependent upon the rate of development on the individual zones. Current forecasts are as follows:

	1993-94 £ million	*1994-95 £ million*	*1995-96 £ million*
Rate relief	21·2	8·7	7·9
Capital allowances	30·8	7·9	8·0

Plans for enterprise zones for colliery closure areas are still being formulated and are not therefore included in the above figures.

Homelessness

Mr. Battle: To ask the Secretary of State for the Environment how many applications or inquiries under part III of the Housing Act 1985 were first recorded by local authorities for England as a whole during each quarter of 1991 and 1992; and whether he will arrange for this category of information to be published as a national statistic in his Department's homelessness statistics.

Sir George Young: Local authorities report the number of applications or inquiries under the homelessness provisions of the Housing Act 1985 in their quarterly P1(E) return.

In the second quarter of 1991, the return was revised to collect information on the total number of applications or inquiries made; previously information had been collected on inquiries completed.

The coverage of the data now collected depends on the administrative practices of individual local authorities. These vary widely between districts and over different periods of time, making it impossible to provide reliable national and regional estimates.

Mr. Battle: To ask the Secretary of State for the Environment (1) how many decisions were issued by local housing authorities in England under section 64 of the Housing Act 1985 during each of the four quarters of 1991 and each of the first three quarters of 1992 in relation to households of specific ethnic origin who were *(a)* found not to be homeless or threatened with homelessness within 28 days, *(b)* found to be homeless or threatened with homelessness within 28 days, but not in priority need, when advice and assistance only were given, *(c)* found to be intentionally homeless and not accepted for permanent rehousing and *(d)* accepted for rehousing on a permanent basis; and whether he will arrange for these categories of information to be published as part of his Department's homelessness statistics;

(2) how many applications or inquiries were first recorded in England during each of the four quarters of 1991 and each of the first three quarters of 1992 concerning applications for accommodation under part III of the Housing Act 1985 in relation to households of specific ethnic origin; and whether he will arrange for these categories of information to be published as part of his Department's homelessness statistics.

Sir George Young: Local authorities provide information on their activities under the homelessness provisions of the Housing Act 1985 in their quarterly P1(E) return.

Since the second quarter of 1991, local authorities have been asked to report the ethnic origin of all those households who applied to them as being homeless and about whom they made a decision under section 64 of the 1985 Housing Act.

Many local authorities have yet to provide information on ethnic origin and my Department is currently assessing whether the available data are sufficiently reliable for publication.

Mr. William Powell: To ask the Secretary of State for the Environment if he will publish the total number of households accepted, by each local authority in Northamptonshire for each year since 1979, for securing permanent accommodation under the homeless provisions of the Housing (Homeless Provisions) Act 1977 and the Housing Act 1985.

Mr. Baldry: Local authorities report the number of households for whom they accept responsibility to secure permanent accommodation under the homelessness provisions of the Housing Acts in their quarterly P1 (E) returns.

For the information for the years 1979 to 1991 inclusive, I refer my hon. Friend to the answer I gave to the hon. Member for Angus, East (Mr. Welsh) on 17 June 1992, *Official Report*, columns *569-70*.

The information for 1992 is in the table:

Households accepted as homeless in 1992[1]

	Number
Corby	72
Daventry	88
East Northamptonshire	107
Kettering	78
Northampton	519
South Northamptonshire	133
Wellingborough	131

[1] Excluding intentionally homeless households.

Construction Industry

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment what steps he is currently taking to ensure that his Department is fully aware of the needs, problems and potential of the construction industry.

Mr. Baldry: We maintain close links with the industry through a wide range of formal and informal contacts. Last year I established fortnightly meetings at which industry representatives can discuss with me any matters of concern to them. The Department's construction policy directorate holds regular meetings with industry organisations to consider European issues, and has recently set up a similar forum to discuss domestic issues. The Department is represented on many industry bodies. We are increasing secondments between the civil service and the industry to help improve mutual understanding.

The Department is currently undertaking a review, in close consultation with the industry, to examine how the

construction policy directorate can develop its established sponsorship activities to meet the present and future needs of the industry and its constituent interests.

Further and Higher Education

Mr. Wigley: To ask the Secretary of State for the Environment what guidance he issues on the position of those employed in institutions of further and higher education and the remit of section 80(1)(a) of the Local Government Act 1992 as a result of the Further and Higher Education Act 1992.

Mr. Robin Squire: We have issued no such guidance. Staff employed in institutions of further and higher education are no longer covered by the disqualification from standing for election to local authorities imposed by section 80(1)(a) of the Local Government Act 1972.

Tyne and Wear Development Corporation

Mr. Nicholas Brown: To ask the Secretary of State for the Environment if he will list, by site and workplace, the new jobs that have been created by the Tyne and Wear urban development corporation.

Mr. Robin Squire: The new jobs that have been created by Tyne and Wear development corporation since its inception are as follows:

Development sites	*Jobs*
Royal Quays	270
St. Peter's Riverside	55
Sunderland Enterprise Park	200
Newcastle Central Business and Technology Park	150
Newcastle Business Park	3,738
Closegate	100
Dolphin Quay	35
Viking Industrial Park	192
Walker Technology Park	482
Sunrise Enterprise Park	375
	5,597
Companies' own sites[1]	4,213
TOTAL	9,810

[1] These are sites within the urban development area which are not part of the corporation's main development projects but which have otherwise been supported by the corporation (e.g. by business development grant).

More detailed information relating to "workplace" cannot be obtained without disproportionate cost.

Heating Efficiency

Dr. Spink: To ask the Secretary of State for the Environment what steps he is taking to promote the improvement of the insulation of existing stock of pre-1981 dwellings and to improve the efficiency of their boilers or other heating sources; and if he will make a statement.

Mr. Maclean: My Department sponsors various programmes which promote improvements in domestic heating and insulation.

Insulation grants for households on low incomes are available under the Energy Efficiency Office's home energy efficiency scheme. Under the green house demonstration programme, the Government have made special funding available to local authorities to show the scope for securing energy efficiency improvements in council housing. Grants for heating and insulation may be available to private householders under the renovation grant system administered by local authorities.

In addition, householders are being encouraged to take energy efficiency measures through the Energy Efficiency Office's national television and press advertising campaign, "Helping the Earth Begins at Home". A free booklet, "Heating Your Home", offers advice on the replacement of old boilers nearing the end of their life with one of three types of more efficient boiler, including the condensing boiler.

Farm Shops

Mr. Mackinlay: To ask the Secretary of State for the Environment (1) what guidelines and advice exist for local authorities when determining planning applications for farm shops situated within the green belt;

(2) what guidelines and advice exist for local authorities when determining planning applications to permit retailing in farm shops situated in the green belt; and what proportion of goods sold can be the produce of neighbouring farms.

Mr. Baldry: Advice on development control matters within the green belt is given in planning policy guidance note 2. Paragraph 13 of that document states that approval should not be given, except in very special circumstances, for the construction of new buildings or for the change of use of existing buildings for purposes other than uses appropriate to a rural area.

It is normally assumed that the use of a farm shop only for the sale of goods produced on that farm is a use which is ancillary to the use as a farm not requiring planning permission, whereas use as a farm shop selling a significant amount of "imported" produce amounts to a use in its own account and is therefore subject to planning control. This advice is contained in paragraph B2 of annex B to planning policy guidance note 7.

It will be for that local planning authority to take this advice into account, together with all other material planning considerations, in making planning decisions concerning farm shops in green belts.

Opencast Mining

Mr. Stevenson: To ask the Secretary of State for the Environment what is the current status of outstanding appeals against refusal to grant permission to extract coal by opencast mining in Stoke-on-Trent.

Mr. Baldry: There is one such appeal outstanding which is by British Coal Opencast in relation to the Berryhill site. A decision on this case will be issued as soon as possible.

Radioactive Waste

Mr. Alan W. Williams: To ask the Secretary of State for the Environment if he will make a statement on his Department's plans for the long-term storage of high-level radioactive waste.

Mr. Maclean: Government policy is that high-level radioactive waste is treated and stored at the surface for a period of at least 50 years, which will allow heat generated by the decay of radioactivity to reduce.

Green Belt

Mr. Mackinlay: To ask the Secretary of State for the Environment what advice or guidance his Department has published to local authorities and other agencies with a view to promoting and maintaining employment in farms and related areas of agriculture, situated in the green belt.

Mr. Baldry: It is our policy to encourage the rural economy to prosper and expand. This policy is set out in full in planning policy guidance note 7. While green belts have a special status where there is a presumption against "inappropriate" development, agriculture would not come into that category—see paragraph 13 of planning policy guidance note 2.

Radiation Units Committee

Mr. Llew Smith: To ask the Secretary of State for the Environment what recent meetings he has had with the British committee on radiation units and measurements; and what plans he has to meet the committee.

Mr. Maclean: My right hon. and learned Friend has not recently met and has no plans to meet the British Committee on Radiation Units and Measurements.

National Association for Urban Studies

Mr. Hinchliffe: To ask the Secretary of State for the Environment what financial support he will provide to the National Association for Urban Studies in the year 1993-94; and if he will make a statement.

Mr. Robin Squire: My Department has provided funding for the National Association for Urban Studies for the past four years from the special grants programme. A new three-year grant, awarded in 1990-91, was tapered to encourage the association to broaden its trading base and reduce the reliance on the Department's grant. In that time, the association failed to demonstrate adequate progress towards self-sufficiency. As a result, and because the programme is heavily oversubscribed, I have decided that the scarce resources available would be better spent on other projects.

ReChem International

Mr. Alex Carlile: To ask the Secretary of State for the Environment what plans he has to enforce the 1982 EC Seveso directive on the company ReChem International Ltd.; and if he will make a statement.

Mr. Maclean: Directive 82/501/EEC, the so-called Seveso directive, is implemented in Britain by the Control of Industrial Major Accident Hazards Regulations 1984. These currently exclude installations for the disposal of toxic and dangerous waste that are in possession of a licence under the relevant provisions of the Control of Pollution Act 1974. The Health and Safety Executive will shortly be going out to consultation with proposals to remove this exclusion. ReChem International operates plants falling within the current exclusions.

Waste Exports

Mr. Simon Hughes: To ask the Secretary of State for the Environment (1) what position he took regarding the possible amendment of the Basel convention to ban waste exports to non-OECD countries, discussed at the EC Council of Ministers on 23 and 24 March;

(2) what investigations his Department has undertaken to ascertain what environmental damage will occur as a result of the export of toxic waste from Humberside;

(3) what action he will take to ensure the toxic waste currently stored at the Capper Pass site in Humberside will not be exported to Mexico or Bolivia;

(4) what investigations his Department has undertaken to ascertain the toxicity of the toxic waste due to be exported from Capper Pass, Humberside;

(5) what steps he will take to ensure that companies exporting waste complete the required documentation for the export of non-ferrous materials under the EC directive on the transfrontier shipment of hazardous wastes.

Mr. Maclean: I refer the hon. Member to the answer I gave to the hon. Member for Islington, South and Finsbury (Mr. Smith) on 25 March, *Official Report*, column *710*.

Under existing regulations the United Kingdom has no powers to ban exports of non-ferrous metal waste. However, consignments must meet certain conditions; for example, the holder must have entered into a contract with the consignee for the recovery of the non-ferrous metal content and made a declaration to this effect on the uniform document which is copied to the Waste Regulation Authority. Compliance with these conditions is a matter for the Waste Regulation Authority. We have ensured that Mexico is aware of its obligations under the Basel convention.

Ozone

Mr. Simon Hughes: To ask the Secretary of State for the Environment (1) what were the degrees of deviation from the normal recorded figures of total column ozone over Lerwick and Camborne for 5, 6 and 7 March;

(2) what were the levels of total column ozone over Lerwick and Camborne on 5, 6 and 7 March; and what they were for the same dates in each of the last 10 years;

(3) what was the average March level of total column ozone for 1993; and what degree of variation there was from the normal recorded levels for this period.

Mr. Maclean: Results of ozone column measurements made at Camborne and Lerwick on 5, 6 and 7 March for 1993 and for the same dates over the past 10 years are:

Total ozone (Dobson units)

	Camborne			Lerwick		
Year	*5 March*	*6 March*	*7 March*	*5 March*	*6 March*	*7 March*
1993	262	240	261	267	250	291
1992	351	327	345	341	320	323
1991	384		429			
1990	358	308			314	
1989		333	382	384	354	499
1988	411	420	352	375	436	340

	Total ozone (Dobson units)					
	Camborne			Lerwick		
Year	5 March	6 March	7 March	5 March	6 March	7 March
1987			354			389
1986	301	373	383		389	400
1985	392	351	320			345
1984		287	301		293	328
1983	359		279			
1982	392	362	416	393		427
1981	361	399		441		444
1980	378		436			

Blanks indicate days when measurements could not be made due to weather conditions. Recent data are subject to final calibration corrections. The measurements for 5, 6 and 7 March this year include the four lowest for March in the record, the previous lowest levels being 267 and 270 Dobson Units measured on 1 March 1983. The average ozone measurements for March this year are 335 Dobson Units at Camborne and 347 Dobson Units at Lerwick. These values are respectively 12·6 per cent. and 10·4 per cent. below the average for the last 10 years.

Flats Over Shops Initiative

Mr. Streeter: To ask the Secretary of State for the Environment how much of his Department's £5 million allocation for Living Over the Shop in 1992-93 was spent; what was the average allocation per flat; and how many new homes were produced.

Mr. Baldry: The outturn for the first year of the Department's flats over shops initiative will not be known until all final claims have been returned by local authorities. Provisional information from local authority fourth quarterly monitoring returns indicates that some £4,093,000 has been spent in 1992-93 producing some 292 new homes at an average grant cost per unit of £14,000.

Waste Incinerator, Ealand

Mr. Tipping: To ask the Secretary of State for the Environment what costs were incurred by his Department in preparing for the public inquiry scheduled for 30 March into a planning application for a waste incinerator plant by S. and J. Engineering at Ealand; and when he was notified the appeal had been withdrawn.

Mr. Maclean: The staff and other internal costs of arranging, and preparing for, individual planning inquiries are not separately identified within the overall cost of the administration of the appeals system. The Department incurred no external costs in this case. The appeal was withdrawn on 24 March.

Devon County Structure Plan

Mr. Steen: To ask the Secretary of State for the Environment what is the reason for the lapse of time since the examination in public of selected matters arising on the third alteration to the Devon county structure plan; why it has been necessary to delay publication of his proposed modifications; and when he intends to publish the proposed modifications to the structure plan.

Mr. Baldry: I expect to publish proposed modifications to the Devon structure plan third alterations very shortly.

The preparation of the modifications has taken longer than I hoped, but this is an important matter which requires proper consideration.

Mr. Steen: To ask the Secretary of State for the Environment when the panel conducting the public examination of selected matters arising on the third alteration of the Devon county structure plan in March/April 1992 submitted its report and recommendations.

Mr. Baldry: The panel submitted its report and recommendations on 26 May 1992.

Council Tax

Mr. Milburn: To ask the Secretary of State for the Environment what representations he has received about landlords passing on council tax charges to their tenants.

Mr. Robin Squire: We have received 83 representations about landlords passing on council tax charges to their tenants. Thirty three of these were in direct response to a consultation letter issued on 5 January 1993 on proposals to amend the landlord and tenant legislation to cater for the situation where the landlord, rather than the tenant, is liable for the tax.

Mr. Milburn: To ask the Secretary of State for the Environment what advice he has given to the rent officer service about determining rents in cases where landlords have been found to be passing council tax costs on to their tenants.

Mr. Robin Squire: Rent officers are independent of Government and neither Ministers nor officials are able to advise them about determining rents. In making their assessments of fair rents rent officers follow the requirements of the Rent Act 1977. These provisions have been amended to allow for the liability for council tax to be taken into account where appropriate. Rent officers also assess market rents for housing benefit subsidy purposes under the Rent Officer (Additional Functions) Order 1990. Again, these assessments will now take account of council tax where appropriate. The Department has issued procedural guidance notes to rent officers to alert them to these changes, copies of which have been placed in the Library today. In addition, the Institute of Rent Officers has issued a practice note to its members, copies of which are also available in the Library.

Mr. Milburn: To ask the Secretary of State for the Environment what is *(a)* the average rent level determined by the rent officer service in each region and *(b)* the average council tax bill in each region.

Mr. Robin Squire: The regional figures on rent levels determined by the rent officer service in the fourth quarter of 1992, the latest period for which figures are available, are given in table 1.3 of the "Rent Officer Statistics—Fourth Quarter" publication, copies of which are available in the Library.

The average council tax by region is as follows:

Average Council Tax per dwelling

	£
Northern	445
North West	464
Yorkshire and Humberside	423
East Midlands	416
West Midlands	439
East Anglia	397
South East	477
London	494
South West	458
England	456

Housing Benefit

Mr. William Powell: To ask the Secretary of State for the Environment if he will list the number of applications for housing benefit and the proportion allowed for each local authority in Northamptonshire for each year since 1987-88.

Mr. Burt: I have been asked to reply.

The available information is in the table.

Authority	*1988-89*		*1989-90*		*1990-91*		*1991-92*	
	(a)	*(b)*	*(a)*	*(b)*	*(a)*	*(b)*	*(a)*	*(b)*
Corby	4,714	89	10,652	95	13,293	89	9,445	95
Daventry	2,607	94	3,639	97	8,246	89	5,194	94
East Northamptonshire	7,882	94	11,138	94	7,309	87	4,652	91
Kettering	10,131	93	9,722	90	8,509	90	7,809	95
Northampton	5,558	89	n/a	—	10,208	94	20,144	89
South Northamptonshire	n/a	—	n/a	—	2,793	83	3,540	92
Wellingborough	n/a	—	n/a	—	10,725	91	9,198	96

Notes:
(a) = total claims received
(b) = Percentage of claims allowed
n/a = Not available
Information for 1987-88 is not available
Source: Housing Benefit Management Information System

Police Houses

Mr. Harry Greenway: To ask the Secretary of State for the Environment how many police houses have been bought or leased over the past three years in the London borough of Ealing by housing associations; if he will state the associations concerned and the cost to the public funds in each case; and if he will make a statement.

Mr. Charles Wardle *[holding answer 30 March 1993]:* I have been asked to reply.

The receiver for the Metropolitan police district is to transfer three blocks of flats in Ealing to Housing 21, the housing association arm of the Royal British Legion. Housing 21 will manage the flats for a fee and rents will be paid on to the receiver.

Housing 21 has the option to acquire the freeholds within five years.

Council House Sales

Mr. Milburn: To ask the Secretary of State for the Environment, pursuant to his answer of 8 February, *Official Report*, columns *519-20*, what was the number and value of council house sales by region for the latest available quarters *(a)* at current prices and *(b)* at 1981 prices.

Mr. Baldry *[holding answer 22 April 1993]:* The latest available information, which is for the period October to December 1992, is given in the table. The table also gives updates of the figures for the preceding two quarters given in my reply of 8 February.

Number of council house sales and value by region (£000)[1]

	April to June 1992 (provisional)			*July to September 1992 (provisional)*			*October to December 1992 (provisional)*		
	Number of sales	*Undiscounted value of sales*	*Value (1981 prices)*	*Number of sales*	*Undiscounted value of sales*	*Value (1981 prices)*	*Number of sales*	*Undiscounted value of sales*	*Value (1981 prices)*
DOE Regions									
North (excluding Cumbria)	1,080	30,538	16,280	1,249	33,753	17,929	1,038	28,249	15,108
Yorkshire and Humberside	974	32,635	17,398	1,074	36,639	19,462	789	26,950	14,414
East Midlands	690	24,554	13,090	821	28,661	15,224	723	26,280	14,055
Eastern	1,179	56,981	30,377	1,556	76,565	40,670	1,203	54,758	29,286
London Boroughs	2,177	128,753	68,640	2,751	173,054	91,923	1,964	105,301	56,318
South East	1,040	52,747	28,120	1,408	71,583	38,023	1,035	55,282	29,566
South West	715	30,442	16,229	933	39,961	21,226	788	33,996	18,182
West Midlands	1,064	40,196	21,429	1,109	41,593	22,093	973	36,984	19,780
North West (including Cumbria)	1,263	39,488	21,051	1,303	38,501	20,451	1,143	37,251	19,923
England	10,182	436,334	232,614	12,204	540,310	287,002	9,656	405,051	216,633

[1] The figures exclude some 12,300 dwellings, valued at about £120 million, transferred from Bromley Borough Council to Broomleigh Housing Association in April 1992.

Special Needs Management Allowance

Mr. Hinchliffe: To ask the Secretary of State for the Environment if he will make a statement on the future of the special needs management allowance.

Mr. Baldry *[holding answer 20 April 1993]:* Special needs management allowance is paid to housing associations by the Housing Corporation, through funding provided by my Department, to contribute to the housing management costs of accommodation providing for people with special needs. When the scheme was introduced in April 1991, as a replacement for the existing hostel deficit grant arrangements, housing associations were informed that it would be reviewed as soon as there was sufficient evidence of the operation of the scheme. The Housing Corporation will therefore be reviewing this year the working of the scheme, taking account of the results of a study mounted by my Department which will compare the effects of the special needs management allowance arrangements with those of the old hostel deficit grant scheme.

Dioxins

Mr. Barnes: To ask the Secretary of State for the Environment what are the maximum tolerable concentrations of dioxins and furans which are allowable for differing types of incinerators, power station operations, leachates, sludges and for the aquatic environment; and if he will make a statement.

Mr. Maclean *[holding answer 20 April 1993]:* Authorisations issued by Her Majesty's inspectorate of pollution under integrated pollution control legislation require the operator to use the best available techniques not entailing excessive cost to prevent, or minimise and render harmless the release of prescribed substances, including dioxins, to any environmental medium.

Power stations, compared with other combustion and incineration processes, produce only very small quantities of dioxins and furans so that concentration limits are neither appropriate or specified.

Guidance notes published by the chief inspector of Her Majesty's inspectorate of pollution relating to combustion and incineration processes subject to IPC control suggest an initial limit of 1 ng/M^3 TEQ dioxins in releases to air while requiring operators to aim ultimately to achieve one tenth of that limit by the use of progressive techniques. The relevant CI guidance notes are numbered IPR 5/1 to 5 inclusive, IPR 5/7 and IPR 5/11, all of which are in the Library of the House.

As part of the statutory IPC authorisation process the NRA can, in addition to any limits Her Majesty's inspectorate of pollution itself imposes on an operator, require Her Majesty's inspectorate of pollution to impose further limits where the release is directly to controlled waters. Discharges of dioxins and furans to water are typically extremely low and since they are normally bound to particulates, strict control of particulates in the discharge will minimise the release of these pollutants to the environment.

The best solution must be to avoid the generation of dioxins in the first place by employing appropriate operating conditions within the combustion or incineration process and this is what IPC aims to achieve.

Written Answers to Questions

Tuesday 27 April 1993

LORD CHANCELLOR'S DEPARTMENT

Personal Injury Claims

Mr. Dewar: To ask the Parliamentary Secretary, Lord Chancellor's Department how many employer liability personal injury claims worth over £2,500 were settled in court in *(a)* 1989-90, *(b)* 1990-91, *(c)* 1991-92, *(d)* 1992-93 and *(e)* the first six months of 1992-93.

Mr. John M. Taylor: These figures are not available and could be obtained only at disproportionate cost.

Mr. Dewar: To ask the Parliamentary Secretary, Lord Chancellor's Department how many personal injury claims worth over £2,500 were settled in court in *(a)* 1989-90, *(b)* 1990-91, *(c)* 1991-92, *(d)* 1992-93 and *(e)* the first six months of 1992-93.

Mr. John M. Taylor: The only figures available are those set out in tables 1 and 2. They show by respective year since 1989, the total number of personal injury cases disposed of by trial, in the case of the High Court, where the amount of the award was £5,000 or more; and in the county courts where the amount of the award was £2,000 or more.

Table 1
Personal injury cases in the high court during 1989-1992 where the amount of award was £5,000 or more

Year	
1989	1,823
1990	484
1991	625
1992	1,072

Table 2
Personal injury cases in the county court during 1989-1992 where the amount of award was £2,000 or more

Year	
1989	1,136
1990	2,658
1991	1,530
1992	4,106

Duty Solicitors

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the cost of the duty solicitor scheme in the most recent year available; and whether that cost is included in the expenditure figures for legal aid.

Mr. John M. Taylor: In 1991-92, the last year for which figures are available, the cost of the duty solicitor schemes was £62 million. It is estimated that the scheme will have cost £72 million in 1992-93. The cost of the duty solicitor schemes is included in the expenditure figures for legal aid.

Legal Aid

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the amount of contributions to criminal legal aid paid for the most recent year available, and the number of defendants who have made those payments.

Mr. John M. Taylor: In the period from April 1991 to March 1992 a total of £3·6 million was paid in contributions towards the cost of legally aided criminal cases (£2 million in respect of proceedings in the magistrates courts and £1·6 million in respect of proceedings in courts other than the magistrates courts). In 1991 there were approximately 36,300 contributors in legally aided criminal cases.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the total number of defendants granted legal aid and the net cost of that aid, for both civil and criminal legal aid in the most recent year available.

Mr. John M. Taylor: The information sought is not available in the form requested. There were 3·03 million acts of assistance in 1991-92 at a net cost of £906 million, and it is estimated that there will have been 3·39 million acts of assistance in 1992·93. It is not possible to apportion the net cost between plaintiffs and defendants.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department how much VAT was paid on legal aid fees, and what was the cost of administering VAT on legal services to those aided, for both civil and criminal legal aid for the most recent available year.

Mr. John M. Taylor: The information sought is not available. It is not possible to identify separately the total VAT element of legal aid bills.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the cost of the green form scheme in the most recent year available.

Mr. John M. Taylor: Net expenditure on green form legal advice and assistance in 1991-92 was £95 million. Final figures are not yet available for 1992-93, but it is estimated that expenditure on green form in 1992-93 was £122 million.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the total cost of criminal legal aid both gross and net of contributions ordered and VAT in the most recent year available.

Mr. John M. Taylor: In 1991-92, the last year for which final figures are available, expenditure on criminal legal aid was £478 million gross (£474 million net). Expenditure on criminal legal aid 1992-93 is estimated at £535 million gross (£529 million net). It is not possible to identify the total amount of VAT paid in respect of legal services.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the number of legally aided defendants who have failed to make any payments as ordered in the most recent year available; what was the total amount involved; against how many people recovery proceedings have been commenced; and what is the amount involved.

Mr. John M. Taylor: In the period from April 1991 to March 1992 a total of 4,239 civil legal aid certificates were revoked due to the non-payment of contributions at a cost to the legal aid fund of £1·9 million. In 1991 approximately 500 criminal cases had legal aid revoked due to the non-payment of contributions. Information on recovery proceedings for non-payment is not available centrally, nor is not possible to determine the costs involved.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the number of legally-aided defendants who are in arrears with their contributions as ordered at the most recent available date; and what is the total still outstanding, the number against whom recovery proceedings have been commenced and the amount involved, for both civil and criminal legal aid.

Mr. John M. Taylor: The information is not available in the form requested. However, in the period from April 1991 to March 1992 a total of 4,239 civil legal aid certificates were revoked as a result of contributions outstanding representing a sum of £1·9 million, compared with 3,598 and £1·6 million in the previous year. Statistics regarding the financial year just ended will become available in June when the Legal Aid Board is due to publish its annual report for 1992-93.

TRANSPORT

Motor Cycles

Mr. Fraser: To ask the Secretary of State for Transport what is his policy towards the proposals of the European Commission to limit production of motor cycles to a maximum engine power producing 100 brake-horse power.

Mr. Kenneth Carlisle: The Government's view is that the current European Commission proposal is unsupported by statistical evidence. We are therefore attempting to broker a compromise on power that will be acceptable to United Kingdom motorcyclists. It is at present too early to anticipate the outcome.

Air Services

Mr. Stern: To ask the Secretary of State for Transport what is the role of his Department in the licensing of scheduled air services to any destination in balancing demand and provision.

Mr. Norris: The process of licensing airlines in the United Kingdom for the operation of scheduled air services is undertaken by the Civil Aviation Authority (CAA). Within the EC, licensed carriers are entitled to provide services on the basis of their own commercial judgement.

The Secretary of State also has a role in determining appeals on licensing decisions taken by the CAA, including those which involve the issue of scarce bilateral capacity.

Radar Speed Cameras

Ms Walley: To ask the Secretary of State for Transport what assessment he has made of the implications for road safety of reflective number plates designed to evade speed camera technology; and if he will make a statement.

Mr. Kenneth Carlisle: Reflective number plates designed to evade speed camera technology do not work. Photographs of such plates taken by approved speed detection equipment show the number quite clearly and the offence can be followed up in the normal manner. Use of these plates is illegal and the photographs also provide evidence of this offence. So purchasers are not only wasting their money but are also making themselves liable to additional penalties.

These number plates do not comply with the new British standard which is to be published shortly and it will then be made illegal to offer them for sale.

A12, Lowestoft

Mr. Wilson: To ask the Secretary of State for Transport what proposals he has for improvement of the A12 serving Lowestoft; and if he will make a statement.

Mr. Kenneth Carlisle: My right hon. Friend announced in "Trunk Roads England into the 1990s" 10 separate schemes for improving sections of the A12 between the M25 and Lowestoft, targeted with a grade separation of Capel St. Mary junction.

The sections to be improved are:

1. M12 motorway between M25 and Chelmsford bypass
2. Chelmsford bypass widening
3. Hatfield Peverel to Marks Tey
4. Four Sisters to Stratford St. Mary
5. Martlesham to Wickham Market
6. Wickham Market to Saxmundham
7. Saxmundham bypass widening
8. Saxmundham to south of Wrentham
9. South of Wrentham to Kessingland
10. Lowestoft relief road

The schemes are in the early stages of statutory procedures and our aim is to have at least selected preferred routes for them all by the end of 1994.

Cars (Airbags)

Dr. Lynne Jones: To ask the Secretary of State for Transport what action he is taking to encourage the European Commission to initiate legislation to require all new cars to be fitted with airbags.

Mr. Kenneth Carlisle: None. The single most effective measure for reducing accident injury for car occupants is the wearing of seat belts. An airbag as a supplement to a seat belt can be provided only at considerable additional cost, and it is for the consumer to decide whether this is justified.

Disabled People

Mr. Sheerman: To ask the Secretary of State for Transport what discussions he has held with groups representing disabled people on proposals in the Railways Bill to safeguard and improve facilities for access to rail travel for people with disabilities.

Mr. Freeman: I met the Joint Committee on Mobility of Blind and Partially Sighted People in January to discuss their concerns with regard to rail privatisation and I am in regular contact with DPTAC. Officials have recently met representatives of other disability groups including the Royal Association for Disability and Rehabilitation, MENCAP and the Royal National Institute for the Blind.

Bournemouth Transport Ltd.

Mr. David Atkinson: To ask the Secretary of State for Transport when he expects to make a decision on the proposed single tender sale by Bournemouth borough council of Bournemouth Transport Ltd.; and if he will make a statement.

Mr. Freeman: We are in correspondence with Bournemouth borough council about the sale of Bournemouth Transport Ltd. by open competitive tender. The council has been told that the Secretary of State will not consent to a single tender sale.

Railway Pensions

Mr. Wilson: To ask the Secretary of State for Transport on what dates he has met with *(a)* the Association of Locomotive Engineers and Firemen, *(b)* the Railway, Maritime and Transport Union and *(c)* the Transport Salaried Staff Association to discuss the future of railway pensions since the publication of "New Opportunities for the Railways" (Cm. 2012).

Mr. Freeman: My right hon. Friend the Secretary of State and I have discussed pension with the trade unions as follows:

(a) ASLEF 27 October 1992 and 24 February 1993.
(b) RMT 13 October 1992 and a meeting is planned for later today.
(c) TSSA 20 October 1992 and 9 March 1993.

Municipal Buses

Mr. Barry Jones: To ask the Secretary of State for Transport what is his policy concerning municipal bus company privatisation.

Mr. Freeman: We are encouraging passenger transport authorities and local authorities who own bus companies to sell them voluntarily. If they do so before 31 December 1993 they will be able to devote 100 per cent. of the receipts to projects—after that date 50 per cent of the proceeds will have to be used for the reduction of debt. We intend to introduce legislation to require disposal. Each sale requires the consent of the Secretary of State under the Transport Act 1985. Consent is very unlikely to be given to sales other than by competitive tender except when it was given in principle before 1992.

Mr. Barry Jones: To ask the Secretary of State for Transport what consultation he proposes with the employees of municipal bus companies prior to a decision to seek privatised status in accordance with the Transport Act 1985; and if he will make a statement.

Mr. Freeman: None. This is a matter for the owning authorities.

Mr. Barry Jones: To ask the Secretary of State for Transport how many municipal bus companies there are in *(a)* Wales and *(b)* England; and what is his estimate of the number of employees engaged in such companies.

Mr. Freeman: There are three local authority owned bus companies remaining in Wales and 30 in England. I have no information about the numbers of employees engaged in these companies.

TRADE AND INDUSTRY

House Building

Mr. Chris Smith: To ask the President of the Board of Trade if he will list the members of the working group he has established to review restrictions affecting the domestic house building industry; and if he will detail the remit that has been given to the group.

Mr. Neil Hamilton: I refer the hon. Member to the answer which I gave to the hon. Member for Leeds, Central on 25 March, *Official Report*, column 703.

The names of the members of the construction deregulation task force are as follows:

Christopher Spackman, Chairman, Bovis Construction Ltd. (Chairman).
David Summerfield, Chief Executive, How Group plc.
Dr. Bernard Rimmer, General Manager (Construction), Slough Estates plc.
Richard Saxon, Partner, Building Design Partnership.
Peter Hulmes, Managing Director, Alfred MacAlpine Construction.
Roger Humber, Director, House Builders Federation.
Peter Warry, Chairman, Building Products Division, Norcros plc.
Maurice Denyer, Fowler (Bros) Cowfold Ltd.

Small Companies

Mr. Bowis: To ask the President of the Board of Trade what progress is being made on the Government's review of audit and accounting requirements for very small companies.

Mr. Neil Hamilton: My Department has today issued a consultative document seeking views on proposals offering very small companies relief from the compulsory audit requirement. This follows a review of audit and accounting requirements for such companies conducted by my Department in consultation with HM Treasury and the Inland Revenue.

The Department is seeking views on proposals that very small companies may be exempted from audit if shareholders agree. Two alternative approaches have been identified and the Government will decide which option to adopt in the light of responses to the consultative document.

> Option A: Abolition
> Exemption from the audit requirement, with nothing to replace the auditor or audit report;
>
> or
>
> Option B: Replacement
> In place of the audit report, a company would be required to provide a compilation report, produced by a suitably qualified independent accountant, confirming that the annual accounts have been prepared from the company's accounting records in accordance with the relevant format and disclosure requirements of the Companies Act 1985. The compilation report would be filed along with the accounts at Companies House. The accounts would include a statement by the directors as to their statutory duties in preparing them.

Option A offers a maximum deregulatory benefit to the companies themselves, while option B offers eligible companies a more limited measure of relief in order to address the concerns of users of accounts.

Companies which would be eligible to take advantage of the audit exemption would be those:

with an annual turnover below the VAT registration threshold (which my right hon. Friend, the Chancellor of the Exchequer, recently proposed to increase to £37,600);
whose balance sheet total does not exceed £100,000;
whose shareholders have unanimously voted to take advantage of the audit exemption;
which are not public limited companies, part of a group structure or subject to a statute-based regulatory regime, such as the Financial Services Act 1986.

The exemption from the audit requirement would apply to a financial year for companies that, at the end of that year, satisfied all of the above criteria.

A copy of the consultative document has been placed in the Library of the House. Comments should reach my Department by 30 June 1993.

Fuel Industry

Mr. Cummings: To ask the President of the Board of Trade what guarantees he is providing to recipients of concessionary fuel and cash in lieu in the run up to and after the industry is privatised.

Mr. Eggar: I can assure present and past employees of British Coal with entitlements to concessionary fuel or cash in lieu of fuel, and their eligible dependants, that existing entitlements will be safeguarded before and following privatisation of the industry.

Oil Exploration

Sir Michael Grylls: To ask the President of the Board of Trade in what circumstances oil companies with licences granted by his Department under previous United Kingdom continental shelf licensing rounds are able to withdraw unilaterally from any exploration and drilling commitments specified in such licences.

Mr. Eggar: There are no circumstances in which companies with licences granted under previous United Kingdom continental shelf licensing rounds are able to withdraw unilaterally from any exploration and drilling commitments specified in such licences. However, a licensee may, by giving to the Minister no less than six months' notice in writing, determine the licence. This right to determine the licence is without prejudice to any obligation or liability imposed or incurred under the terms of the licence.

National Technology Acquisition Plan

Mr. Cousins: To ask the President of the Board of Trade if he will publish the national strategy technology acquisition plan for aeronautics submitted to him by his Department's aviation committee.

Mr. Sainsbury: I refer the hon. Gentleman to the reply that I gave on 24 March 1993, *Official Report*, column *613*.

Brown Book

Mr. Congdon: To ask the President of the Board of Trade when he will be publishing "Development of the Oil and Gas Resources of the United Kingdom 1993", the Brown Book.

Mr. Eggar: The latest edition of the Brown Book will be published on Wednesday 28 April and I have arranged for copies to be placed in the Library of the House and in the Vote Office.

Exports

Mr. Congdon: To ask the President of the Board of Trade what guidelines there are on procedures for companies exporting controlled goods.

Mr. Needham: My Department has drawn up a code of practice on export control compliance which I will publish tomorrow and place in the Library of the House.

Film Distribution Industry

Mr. Nicholas Winterton: To ask the President of the Board of Trade what recent representations he has received about unfair trading practices in the film distribution industry; and if he will make a statement.

Mr. Neil Hamilton *[holding answer 23 April 1993]:* My right hon. Friend the President of the Board of Trade has received two representations about the film distribution industry. The Office of Fair Trading, however, which is responsible for investigating alleged anti-competitive practices, has received a number of representations from small independent cinemas and is currently making inquiries into the supply of films for exhibition in cinemas.

Mr. Nicholas Winterton: To ask the President of the Board of Trade if he will refer to the Director General of Fair Trading the points raised with him in correspondence by the hon. Member for Macclesfield relating to unfair trading practices in the film distribution industry; and if he will make a statement.

Mr. Neil Hamilton *[holding answer 23 April 1993]:* The points raised by my hon. Friend in his correspondence have been referred to the Director General of Fair Trading, who is currently investigating the supply of films for exhibition in cinemas. It would be inappropriate to make a statement until the DGFT has concluded his inquiries.

Mr. Nicholas Winterton: To ask the President of the Board of Trade if he will make a statement on his policy on the encouragement of fair trading practices within the film distribution industry; and if he will list those regulations, in the United Kingdom and in Europe, which are designed to bring about such fair trading practices.

Mr. Neil Hamilton *[holding answer 23 April 1993]:* Under United Kingdom legislation, investigation of allegedly anti-competitive or monopolistic behaviour is the responsibility of the Director General of Fair Trading. The DGFT may consider this behaviour under either the Fair Trading Act 1973 or the Competition Act 1980. Anti-competitive practices which affect trade between member states are handled by the European Commission under articles 85 and 86 of the treaty of Rome.

British Geological Survey

Mr. Dalyell: To ask the President of the Board of Trade what plans he has to market test areas of work that have historically been the prerogative of the British Geological Survey.

Mr. Eggar *[holding answer 26 April 1993]:* The Department is preparing to seek competitive bids for work under the hydrocarbons programme, which has previously been let to the British Geological Survey.

ENVIRONMENT

Homelessness

Mr. Callaghan: To ask the Secretary of State for the Environment how many persons were registered as homeless in the Greater Manchester area in 1979 and in 1992.

Mr. Baldry: Local authorities report the number of households for whom they accept responsibility for securing permanent accommodation under the homelessness provisions of the Housing (Homeless Persons) Act 1977 and the Housing Act 1985 in their quarterly P1(E) returns.

The numbers of households accepted as homeless in Greater Manchester in 1979 and 1992 were 3,370 and 14,120 respectively.

A new reporting system was introduced for metropolitan authorities from the third quarter of 1982. In addition the definition of acceptances was altered from the second quarter of 1991 to exclude intentionally homeless households. For these reasons figures for 1979 are therefore not strictly comparable with those for 1992.

Council Tax

Mr. Harris: To ask the Secretary of State for the Environment what representations he has received from the council of the Isles of Scilly regarding the council tax; and if he will make a statement.

Mr. Robin Squire: My Department has received a number of letters and telephone calls from the Isles of Scilly Council about the council tax. In addition, I met my hon. Friend, together with a delegation from the Isles of Scilly Council, on 9 December 1992 and again on 27 April.

Ms Short: To ask the Secretary of State for the Environment if the weekly £10 premium paid to participants on training for work and on the community action programme will be disregarded for council tax purposes; and if he will make a statement.

Mr. Burt: I have been asked to reply.

The £10 a week training premium is fully disregarded in council tax benefit. The £10 a week premium for people on the community action programme will be similarly disregarded when it is introduced later this year.

Housing Management

Mrs. Jane Kennedy: To ask the Secretary of State for the Environment what plans he has to introduce a national licensing scheme of persons managing houses in multiple occupation; and if he will make a statement.

Mr. Baldry: The Department has no plans to introduce a national licensing scheme for houses in multiple occupation (HMOs). Local authorities already have sufficient powers under Part XI of the Housing Act 1985 to control standards in HMOs.

Disabled Workers

Mr. Sheerman: To ask the Secretary of State for the Environment what steps he is taking to prevent disabled workers being discriminated against within the terms of compulsory competitive tendering procedures.

Mr. Robin Squire: It is this Government's intention that local authorities be given every encouragement to employ the disabled. Regulations governing the operation of compulsory competitive tendering, laid before the House on 29 March, allow local authorities to take into account, for the purposes of tender evaluation, the net additional costs of employing both the registered disabled and those eligible to register under the 1944 Act.

Buying Agency

Sir Fergus Montgomery: To ask the Secretary of State for the Environment what objectives and targets have been set for the Buying Agency for 1993.

Mr. Baldry: I have asked the new chief executive, Stephen Sage, to review the strategic direction of the Buying Agency over the next few months. As part of this, I have asked him to work to the following objectives and targets for 1993:

PERFORMANCE OBJECTIVES AND TARGETS 1993

—to manage the Agency's operations efficiently and to give its customers best value for money;

—to implement systems to identify more closely individual customers and their procurement requirements, within the public sector and particularly within central Government;

—to develop better systems to monitor suppliers' delivery performance against direct call-off orders;

—to continue to develop awareness within the public sector, particularly within central Government, of the benefits and services available from TBA;

—through achieving these objectives, to develop and expand TBA's customer base and to monitor its progress in doing so.

In support of these objectives I have set the agency challenging key targets for 1993:

—an overall profit after interest in current cost terms of not less than 1·5 per cent. of the total sales value of goods and services procured;

—an increase in the total attributable sales volume from £131 million in 1992 to £145 million for 1993;

—at least 90 per cent. of orders which TBA handles directly on behalf of customer departments to be delivered by the due date;

—to acknowledge all customer complaints within two working days of receipt, indicating a proposed course of action; thereafter, to keep the customer regularly informed of progress (no less frequently than every 10 working days); to resolve 75 per cent. of complaints within one month of receipt and the remainder within three months.

Property Services Agency

Mr. David Evans: To ask the Secretary of State for the Environment what progress has been made in privatising the PSA's building management businesses.

Mr. Redwood: A shortlist of bidders has been selected for each business from those making indicative bids. Shortlisted bidders include a Management Buyout (MBO) team for BM Scotland. In line with normal Government practice a contribution is being made to MBO teams' costs in preparing bids. Shortlisted bidders have until 1 June to make detailed practical bids. We hope to exchange contracts as soon as practicable thereafter. Staff will then have the opportunity to decide whether to transfer with their businesses into the private sector and we expect the sales to be completed about two months after exchange of contracts.

Water Disconnections

Mr. Hain: To ask the Secretary of State for the Environment if he will give figures for the number of disconnections in England of domestic water supply for each year since 1987.

Mr. Maclean *[holding answer 26 April 1993]:* The information is set out in the following table. Information on disconnections prior to privatisation was only collected by the Department for water authorities as part of the water authorities' annual charges returns, and comprises total disconnections (domestic and non-domestic). Information on statutory water company disconnections was not collected by the Department prior to 1988-89.

	Number
Water authorities only (domestic and non-domestic)	
1987-88	7,447
Domestic and non-domestic	
1988-89	14,006
1989-90	7,070
1990-91	6,368
1991-92	18,331
[1]1992	7,212

[1] April to September.

Housing Capital Expenditure

Mr. Milburn: To ask the Secretary of State for the Environment, pursuant to his answer of 14 December 1992, *Official Report*, columns *57-60*, if he will update the table on housing capital spending by region for 1992-93.

Mr. Baldry *[holding answer 26 April 1993]:* The available information, which covers the first three quarters of 1992-93 only, is given in the table. The latest estimate for local authority housing capital expenditure for the whole of 1992-93 is £2·7 billion.

Local authority housing capital expenditure by region, April-December 1992. *£ million*

	Current prices	[1]*1981 prices*
North (excluding Cumbria)	81	43
Yorkshire and Humberside	141	75
East Midlands	96	51
Eastern	138	74
Greater London	317	169
South East	177	94
South West	114	61
West Midlands	170	91
North West	237	126
Unallocated	61	32
	1,532	817

[1]Current price figures have been converted to 1981 prices by excluding the effect of general inflation as measured by the GDP market prices deflator.

DUCHY OF LANCASTER

Agencies

Mrs. Dunwoody: To ask the Chancellor of the Duchy of Lancaster if he will update the list of next steps agencies.

Mr. Waldegrave: The information requested is as follows:

Next Steps Agencies established to date

Agency	*Launch date*
Accounts Services Agency	1 October 1991
ADAS Agency	1 April 1992
Army Base Repair Organisation	1 April 1993
Building Research Establishment	2 April 1990
Cadw (Welsh Historic Monuments)	2 April 1991
Central Office of Information	5 April 1990
Central Science Laboratory	1 April 1992
Central Statistical Office	19 November 1991
Central Veterinary Laboratory	2 April 1990
Chemical and Biological Defence Establishment	2 April 1991
Chessington Computer Centre	1 April 1993
Civil Service College	6 June 1989
Companies House	3 October 1988
Compensation Agency	1 April 1992
Defence Analytical Services Agency	1 July 1992
Defence Operational Analysis Centre	1 July 1992
Defence Postal and Courier Services	1 July 1992
Defence Research Agency	2 April 1991
Directorate General of Defence Accounts	1 April 1991
Driver and Vehicle Licensing Agency	2 April 1990
Driver and Vehicle Testing Agency	1 April 1992
Driving Standards Agency	2 April 1990
Duke of York's Royal Military School	1 April 1992
DVOIT	1 April 1992
Employment Service	2 April 1990
Fire Service College	1 April 1992
Forensic Science Service	1 April 1991
Government Property Lawyers	1 April 1993
Historic Royal Palaces	1 October 1989
Historic Scotland	2 April 1991
Her Majesty's Prison Service	1 April 1993
HMSO	14 December 1988
Hydrographic Office	6 April 1990
Insolvency Service	21 March 1990
Intervention Board	2 April 1990
Laboratory of the Government Chemist	30 October 1989
Land Registry	2 July 1990
Medicines Control Agency	11 July 1991
Meteorological Office	2 April 1990
Military Survey	2 April 1991
National Physical Laboratory	3 July 1990
National Weights and Measures Laboratory	18 April 1989
Natural Resources Institute	2 April 1990
Naval Aircraft Repair Organisation	1 April 1992
NEL	5 October 1990
NHS Estates	1 April 1991
NHS Pensions Agency	20 November 1992
Northern Ireland Child Support Agency	5 April 1993
Occupational Health Service	2 April 1990
Ordnance Survey	1 May 1990
Ordnance Survey of Northern Ireland	1 April 1992
Patent Office	1 March 1990
Paymaster General's Office	1 April 1993
Pesticides Safety Directorate	1 April 1993
Planning Inspectorate	1 April 1992
Public Record Office	1 April 1992
Queen Elizabeth II Conference Centre	6 July 1989
Queen Victoria School	1 April 1992
Radiocommunications Agency	2 April 1990
RAF Maintenance	2 April 1991
Rate Collection Agency	1 April 1991
Recruitment and Assessment Services Agency	2 April 1991
Registers of Scotland	6 April 1990
Royal Mint	2 April 1990
Royal Parks	1 April 1993
Scottish Agricultural Science Agency	1 April 1992
Scottish Fisheries Protection Agency	12 April 1991
Scottish Office Pensions Agency	1 April 1993
Scottish Prison Service	1 April 1993
Scottish Record Office	1 April 1993
Service Children's Schools (North West Europe)	24 April 1991
Social Security Agency (Northern Ireland)	1 April 1992
Social Security Benefits Agency	2 April 1991
Social Security Child Support Agency	5 April 1993
Social Security Contributions Agency	2 April 1991

Agency	Launch date
Social Security Information Technology Services Agency	2 April 1990
Social Security Resettlement Agency	24 May 1989
Teachers' Pensions Agency	1 April 1992
The Buying Agency	31 October 1991
Training and Employment Agency (Northern Ireland)	2 April 1990
Transport Research Laboratory	2 April 1992
United Kingdom Passport Agency	2 April 1991
Valuation and Lands Agency	1 April 1993
Valuation Office	30 September 1991
Vehicle Certification Agency	2 April 1990
Vehicle Inspectorate	1 August 1988
Veterinary Medicines Directorate	2 April 1990
Warren Spring Laboratory	20 April 1989
Wilton Park Conference Centre	1 September 1991
HM Customs and Excise[1] (30 Executive Units)	1 April 1991
Inland Revenue[1] (34 Executive Offices)	1 April 1992

[1] Departments operating fully on next steps lines.

Food Research and Development

Dr. Strang: To ask the Chancellor of the Duchy of Lancaster if he will list total Government expenditure on food research and development for each year from 1978-79 to 1992-93 in *(a)* cash and *(b)* constant prices and set out projected Government expenditure on food research and development for each year from 1993-94 to 1996-97 in (i) cash and (ii) constant prices.

Mr. Robert Jackson *[holding answer 21 April 1993]:* Government funding for food research and development is mainly directed through the Ministry of Agriculture Fisheries and Food, the Agricultural and Food Research Council, the Scottish Office Agriculture and Food Department and the Department of Agriculture, Northern Ireland. The aggregated expenditure classified as food research and development from these sources in the past three years is as follows:

£ million

	1990-91	*1991-92*	*1992-93*
Cash prices	33·4	34·7	38·6
1992-93 Prices	36·9	35·9	38·6

Figures for years before 1990-91 and estimates of future expenditure are not held centrally.

A number of other Government bodies fund research into food research but figures on their expenditure are not held centrally. Although comprehensive figures on Government funded research and development are published in the Annual Review of Government Funded Research and Development, food research and development is not a classification that is used.

Agriculture and Food Research Council

Dr. Strang: To ask the Chancellor of the Duchy of Lancaster what are the total numbers of *(a)* science group staff and *(b)* non-science group staff employed at each of the Agriculture and Food Research Council institutes for each year since 1979; and if he will give estimates up until 1995.

Mr. Robert Jackson *[holding answer 21 April 1993]:* Figures given in the two tables show the institute structure prior to and after the major restructuring which took place in 1986-87.

Agriculture and Food Research Council institute staffing 1979-1986[1]

Institute	*1979*		*1980*		*1981*		*1982*		*1983*		*1984*		*1985*		*1986*	
	Science	*Non-science*	*Science*	*Non-science*	*Science*	*Non-science*	*Science*	*Non-science*	*Science*	*Non-science*	*Science*	*Non-science*	*Science*	*Non-science*	*Science*	*Non-science*
ABRO	99	113	77	138	63	131	64	130	57	119	62	92	70	79	85	78
IRAD	137	189	132	191	117	175	119	175	122	165	109	140	97	127	80	115
IAP	152	146	188	178	189	175	191	173	187	175	174	174	165	153	199	143
FRI (IFR, N)	109	66	126	66	140	64	154	64	168	72	207	79	195	78	—	—
MRI (IFR, B)	124	83	125	83	115	88	122	88	128	79	137	85	143	74	—	—
PRC	109	114	107	114	114	102	115	101	115	97	116	94	111	83	106	68
LL	77	37	78	37	76	45	80	44	80	43	68	36	—	—	—	—
WRO	95	54	91	57	84	50	88	52	86	52	75	45	—	—	—	—
Units	160	45	123	19	136	22	132	22	129	30	135	34	141	39	122	35
AVRI	126	180	131	176	111	171	110	171	110	171	110	170	95	129	88	118
EMRS	180	184	174	188	164	185	161	176	162	176	153	169	141	157	—	—
GCRI	141	109	140	124	138	122	138	122	137	122	133	120	123	106	—	—
GRI (AGRI)	187	114	178	110	178	111	186	124	183	124	182	119	262	186	249	173
HRD	8	—	8	—	6	—	7	—	7	—	6	—	5	—	—	—
HPRS	90	130	88	123	91	114	90	114	90	113	90	107	90	101	92	80
JII	84	77	84	78	86	78	85	82	85	77	78	73	86	63	120	65
LARS	163	114	163	115	159	114	169	119	158	115	152	116	197	143	152	101
NIAE	149	267	148	271	140	256	145	270	141	273	198	264	129	268	144	245
NIRD (IFR, R)	271	224	261	226	261	232	266	238	262	232	261	234	121	82	—	—
NVRS	140	74	139	73	135	73	146	77	144	79	144	76	129	70	—	—
PBI[2]	169	79	157	80	163	82	162	82	159	81	151	76	139	77	160	73
RES	426	211	421	214	415	214	420	212	391	189	373	188	371	182	347	179
SSLRC[3]	65	15	65	15	63	15	63	14	62	15	63	15	60	15	34	6
WPBS	156	115	156	123	154	122	158	119	153	119	149	117	132	113	125	99
IFR	—	—	—	—	—	—	—	—	—	—	—	—	—	—	534	226
IHR	—	—	—	—	—	—	—	—	—	—	—	—	—	—	360	315
TOTAL	3,417	2,740	3,360	2,799	3,298	2,741	3,371	2,769	3,316	2,718	3,326	2,623	3,002	2,325	2,997	2,119

[1] Pre restructuring.
[2] Part of the PBI was transferred to Unilver plc from 1 October 1987.
[3] The SSLRC became part of the Cranfield Institute of Technology on 1 July 1987.

Notes:
1. Figures show staff in post and vacancies, as at 1 April each year.
2. Figures exclude Agriculture and Food Research Council central office.
3. Information was not maintained for externally-funded or short-term posts prior to 1987.

Agriculture and Food Research Council institute staffing 1987-1995

Institute	1987		1988		1989		1990		1991		1992		1993		[1]1994		[1]1995	
	Science	Non-science	Science	Non-science	Science	Non-science	Science	Non-science	Science	Non-science	Science	Non-science	Science	Non-science	Science	Non-science	Science	Non-science
IAH	296	294	302	282	285	260	318	252	348	254	373	261	350	248	343	243	343	243
IACR[2]	540	262	495	253	483	251	464	257	467	252	458	252	449	249	440	244	440	244
IAPGR	274	237	264	235	282	233	353	250	335	235	361	233	—	—	—	—	—	—
BI	—	—	—	—	—	—	—	—	—	—	—	—	208	130	200	130	200	130
RI	—	—	—	—	—	—	—	—	—	—	—	—	150	103	151	98	151	98
IFR	514	222	517	213	463	207	425	180	308	133	338	136	335	136	328	133	328	133
IGER	408	277	400	278	383	270	329	236	303	221	252	140	248	137	243	134	243	134
IHR[3]	310	86	300	101	289	106	266	125	284	130	298	139	305	139	299	136	299	136
SRI	128	218	112	217	123	217	129	207	113	180	110	163	106	160	103	155	103	155
IPSR	327	300	336	282	341	263	304	288	—	—	—	—	—	—	—	—	—	—
TOTAL	2,797	1,896	2,726	1,861	2,649	1,807	2,588	1,795	2,158	1,405	2,190	1,324	2,151	1,302	2,107	1,273	2,107	1,273

[1] Planned.
[2] Figures for IACR from 1990 include the Broom's Barn Experimental Station. Prior to that, Broom's Barn was not part of the Agriculture and Food Research Council complement.
[3] IHR became part of Horticulture Research International, a MAFF-controlled NDPB, from 1 April 1990.

Notes:
1. Figures show staff in post and vacancies, as at 1 April each year.
2. Figures exclude Agriculture and Food Research Council central office.
3. Information was not maintained for externally-funded or short-term posts prior to 1987.
4. The SSLRC became part of the Cranfield Institute of Technology on 1 July 1987.

HEALTH

Dentistry

Mr. McCartney: To ask the Secretary of State for Health if she will make it her policy that any patient unable to afford the patient's contribution under any new service arrangements for dentistry which are introduced following her consideration of the Bloomfield report will continue to be eligible for the full range of dental treatment.

Dr. Mawhinney: We are consulting widely on the Bloomfield report and will announce our conclusions in due course.

Deafness

Ms Lynne: To ask the Secretary of State for Health (1) what estimate she has of the number of elderly people in the United Kingdom who would benefit from hearing aids; (2) what plans she has to improve the availability of, and access to, hearing aids for the elderly.

Mr. Yeo: The Institute of Hearing Research estimates that the number of people who could benefit from a hearing aid is about 4·4 million. The majority of these are likely to be elderly people.

Hearing aids are available through the national health service, normally on referral from hospital ear, nose and throat departments. We have funded a number of pilot projects for direct referral by general practitioners to audiology departments. The result of the projects will be available shortly.

Mr. Byers: To ask the Secretary of State for Health what steps she will take to ensure that war pensioners in the Newcastle area suffering from deafness have access to adequate ear, nose and throat facilities; and how meeting the present demand affects the NHS provisions for the general public who are hearing impaired or profoundly deaf.

Mr. Yeo: District health authorities are responsible for purchasing services, including ear, nose and throat services, to meet the health needs of their resident population. There is a long-standing arrangement whereby, subject to considerations of clinical need, war pensioners receive priority in examination and treatment in national health service hospitals, in connection with the condition(s) for which they receive a pension or gratuity. I understand that special clinics for war pensioners have been set up at the Freeman NHS trust and there has been no reduction in the service offered to other patients.

Mental Hospitals

Dr. Lynne Jones: To ask the Secretary of State for Health what changes there have been since 1986 in the collection of figures on closures of mental hospitals and loss of beds in mental hospitals; and if she will make a statement.

Mr Yeo: In April 1987 a new system of data collection covering hospital activity and facilities was introduced followed the recommendations of the Korner committee. The new inquiry into available beds in England replaced an earlier inquiry discontinued after 1986. The new inquiry differed in being on a financial year basis and in classifying beds according to ward type, but figures for beds in mental illness wards continued to be separately collected.

The information on the closure of mental hospitals has not been collected centrally on a routine basis since 1991. In order to carry forward its work, the mental health task force led by David King will in future need to collect information of this type.

Secure Accommodation (Juveniles)

Lady Olga Maitland: To ask the Secretary of State for Health if she will list those dates in the last year where no secure accommodation was available for juveniles at the time the request was made.

Mr. Yeo: This information is not available centrally. Figures on the levels of occupancy of individual secure units throughout the year are published in "Children Accommodated in Secure Units, year ending 31 March England". A copy is available in the Library.

Unemployment

Dr. Goodson-Wickes: To ask the Secretary of State for Health what studies she has undertaken to assess a possible association between ill-health and unemployment; and if she will make a statement.

Dr. Mawhinney: I refer my hon. Friend to the reply that I gave him on 19 January at col *224*.

Administrative Staff

Mr. Sims: To ask the Secretary of State for Health how many staff were employed within the national health service in administration and management, by *(a)* hospitals and *(b)* family health service authorities in each of the years 1990, 1991 and 1992; and what the costs were in each year.

Dr. Mawhinney: The information available is shown in the tables.

Staff numbers in England at 30 September each year (whole-time equivalents)

	Administrative and clerical		*General and senior[1] managers*	
	1990	*1991*	*1990*	*1991*
Hospitals and[2] community health services	111,640	118,810	8,990	12,400
Family health service authorities	4,350	4,650	640	820

Source: Annual Census of Non-Medical Manpower.

Notes:

[1] In 1991 administrative and clerical staff represented approximately 15·9 per cent. of the total NHS work force; general and senior managers approximately 1·7 per cent. General and senior manager figures include some redesignation between staff groups, for example from nursing and midwifery.

[2] Staff numbers solely for hospitals are not centrally available. The figures in the table include staff in regional and district health authority headquarters and the London postgraduate teaching hospitals but exclude staff in other special health authorities and the London ambulance service.

[3] Figures for 1991 include staff in NHS trusts.

[4] Figures for 1992 are not yet available.

Staff salaries and wages costs in England for the financial years 1990-91 and 1991-92

	Administrative and Clerical (£000)		*General and Senior Managers (£000)*	
	1990-91	*1991-92*	*1990-91*	*1991-92*
Hospitals and[1] community health services	1,187,029	1,382,758	251,475	383,380

Administrative and Management Grades[2]

	1990-91 (£000)	*1991-92 (£000)*
Family health service authorities	66,253	79,942

Sources: Annual accounts (1990-91) and annual financial returns (1991-92) of family health service authorities and of regional and district health authorities in England and those of the special health authorities for the London postgraduate teaching hospitals. Annual financial returns of the first-wave NHS trusts (1991-92).

[1] HCHS covers the total expenditure on salaries and wages by health authorities and NHS trusts including hospital, community health, patient transport (ie ambulances), blood transfusion and other services. The figures are for gross pay costs including employers' national insurance and superannuation contributions.

[2] It is not possible to disaggregate the figures for administrative and clerical staff and general and senior managers in the family health service authority figures. The figures include the costs of a small number of nursing and other staff.

Notes:

(1) The figures for 1991-92 include costs for staff in NHS Trusts.

(2) Figures for the 1992-93 financial year are not yet available.

(3) In 1991-92, Administrative and Clerical pay costs represented approximately 11 per cent. of total HCHS staff costs and those for general and senior managers approximately 3 per cent.

General Practitioners

Mr. Sims: To ask the Secretary of State for Health how many staff in respect of whom 70 per cent. of salaries were reimbursed were employed by general practitioners in England and Wales at the most recent convenient date.

Dr. Mawhinney: At 1 April 1992 there were 79,092 whole and part-time staff employed by general practitioners in England, whose salary costs were reimbursed in whole or part by family health services authorities (FHSAs). From 1 April 1990 FHSAs have had discretion to vary the level of reimbursement taking account of all relevant factors. Information on practitioners' staff in Wales is a matter for my right hon. Friend the Secretary of State for Wales.

Mr. Sims: To ask the Secretary of State for Health if she will publish figures showing the number of general practitioner trainers and the number of general practitioner trainees, together with the cost per annum, for each of the years since 1980.

Dr. Mawhinney: The information is shown in the table.

Year	*Trainers*	*Trainees*	*Grants to trainers*	*Trainee salaries and expenses*
1980	1,856	1,353	2,483,956·09	9,917,847·78
1981	2,040	1,561	3,668,541·79	15,338,492·27
1982	2,236	1,577	4,823,773·39	19,313,059·64
1983	2,335	1,624	5,564,119·18	21,286,172·31
1984	2,370	1,703	5,694,568·18	23,767,572·27
1985	2,451	1,758	5,886,779·28	26,475,607·37
1986	2,496	1,654	6,242,737·30	28,517,366·98
1987	2,527	1,710	6,356,385·12	30,669,887·79
1988	2,469	1,685	6,470,457·00	33,358,905·00
1989	2,472	1,735	6,928,037·00	36,449,935·00
1990	2,726	1,562	7,735,844·00	40,457,508·00
1991	2,824	1,639	7,939,576·00	42,264,385·00
1992	2,940	1,613	8,162,085·00	46,083,103·00

Notes:

Financial data relates to the period ending 31 March each year and is taken from summarised accounts.

Data relating to numbers is at 1 October each year and the 1992 figure is provisional.

All data relates to England only.

Mr. Sims: To ask the Secretary of State for Health on how many occasions general practitioners provided maternity services, and what payments were made to them, in respect of *(a)* complete care, *(b)* ante-natal care only, *(c)* confinement only, *(d)* pre-natal care and *(e)* miscarriage, in each year since 1980.

Dr. Mawhinney: Information on maternity medical services is not available centrally at the level requested. The gross cost of maternity medical services in England since 1980 is shown in the table.

General medical services—maternity medical services fees

	Maternity medical services (£000s)
1979-80	19,072
1980-81	25,643
1981-82	28,238
1982-83	30,423
1983-84	32,399
1984-85	36,868
1985-86	41,580
1986-87	42,948
1987-88	48,564
1988-89	53,733
1989-90	57,983
1990-91	65,945
1991-92	69,045

Data taken from summarised accounts.

Mr. Sims: To ask the Secretary of State for Health how many night visits were undertaken by general practitioners; and what expenditure was incurred by such visits in *(a)* the higher rates and *(b)* the lower rates for deputising services.

Dr. Mawhinney: The cost and estimated number of night visits in each financial year since 1980 is shown in the table.

General medical services—night visit fees

Year	*Night visit payment £ million*	*Night visit fee £ million*	*Number of visits*
1979-80	3·812	6·75	564,700
1980-81	6·059	10·50	577,032
1981-82	7·226	11·80	612,399
1982-83	8·278	12·75	649,292
1983-84	9·023	13·24	681,531
1984-85	10·510	14·70	714,941
1985-86	12·402	15·55	797,524
1986-87	12·282	16·10	762,828
1987-88	14·185	17·20	824,732
1988-89	16·922	18·75	902,480
1989-90	18·958	20·25	936,187
1990-91			
Higher	49·275	45·00	1,095,003
Lower	6·725	15·00	448,303
1991-92			
Higher	52·198	45·00	1,159,956
Lower	8·376	15·00	558,428

1. Data taken from summarised accounts.
2. In 1990 the new GP contract extended the period night visits fees could be claimed for by two hours, consequently the numbers of visits in 1989-90 and 1990-91 are not directly comparable.

Mr. Sims: To ask the Secretary of State for Health what was the total expenditure incurred in each of the years 1990, 1991 and 1992 in respect of additional payments made to general practitioners for *(a)* meeting target figures respectively, for immunisation and cervical smears, *(b)* health promotion clinics, *(c)* new patient check-ups, *(d)* minor surgery, *(e)* teaching medical students, *(f)* vaccination and immunisation fees and *(g)* contraception treatments, giving respectively, annual fees for ordinary and intra-uterine device treatment.

Dr. Mawhinney: The information for years 1990-91 and 1991-92 on an accruals basis is shown in the table. The 1992-93 data are not yet available.

Expenditure on selected items
All figures taken from the summarised accounts

			1990-91 £ million	*1991-92 £ million*
(a)	Targets			
	Childhood immunisation	Higher	35·602	38·257
		Lower	3·636	1·556
	Pre-school boosters	Higher	11·108	10·916
		Lower	1·507	0·860
	Cervical cytology	Higher	42·423	46·262
		Lower	6·543	3·052
(b)	Health promotion		44·309	64·024
(c)	Registration (new patient check-ups)		15·264	19·955
(d)	Minor surgery		16·645	21·324
(e)	Teaching students		7·940	8·162
(f)	Vaccination and immunisation		33·746	24·405
(g)	Contraception			
	Ordinary	(£12·75)[1]	37·634	39·923
	IUD	(£42·75)[1]	4·461	4·343

[1] Annual fees 1990-91 and 1991-92.

Mr. Sims: To ask the Secretary of State for Health if she will list the average income of a general practitioner in England and Wales for each year since 1980.

Dr. Mawhinney: The average net income of general practitioners in Great Britain is listed together with the average gross income of general practitioners in England. Average net income for England and Wales separately is not available. Information on GPs in Wales is a matter for my right hon. Friend the Secretary of State for Wales.

Information on GP income 1979-80 to 1991-92

	Average income (England) including expenses £	*Average net income (GB) excluding expenses as reported by DDRB* £
1979-80	19,942	11,902
1980-81	28,306	15,608
1981-82	31,775	17,793
1982-83	35,075	19,940
1983-84	37,092	20,404
1984-85	41,483	22,687
1985-86	44,241	23,849
1986-87	46,221	24,601
1987-88	50,148	26,508
1988-89	55,380	28,979
1989-90	61,266	31,388
1990-91	76,045	[1]37,204
1991-92	[1]87,873	n/a

[1] Provisional figures.

Mr. Sims: To ask the Secretary of State for Health how many general practitioner practices are now general practitioner fund holders; and how many individual general practitioners that figure embraces.

Dr. Mawhinney: At 31 March 1993 there were over 3,000 general practitioners in 585 GP practices in the GP fund holding scheme. Final figures are not yet available for 1993-94 but provisional figures show more than double this number of GP practices have been offered and have accepted budgets from 1 April 1993.

Mr. Sims: To ask the Secretary of State for Health what information she has as to the range of surpluses accumulated by general practitioner fund-holding practices during the most convenient recent period.

Dr. Mawhinney: In 1991-92 general practitioner fund holders nationally achieved surpluses on their budget of about four per cent. Regional averages ranged from 9·1 per cent. to 1·5 per cent.

Prescription Charges (Students)

Ms Coffey: To ask the Secretary of State for Health if she will allow free prescriptions to students in receipt of income below the income support level and suffering from *(a)* cystic fibrosis, *(b)* ankylosing spondylitis or *(c)* other chronic illnesses not on the list of medical conditions which confer exemption from prescription charges; and if she will make a statement.

Dr. Mawhinney: Young people under 19 and in full-time education are exempt from national health service charges. Remission of NHS charges, including those for prescriptions, is available under the NHS low income scheme to students aged 19 or over who are of limited means and irrespective of their medical condition.

Trust Hospitals

Mr. William O'Brien: To ask the Secretary of State for Health (1) what is her Department's recommended procedure for hon. Members to meet chief executives of trust hospitals to discuss cases involving and affecting their constituents; and if she will make a statement;

(2) what advice she has given chairmen and chief executives of trust hospitals on meeting hon. Members to discuss problems raised with them by constituents; and if she will make a statement.

Dr. Mawhinney: The Department encourages trusts to develop good communications with local Members of Parliament. The precise arrangements are matters for individual trust boards.

EDUCATION

English

Mr. Win Griffiths: To ask the Secretary of State for Education if he will arrange for the key stage 3 English proposals of the Curriculum Council for Wales to be sent to all secondary schools in England.

Mr. Forth: No. The recommendations of the Curriculum Council for Wales (CCW) for the revision of the National Curriculum Order for English are addressed to my right hon. Friend the Secretary of State for Wales. In most respects they are in agreement with the recommendations of the National Curriculum Council, which my right hon. Friend and my right hon. Friend the Secretary of State for Wales adopted as the basis of the proposals which they published for consultation on 15 April. The CCW did, however, recommend certain differences which were indicated in my right hon. Friends' proposals. The chief of these were requirements relating to spoken standard English and the range of pupils' reading which were recommended by the CCW as more appropriate to pupils learning English in Wales. The CCW recommendations are therefore being circulated to all schools in Wales, to inform the consultation on my right hon. Friends' proposals in that country. Those proposals are for a single order, to apply to schools in England and Wales, but they raise the question whether the lists of required or recommended reading in the programmes of study should allow some variation for pupils in Wales to include appropriate representation of work in English by Welsh writers.

Student Finances

Dr. Wright: To ask the Secretary of State for Education (1) what plans he has to increase the value of student grants to take account of the Budget proposal to level VAT on domestic heating;

(2) what estimate he has made of the impact on student indebtedness of the proposal in the Budget to levy VAT on domestic heating.

Mr. Boswell: I refer the hon. Member to the reply that I gave to the hon. Member for Lewisham, Deptford (Ms Ruddock) on 24 March, *Official Report*, column *603*.

Pupil-Teacher Ratios

Mr. Callaghan: To ask the Secretary of State for Education what are the current pupil-teacher ratios *(a)* in England and *(b)* in the Greater Manchester area.

Mr. Boswell: The table shows the overall pupil-teacher ratios, at January 1992, for the maintained nursery, primary and secondary school sector in England and in the metropolitan districts of Greater Manchester (including self-governing state schools).

LEA	*Overal PTR*
Bolton	17·40
Bury	18·10
Manchester	17·40
Oldham	17·40
Rochdale	16·90
Salford	17·50
Stockport	18·30
Tameside	17·10
Trafford	18·50
Wigan	16·30
Greater Manchester	17·40
England	17·44

Class Sizes

Mr. Byers: To ask the Secretary of State for Education what was the average class size in *(a)* primary and *(b)* secondary schools which are (i) county non-denominational, (ii) voluntary aided, (iii) voluntary controlled and (iv) special agreement for the last five academic years for which figures are available.

Mr. Forth: The information requested is shown in the table.

Average sizes of one-teacher classes in maintained primary and secondary schools in England: 1988 to 1992
Position in January of each year

	1988	1989	1990	1991	1992
Primary					
county	25·4	25·7	25·9	26·4	26·4
voluntary aided	25·9	26·1	26·4	26·7	26·8
voluntary controlled	24·8	24·9	25·0	25·4	25·5
special agreement	26·8	28·3	27·6	29·7	29·5
Secondary					
county	20·0	19·9	20·0	20·4	20·8
voluntary aided	19·6	19·7	19·7	20·1	20·2
voluntary controlled	19·3	19·2	19·3	19·7	19·9
special agreement	20·9	20·9	20·7	21·5	21·4

School Leavers

Mr. Milburn: To ask the Secretary of State for Education, pursuant to his answers of 16 March, *Official Report*, columns *136-37*, when he expects to be able to update the tables with information about school leavers' destinations for 1991-92.

Mr. Boswell: The information about school leavers' destinations for 1991-92 will not be available until June.

HOME DEPARTMENT

Car Thefts (Fatalities)

Mr. Harvey: To ask the Secretary of State for the Home Department what plans he has to review the maximum sentence where fatality follows as a result of car theft.

Mr. Jack: We have no plans at present to review the maximum penalties for offences under the Aggravated Vehicle-Taking Act 1992. We have, however, made clear our intention to raise the maximum penalty for causing death by dangerous or drink driving to 10 years as soon as a suitable legislative opportunity is available.

Prison Escort Services

Mr. Blair: To ask the Secretary of State for the Home Department if he will make a statement regarding the circumstances of the delivery of a prisoner from Lindholme prison to Beverley Crown court on Monday 19 April in a private unmarked car rather than a secure van; if he will list all other cases where such transport has been used by Group 4; whether such deliveries break the terms of the contract with Group 4; and what action is being taken with respect to Group 4 in connection with this incident.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Mr. I Dunbar to Mr. Tony Blair, dated 27 April 1993:

In the temporary absence of the Director General, Mr. Lewis, from the office, the Home Secretary has asked me to reply to your recent Parliamentary question about the use by Group 4 of an unmarked car in delivering a prisoner from Lindholme Prison to Beverley Crown Court on Monday 19 April and related matters.

At present the Prison Service uses a considerable number of unmarked, unadapted vehicles—taxis, private hire minibuses and coaches—to move prisoners. It was thus decided that it would be wrong to impose a requirement on contractors that they use cellular vehicles. In their tender, Group 4 proposed to move most prisoners in cellular vehicles, which is what they are doing. As they expected, however, a small minority of prisoners are being moved in non-cellular vehicles, which does not conflict with the terms of their contract. There is no requirement on Group 4 to report to us the occasions on which non-cellular vehicles are used.

Mr. Blair: To ask the Secretary of State for the Home Department how many prisoners escaped from prison service escorts in the east midlands and Humberside region last year *(a)* from taxis and *(b)* from prison service vans.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Mr. I. Dunbar to Mr. Tony Blair, dated 27 April 1993:

ESCAPES FROM PRISON SERVICE ESCORTS

In the temporary absence of Mr. Lewis, the Director General, the Home Secretary has asked me to reply to your recent Question about the number of prisoners who escaped from Prison Service escorts in the East Midlands and Humberside region last year from taxis and from Prison Service vans.

From 1 January 1992 to 31 December 1992 a total of 7 prisoners escaped from Prison Service escorts in the East Midlands and Humberside region. One inmate escaped from a taxi; 6 escaped from hired coaches or mini-buses. There were no escapes in this region from Prison Service vans.

Ms Ruddock: To ask the Secretary of State for the Home Department how many prisoners escapes have occurred in each court region in each of the last five years from private hire vehicles; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Mr. I. Dunbar to Ms Joan Ruddock, dated 27 April 1993:

PRISONER ESCAPES FROM PRIVATE HIRE VEHICLES

In the temporary absence of Mr. Lewis, the Director General, from the office, the Home Secretary has asked me to reply to your recent Question about the number of prisoners, in each court region, who escaped from private hire vehicles over the last five years.

Information on escapes has only been collated centrally since June 1988 but in any event it is recorded by prisons rather than court regions. The table below shows the number of escapes from vehicles used by the Prison Service on escort duties for each year from June 1988 to the end of December 1992. I am afraid we do not know which of these vehicles were owned by prisons and which were hired and this information could be obtained only at disproportionate expense.

Escapes from vehicles while under Prison Service escort

	Number
[1]1988	24
1989	45
1990	34
1991	39
1992	50

[1] From June to December only.

Police Statistics

Mr. Sweeney: To ask the Secretary of State for the Home Department if he will give for each police force in England and Wales in 1971, 1981 and 1991 *(a)* the number of police officers in force, *(b)* the total number of officers recruited, *(c)* the total number of officers leaving the force, *(d)* the number retiring at the end of full service, *(e)* the number taking early retirement, *(f)* the number resigning, *(g)* the number dismissed for incompetence, *(h)* the number dismissed for criminal offences, *(i)* retirement on grounds of ill health due to service, and *(j)* retirement on grounds of ill health not due to service and *(k)* death while in service.

Mr. Charles Wardle: Information on police strength, by force, can be found in the appendix to the annual reports of Her Majesty's chief inspector of constabulary, copies of which are in the Library. Information on items *(e)*, *(g)*, *(i)* and *(j)* are not held centrally. The other information requested could be provided only at disproportionate cost.

Police (Communications)

Mr. Sweeney: To ask the Secretary of State for the Home Department what steps are being taken by his Department to encourage police forces in England and Wales to adopt compatible computer and radio communications systems.

Mr. Charles Wardle: The Home Office has provided comprehensive guidance to forces on the procurement of computer systems, including advice on achieving compatibility within and between forces. A national information systems strategy for the police is being developed which will further assist moves towards common standards and compatibility between local force systems and those provided on a national basis as well as those operating elsewhere in the criminal justice system.

As my right hon. and learned Friend announced in his statement on 20 April, *Official Report*, column 66, the Home Office has recently completed a review of radio communications in the police and fire service in England and Wales. The review identified, among other things, the importance of radio compatibility between individual forces and between the police and other public safety agencies.

Police Staff

Mr. Sweeney: To ask the Secretary of State for the Home Department what was the turnover of *(a)* police officers and *(b)* civilian staff for each police force in England and Wales in 1971, 1981 and 1991 expressed as a percentage of the total police force and civilian staff employed in each force.

Mr. Charles Wardle: The information requested could be provided only at disproportionate cost.

International Police Organisations

Mr. Sweeney: To ask the Secretary of State for the Home Department if he will give details of the international police organisations to which the United Kingdom belongs and the main areas of co-operation covered by the organisations.

Mr. Charles Wardle: The International Criminal Police Organisation, Interpol, is the principal channel of communication between police forces throughout the world. Interpol provides an international telecommunications network to enable mutual co-operation between its members in crime and law enforcement activities. The United Kingdom police service is an active member and the Home Office contributes to Interpol's costs.

Individual police officers from the United Kingdom, responsible for policing ports and airports, are members of the international and European associations of airport and sea port police. These organisations exist to enable officers from different countries to discuss issues of common interest.

Non-EC Visitors (Speaking Engagements)

Mr. David Atkinson: To ask the Secretary of State for the Home Department, if he will make a statement on the conditions which must be complied with by non-EC visitors to fulfil a speaking engagement in the United Kingdom; and whether an application form for a work permit must be completed on arrival.

Mr. Charles Wardle: People coming to fulfil speaking engagements in the United Kingdom, for example as participants in an international conference, may qualify as visitors under the immigration rules (HC251), but if the conference is being organised as a commercial venture, work permits are required for those providing services as speakers. A work permit must be obtained by the employer for the non-EC national before he or she arrives in the United Kingdom.

Marriages (Leave to Remain)

Mr. Shersby: To ask the Secretary of State for the Home Department how many applications for leave to remain in the United Kingdom following marriage to a British or Irish citizen have been made during the past 12 months; and how many have been granted.

Mr. Charles Wardle: The available information is that in 1992, 15,690 applications, made after entry to the United Kingdom, to remain for a probationary year prior to settlement as the spouse of a British citizen, were granted. Corresponding information on refusals of such applications by spouses of British citizens is not separately identified in the statistics: in total 1,790 after-entry spouse applications were refused prior to a probationary year. Information on the outcome of applications by spouses of citizens of the Irish Republic is not separately identified.

Electoral Registration

Mr. Vaz: To ask the Secretary of State for the Home Department what measures he has taken to increase levels of electoral registration among the black and Asian communities; and what plans he has for further measures.

Mr. Peter Lloyd: We undertake an annual publicity campaign to promote electoral registration by all those eligible to vote, and in particular members of ethnic minorities. In addition, we have provided electoral registration officers (EROs) with model explanatory notes on the registration system in a number of ethnic minority languages for them to adapt according to local circumstances. The form and content of the 1993 campaign is being considered, but ethnic minorities will continue to be one of the key target audiences.

Police Disciplinary Procedures

Ms Lynne: To ask the Secretary of State for the Home Department what representations he has received, and from whom, about the current police disciplinary procedures as they appear in the consultative document on police discipline procedures; and what plans he has to amend the document in the light of the representations.

Mr. Charles Wardle: My right hon. and learned Friend has asked for responses to the consultation paper by 14 May and he will consider all representations received before deciding what proposals to lay before Parliament. There has been only one response to date, from the deputy chief constable of Cambridgeshire constabulary.

European Parliament Constituencies

Mr. Tyler: To ask the Secretary of State for the Home Department if he has decided on the mechanism to ensure fair distribution of constituencies for the 1994 European parliamentary election; and if he will make a statement.

Mr. Peter Lloyd: We are still considering this matter and will publish our proposals in due course.

Dangerous Dogs Act 1991

Mr. Barry Jones: To ask the Secretary of State for the Home Department what is his estimate of the annual cost of implementing the Dangerous Dogs Act 1991.

Mr. Charles Wardle: Information on the costs to the police, local authorities, the Crown prosecution service and the courts of operating the Dangerous Dogs Act 1991 is not available centrally.

Police Batons

Ms Coffey: To ask the Secretary of State for the Home Department, pursuant to his answer of 3 March to the hon. Member for Uxbridge (Mr. Shersby), *Official Report*, column *76*, when the scientific evaluation of the wounding potential of an expandable baton will be completed; when it is expected that trials will begin; what current trials of the straight baton are taking place; who is conducting those trials; and if he will make a statement.

Mr. Charles Wardle: The Home Office police scientific development branch expects to report on the wounding potential of expandable batons soon. In the light of its conclusions, we will be discussing with the Commissioner of Police of the Metropolis possible future trials of the equipment. It is for individual chief officers of other forces to consider their position as to whether or not to test an expandable baton. Avon and Somerset constabulary and Merseyside police have decided to test expandable batons and are currently training officers in their use. Dorset police have issued a 22-inch straight baton to all officers and Northumbria police expect to do so in June, once training has been completed. The Metropolitan police also expect to test alternative straight batons shortly.

Racist Organisations

Mr. Livingstone: To ask the Secretary of State for the Home Department what plans he has to restrict the activities of the group called Combat 18; what proposals he has to close the headquarters of organisations advocating violence; and if he will bring forward proposals to make racist violence and harassment a specific offence and to amend the provisions of the Public Order Act 1986 relating to incitement of racial hatred.

Mr. Peter Lloyd: The views of racist organisations are unacceptable to the Government and to the public at large. An offence is committed under the Public Order Act 1986 if there is the intention or likelihood of stirring up racial hatred or if threatening, abusive or insulting behaviour takes place. It is for the police and the Crown prosecution service to determine whether proceedings should be brought in any particular case.

The Commission for Racial Equality has made proposals relating to racial violence in its second review of the Race Relations Act 1976. All the recommendations of the review are currently under consideration.

Fire Brigade Workshops

Ms Ruddock: To ask the Secretary of State for the Home Department when he expects to reply to the question tabled by the hon. Member for Lewisham, Deptford on his plans for market testing fire brigade workshops, due for answer on 14 April.

Mr. Peter Lloyd: I refer the hon. Member to the reply that I gave to her question on 15 April, *Official Report*, columns *725-6*.

Primates

Ms Lynne: To ask the Secretary of State for the Home Department what progress has been made in discussions with other member states in establishing a target date after which the use of wild-caught primates in European research laboratories will be prohibited.

Mr. Charles Wardle: The United Kingdom has suggested to other EC member states that they consider setting target dates beyond which the use of specific breeds of primates would be confined to those which had been purpose bred. This matter will be discussed again later in the year at the group of EEC national competent authorities established under Directive 86/609/EEC.

Prison Custody Officers

Ms Ruddock: To ask the Secretary of State for the Home Department how many prison custody officers have been released for other duties as a result of the contracting out of the court escort service in the Humberside and east midlands regions; and what new tasks have been assigned to these officers.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Mr. I. Dunbar to Ms Joan Ruddock, dated 27 April 1993:

In the temporary absence of Mr. Lewis, the Director General, from the office, the Home Secretary has asked me to reply to your recent Parliamentary Question about the numbers of prison officers released for other duties as a result of the contracting out of the court escort service in the East Midlands and Humberside, and the new tasks assigned to these officers.

Our best estimate is that the full time equivalent of 96 officers was freed up as a result of contracting out court escort work. Eighteen posts have been retained at establishments within the contract area and will contribute, as Governors think fit, to the improvement of regimes at those establishments. The remaining staff resources will be redeployed as necessary throughout the Service.

Polling Stations

Mr. Sheerman: To ask the Secretary of State for the Home Department what improvements in access to polling stations will have been carried out in Newbury by 6 May.

Mr. Peter Lloyd: The acting returning officer has informed me that, since the general election, the location of seven polling stations within the Newbury constituency has been changed as buildings with better access arrangements have been found in the area.

I have asked him to write to the hon. Member with details of these and other steps he has taken.

Mr. Sherman: To ask the Secretary of State for the Home Department (1) what steps he has taken to improve access to polling stations since the general election;

(2) if he will make it his policy to launch a programme of easier access for disabled people to polling stations.

Mr. Peter Lloyd: It is our long-term aim that all polling stations should be accessible to disabled electors. Councils have a statutory obligation to designate as polling places, wherever possible, only places which are accessible to disabled people. We have recently written to returning officers to remind them of their obligations and to circulate guidance produced by the Spastics Society on improving the accessibility of polling stations. One of the working groups set up as part of our post-election review is also looking at matters relating to access to polling stations. Where it is not possible to use a building affording easy access, we make grants available towards the cost of providing temporary ramps.

Angling

Mr. John Greenway: To ask the Secretary of State for the Home Department how many *(a)* prosecutions and *(b)* convictions there have been in respect of the disruption of angling competitions in each of the last three years; and if he will make a statement.

Mr. Jack: The information requested is not recorded centrally.

Sex/Child Abuse

Mr. Burns: To ask the Secretary of State for the Home Department if he will make a statement on how the operation of the current system for granting bail for alleged sex/child abuse offenders operates; and if he will make a statement.

Mr. Jack *[holding answer 26 April 1993]:* Decisions regarding court bail, whatever the offence charged, are a matter for the courts in the exercise of their judicial discretion within the terms of the Bail Act 1976. That Act establishes a defendant's right to bail. It is for the prosecution to put forward arguments opposing bail, taking account of information provided by the police and, where appropriate, the probation service.

The Probation Service strategy document "Supervision of sex offenders", issued in 1992 specifically stresses the high priority that must be given to checking information relevant to bail where a person is charged with sexual offences, particularly if the case involves potential child victims.

The Government are determined that bail decisions taken at all levels should be based on the best possible information. That is why we have established five bail process projects which are designed to identify ways of improving the process and in the flow of information available to the courts.

OVERSEAS DEVELOPMENT

Developing Countries

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy towards the recommendations of the United Nations Development Programme on the proportion of developing countries' budgets which should be devoted directly to meeting the priority human needs of their people and the proportion of international aid for development which should directly support those needs.

Mr. Lennox-Boyd: Through our bilateral aid programmes, and our support for multilateral aid organisations including UNDP, we encourage developing countries to adopt effective poverty reduction strategies and to promote human development, including better education and health, and children by choice. These are two of our priority objectives.

The proportion of international aid directed to meeting basic human needs varies from country to country. Rather than set sectoral spending targets we believe that needs should be assessed on a country basis which enables us to provide effective aid.

Development Assistance

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the unweighted average official development assistance of *(a)* EC countries and *(b)* Development Assistance Committee countries, as a proportion of gross national product, in 1990, 1991 and 1992; how much the United Kingdom spent by the same measure; and by how much the United Kingdom would have needed to increase its assistance in cash terms in those years to reach (i) EC and (ii) DAC average expenditure.

Mr. Lennox-Boyd: Figures for 1990 and 1991 are as follows:

	1990	*1991*
(a) Unweighted average net oda as proportion of GNP		
EC average (per cent.)	0·45	0·46
DAC average (per cent.)	0·47	0·49
United Kingdom (per cent.)	0·27	0·32
(b) Increase in United Kingdom oda in cash terms needed to reach EC average expenditure (£ million)	950	840
Increase in cash terms needed to reach DAC average expenditure (£ million)	1,050	950

Figures for 1992 are not yet available.

Least Developed Countries

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs how much British aid was spent in the least developed countries in 1990, 1991 and 1992; how much this was as a proportion of gross national product; and by how much British official development assistance to the least-developed countries will have needed to increase in cash terms in those years in order to meet the level recommended by the "United Nations Programme of Action for the Least Developed Countries" in 1990.

Mr. Lennox-Boyd: The information for 1990 and 1991 is as follows. Figures for 1992 are not yet available.

	1990	*1991*
Official development assistance (ODA) to the least developed countries (£ million)	462	545
As a proportion of United Kingdom gross national product (per cent.)	0·09	0·10
Increase in cash terms needed to meet United Nations target for aid to the least developed (0·15 per cent.). Figures rounded to nearest £10 million (£ million)	360	310

The Overseas Development Assistance/gross national product ratios are shown to the nearest two decimal points, as published by the OECD development assistance committee. The cash increases required to meet the 0·15 per cent. target are calculated on a more detailed basis.

Aid

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the average expenditure on official development assistance as a proportion of Government expenditure in *(a)* EC countries and *(b)* DAC countries in 1990, 1991 and 1992; what proportion the United Kingdom spent by the same measure; and by how much United Kingdom assistance would have had to increase in cash terms in those years to match *(a)* the EC and *(b)* the DAC average.

Mr. Lennox-Boyd: The information for 1990 is as follows. Comparable figures for 1991 and 1992 Government expenditure are not available.

1990

Net ODA as a percentage of central Government expenditure

	Per cent.
(a) EC average	1·10
(b) DAC average	1·18
(c) United Kingdom	0·79
	£ million
Increase in United Kingdom ODA in cash terms[1] needed to reach EC average expenditure in 1990	570
Increase in United Kingdom ODA in cash terms[1] needed to reach DAC average expenditure in 1990	710

[1] The increases in cash terms are approximate estimates.

Sudan

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has on the areas of Sudan to which international non-governmental organisations are denied access.

Mr. Lennox-Boyd: It is almost impossible to obtain accurate information on areas where NGOs and UN agencies are prevented from operating. At present these include locations in southern Sudan and south Kordofan.

Cuba

Mr. Pickthall: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effect of the United States blockade of Cuba on the delivery of United Kingdom emergency aid to that country; and if he will make a statement.

Mr. Lennox-Boyd: The United States trade embargo has had no practical effect on our emergency aid. We have sourced agricultural fertilisers in Jamaica and milk powder and vitamin tablets in the United Kingdom.

European Development Fund

Mr. Wells: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures the ODA is taking to ensure that money spent by the European development fund is devoted to sustainable economic development.

Mr. Lennox-Boyd: Sustainable development is recognised as one of the central objectives of Community development policy in title XVII of the Maastricht treaty and in the declaration on development policy to the year 2000 adopted under the United Kingdom presidency.

Guyana

Mr. Jonathan Evans: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on future aid to Guyana.

Mr. Lennox-Boyd: Following the recent election, and in recognition of the sound economic policies being followed by the Government of Guyana, we have offered £15 million of aid for commitment, as far as possible, over the next three years. We have agreed with the Guyana Government that priorities for support will include public administration, water supplies, education, forestry and agriculture.

In addition, we have agreed to convert our outstanding aid loans to Guyana to grants by retrospectively adjusting their terms, with effect from 1 August 1993, in recognition of Guyana's poverty, indebtedness and its continuing commitment to an International Monetary Fund reform programme. The total value of the retrospective terms adjustment package is £36·3 million in principal and £17·1 million in interest, bringing the overall aid to Guyana to over £68 million.

Family Planning

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what details are given by the International Planned Parenthood Federation and the United Nations Population Fund, in submitting grant applications, including budgets, to his Department, of the particular purposes to which grants from Her Majesty's Government would be put;

(2) what conditions are placed by Her Majesty's Government on sums given to the International Planned Parenthood Federation and the United Nations Population Fund for population control purposes.

Mr. Lennox-Boyd *[holding answers 26 April 1993]:* We make annual contributions to IPPF and UNFPA in support of their world-wide activities. Our aid programme gives high priority to enabling women and men to have better access to contraceptive services and reproductive health care. IPPF and UNFPA share these goals. The policies, programmes and budgets of IPPF and UNFPA are examined annually by ODA and other donor governments at the IPPF donors meeting and UNFPA governing council respectively.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has received from *(a)* the International Planned Parenthood Federation, *(b)* the United Nations Population Fund and *(c)* Her Majesty's Government's diplomatic missions in China regarding the use of coercive methods of population control in Tibet.

Mr. Lennox-Boyd *[holding answer 26 April 1993]:* We have received no such information from IPPF or UNFPA. We receive regular reports from our diplomatic missions in China on a number of issues of concern, including the situation in Tibet.

WALES

A465

Mr. Roy Hughes: To ask the Secretary of State for Wales if he will list the latest information he has on traffic flows for *(a)* all vehicles and *(b)* heavy goods vehicles on the A465 heads of the valleys road between Abergavenny and the M4 at Llandarcy.

Sir Wyn Roberts: Traffic flows on A465 between Llandarcy and Abergavenny are as follows:

Section	*1992 annual average daily flow*	*1992 goods vehicles*
Llandarcy-Aberdulais	21,950	1,750
Aberdulais-Glynneath	13,250	2,050
Glynneath BP	9,350	1,200
Hirwaun	13,600	1,350
Hirwaun-Baverstocks	9,400	1,200
Baverstocks-Cefn Coed	10,500	1,350
Cefn Coed-Merthyr Ind Est	9,000	1,050
Merthyr Ind Est-Dowlais	9,400	1,100
Dowlais-Rhymney	18,150	1,400
Rhymney-Tredegar	15,050	1,700
Tredegar-Dukestown	13,450	1,550
Dukestown-Ebbw Vale	14,850	1,800
Ebbw Vale-Clydach	14,375	1,750
Clydach-Govilon (A4077)	17,300	2,400
Govilon-Abergavenny	17,000	2,400

Cerebral Palsy

Mr. Llew Smith: To ask the Secretary of State for Wales what research is being conducted in Welsh hospitals and medical research centres into cerebral palsy; and what treatment is available in Wales for children suffering from cerebral palsy.

Mr. Gwilym Jones: Among current research in Wales, the Cardiff institute of higher education is conducting research into several different aspects of cerebral palsy, including a project on access to communication aids and the evaluation of a movement therapy project for young children with cerebral palsy. In addition, the Welsh Office is funding an audit of cerebral palsy in children in Wales and the treatment they are receiving.

With regard to treatment, the Welsh Office has recently agreed funding for seven centres to provide neonatal intensive care. These will provide early diagnosis and treatment for babies born with cerebral palsy or at risk following birth. The Welsh perinatal survey, which began in January this year, aims to follow up to the age of seven years babies who have received neonatal intensive care. This should lead to early detection of handicaps and appropriate treatment plans. Conventional treatment is

based on multi-disciplinary care, usually involving paediatricians, therapists and psychologists, with support from the social services. Referral to an orthopaedic surgeon is made in appropriate cases.

Children may also be referred to the gait analysis centre in Oswestry. The Bobath Cymru centre based at Whitchruch hospital, Cardiff also offers specialist therapy. Other establishments provide education combined with therapy. Individual health authorities would be able to supply fuller details of the treatment and services available in their areas.

A494

Mr. Barry Jones: To ask the Secretary of State for Wales if he will meet Hawarden community council to discuss his plans for road widening on the A494.

Sir Wyn Roberts: The decision on the preferred route, for an improvement to the A494 trunk road from the River Dee to Ewloe was announced on 8 April 1993. A copy of the statement of results of the public consultation and the reasons for the choice of the preferred route for the improvement was sent to the hon. Member at that time and is available to others on request. That statement fully explains the reasons for the choice of route and therefore I can see no useful purpose in meeting with Hawarden community council.

Mr. Barry Jones: To ask the Secretary of State for Wales if he will establish a public inquiry concerning proposals to widen the A494 Queensferry-Aston Hill carriageway; and if he will make a statement.

Sir Wyn Roberts: The proposals for widening the A494 trunk road between the River Dee and Ewloe will follow the normal procedures for such road improvements. These procedures were described in the statement of results of the public consultation and reasons for the choice of the preferred route for the improvement, a copy of which has been sent to the hon. Member.

Breast Screening

Mr. Roy Hughes: To ask the Secretary of State for Wales what plans he has to make arrangements for the breast screening programme in Wales to provide an appropriate level of service in Newport, Gwent.

Mr. Gwilym Jones: Breast Test Wales provides a breast screening service throughout Wales. Detailed information about current and planned screening programmes is not held centrally. This is available from the director of Breast Test Wales who is responsible for the management and delivery of the service.

Child Abuse

Mr. Richards: To ask the Secretary of State for Wales what services are available in Wales to provide support and counselling for children who have been the victims of physical or sexual abuse.

Mr. Gwilym Jones: Precise information of the type requested is not held centrally. Guidance for dealing with cases of child abuse set out in "Working Together Under the Child Act 1989" seeks to ensure appropriate inter-agency working with a view to securing the most appropriate support for such children and their families, including counselling.

Traffic Congestion Connah's Quay

Mr. Barry Jones: To ask the Secretary of State for Wales if he will meet Connah's Quay town council to discuss trunk road traffic congestion.

Sir Wyn Roberts: I can see no useful purpose in meeting Connah's Quay town council to discuss traffic congestion. The Department's publication "Roads in Wales—Progress and Plans for the 1990's," the 1993 supplement for which was issued in March of this year, details the plans for road improvements on trunk roads in Wales including north east Clwyd. One of the objectives of the roads programme is to reduce traffic congestion.

Unemployment

Mr. Barry Jones: To ask the Secretary of State for Wales what measures he is proposing to help the long-term unemployed in Clwyd.

Mr. David Hunt: The North Wales training and enterprise councils and employment service offer a wide range of services which are designed to help the long-term unemployed.

From 1 April, the largest ever range of measures is available under the training for work initiative. New initiatives including learning for work and the community action programme are also being introduced which will focus specifically on providing help to the long-term unemployed.

My Department, the Welsh Development Agency and other Government agencies also operate a wide range of other measures aimed at combating unemployment in Clwyd and elsewhere in Wales.

Mr. Barry Jones: To ask the Secretary of State for Wales how many long-term unemployed there are in *(a)* Wales, *(b)* Clwyd and *(c)* Alyn and Deeside.

Mr. David Hunt: In January 1993 the number of claimants who had been unemployed for more than 52 weeks in Wales, Clwyd and Alyn and Deeside district were 46,019, 4,865 and 809, respectively.

Training

Mr. Barry Jones: To ask the Secretary of State for Wales what measures he is taking to ensure an increased number of training places in colleges; and if he will make a statement.

Sir Wyn Roberts: The Department has provided for a 28 per cent. increase in further education student numbers in Wales over the next three years. Funding for the Further Education Funding Council for Wales is intended to support an increase of 9·7 per cent. in student numbers to 48,000 full-time equivalents in 1993-94.

The funding council has set aside £4 million to encourage growth in FE institutions to the given target. The new demand-led element provides funding of £250 per term for each full-time student enrolled at an institution and will enable institutions to gain additional funding for eligible students recruited above target.

Mr. Barry Jones: To ask the Secretary of State for Wales what measures he proposes to ensure an increase in apprenticeship training for school leavers; and if he will make a statement.

Sir Wyn Roberts: The Government have always supported employers in their training of young people and believe that modern, flexible apprenticeship schemes have a vital role in securing and promoting vocational training. A number of TECs in Wales are now introducing training credit schemes which cover, inter alia, employer based training opportunities.

The Government's guarantee of a training place to school leavers ensures that the full range of training opportunities is availble to all young people.

Mr. Barry Jones: To ask the Secretary of State for Wales what is his policy concerning training opportunities for the disabled in Wales.

Mr. Gwilym Jones: The training and enterprise councils have a contractual obligation to provide suitable high quality training for people with disabilities.

From 1 April, people with disabilities have been given priority access to a range of training opportunities under the training for work initiative.

Provided they are eligible, people with disabilities will also have priority access to a place on learning for work.

The Employment Service's disability employment advisors also provide a comprehensive range of services to people with disabilities through the local network of jobcentres.

Youth Service

Mr. Barry Jones: To ask the Secretary of State for Wales (1) what is his policy concerning the youth service;

(2) by what amount he has increased or decreased the youth budget for the current financial year; and if he will make a statement.

Sir Wyn Roberts: My policy for the youth service is to support the activities of the Wales Youth Agency and the national voluntary youth organisations in order to extend the opportunities for young people to develop as individuals and to become active and responsible members of society.

The 1993-94 current expenditure budget for the support of the agency and the national voluntary youth organisations is £736,000 compared with £728,000 for 1992-93.

Mr. Barry Jones: To ask the Secretary of State for Wales (1) how many people are employed in the youth service *(a)* currently and *(b)* in 1983;

(2) what is the percentage of part-time and voluntary workers employed in the youth service in Wales.

Sir Wyn Roberts: This information is not collected centrally.

Mr. Barry Jones: To ask the Secretary of State for Wales what initiatives he has taken to encourage liaison between the youth service and police with the intent of combating youth crimes.

Sir Wyn Roberts: The Welsh Office has for some years advocated the adoption of a multi-agency or partnership approach to crime prevention (Welsh Office circulars 1/84 and 28/90 refer). The collaborative arrangements which have been developed include representatives from the police and the youth service working together on crime prevention forums

The initiative in setting up some of these forums was taken by the Welsh Office in providing funds over a three-year period to the National Association for the Care and Resettlement of Offenders to bring together relevant agencies to tackle youth crime.

The Department also sponsors the Wales Youth Agency, which provides training, information and curriculum development for those working with young people who might otherwise become involved in crime. Much of the contact between youth work organisations and the police takes place at local level.

Mr. Barry Jones: To ask the Secretary of State for Wales what was the annual budget of the youth service in each of the counties of Wales in 1992 and 1982 at constant prices.

Sir Wyn Roberts: Information on the amount budgeted for youth service in 1992 is not held centrally. Outturn information for the latest year available is given in the table.

Local authority net current expenditure on youth services at constant 1991-92 prices[1]

£000

	1990-91	*1981-82*
Clwyd	1,402	1,271
Dyfed	198	201
Gwent	2,195	1,238
Gwynedd	1,680	703
Mid Glamorgan	3,613	1,866
Powys	754	625
South Glamorgan	1,954	1,570
West Glamorgan	1,041	892
Total Counties	12,837	8,364

[1] Information taken from local education authority revenue outturn forms. Definitions changed in 1990-91; hence figures are not strictly comparable with those for 1981-82. Net current expenditure is defined as expenditure on employees and running expenses, less sales, fees, charges, internal recharges and other non-grant income but gross of specific government grants. Includes youth centres and residential youth centres.

Road Schemes

Mr. Wigley: To ask the Secretary of State for Wales if he will list those road schemes in Wales which in 1993-94 have been allocated urban programme grants in excess of £1 million; what are the criteria which determine the allocation of such grants; and what is the extent of funding by virtue of such grants.

Sir Wyn Roberts: Road schemes are eligible for urban programme support only where they form an integral part of wider economic regeneration schemes. In 1993-94 one road scheme attracted urban programme grant in excess of £1 million: the highway improvements to the A472/A467 junction at Crumlin, Gwent which is part of the Crumlin regeneration strategy. This project has, in principle, been allocated £1,770 million urban programme in 1993-94, including £0·770 million carried forward from the previous year.

Ferry Road Refuse Site

Mr. Morgan: To ask the Secretary of State for Wales what determination he has made in relation to the application by the Cardiff Bay development corporation for a vesting order on the Ferry road municipal refuse disposal site.

Mr. David Hunt: My discussions with the Cardiff Bay development corporation about their proposed acquisition of the Ferry road tip are continuing.

National Curriculum

Mr. Richards: To ask the Secretary of State for Wales what are his proposals for reviewing the national curriculum and its assessment in Wales.

Sir Wyn Roberts: I have asked the chairman of the Curriculum Council for Wales to undertake a general examination of the manageability of the national curriculum in Wales. The broad aim of the review will be to examine the existing curriculum and provide advice on the scope for avoiding over-prescription while retaining clear teaching objectives which can lead to higher education standards. The key items which are to be examined are the scope for simplifying the national curriculum either through its coverage or by providing greater clarity and simplification within each of the orders; the arrangements for conducting a longer term rolling review of the curriculum in Wales; and the appropriate means of grading the attainment of individual pupils including formal testing. In carrying out the examination I have asked that the Curriculum Council for Wales should work closely with the review which is being conducted by Sir Ron Dearing at the request of my right hon. Friend the Secretary of State for Education.

Sir Ron Dearing will be examining the arrangements in Wales as well as England in his initial review of the testing and assessment of the national curriculum. I have asked him to take into account, as part of that review, the specific considerations which apply to Welsh language subjects and the arrangements for conducting all tests through the medium of Welsh.

The conclusions of both reviews will be taken into account by the Curriculum and Assessment Authority for Wales when, subject to the approval of the Education Bill currently before Parliament, it is established in April next year. The first priority of the authority will be to take forward an evolutionary programme of review for the national curriculum in Wales and to develop stable assessment and testing arrangements.

Mental Handicap Strategy

Mr. Sweeney: To ask the Secretary of State for Wales what financial support is available to assist individuals with a mental handicap and their families in Wales and if he will make a statement.

Mr. Gwilym Jones: Under the Welsh Office's very successful mental handicap strategy, a special allocation of £48 million has been made in 1993-94 to support the development of help for mentally handicapped individuals and their families in Wales. This is an increase of 15 per cent. on the 1992-93 allocation of £41·5 million, making a total of over £200 million since the strategy began in 1983.

Special grants for 1993-94 have been made as follows:

To the county teams

	£ million
Clwyd	5·564
Dyfed	4·028
Gwent	7·203
Gwynedd	5·525
Mid Glamorgan	7·104
Powys	1·941
South Glamorgan	5·987
West Glamorgan	5·583

As direct funding to voluntary organisations

	£
MENCAP	84,000
Catholic Children's Society	8,000
Standing Conference of Voluntary Organisations	156,000

Additionally, the balance of the special grant will be allocated to fund resettlement and new, innovative developments.

I can confirm that the mental handicap strategy will continue as a vital part of community care. I am confident that the excellent achievements of the strategy provide a firm foundation for the years ahead.

FOREIGN AND COMMONWEALTH AFFAIRS

Malawi

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the Government have made to the Government in Malawi with regard to respect for human rights.

Mr. Lennox-Boyd: Failure by the Malawian Government to address the international community's concern over human rights led the United Kingdom and other aid donors in May 1992 to suspend non-humanitarian assistance until there are clear signs of improvement. During our Presidency we initiated EC representations calling on the Malawian Government to address concerns over human rights. We continue to raise human rights issues regularly with the Malawian Government.

The referendum on Malawi's future political system due on 14 June encapsulates many of the key issues in question.

Britons Abroad (Financial Aid)

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the accounting rules for diplomatic posts overseas relating to restrictions on the provision of financial assistance to Britons abroad who have got into serious financial difficulties.

Mr. Lennox-Boyd: Before financial assistance can be authorised the post must be satisfied that the applicant is destitute, has no funds in the United Kingdom, that his predicament is not of his own making, and that he cannot make use of a cheque card and cannot arrange for the rapid transfer of funds through commercial channels from relatives or friends.

Additionally, a small loan of up to £20 can be made if a British national loses his funds or has them stolen to enable him to get to an airport or be provided with an emergency passport. We would expect the applicant to have

reported the loss at a police station;
called the consulate immediately after making the

police report;
produced an air ticket;
demonstrated that the air ticket is not transferable or refundable and has limited validity.

In all cases of financial assistance and repatriation, a legally binding undertaking to repay must be signed by the applicant.

Human Rights Conference

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's policy towards the forthcoming UN world conference on human rights in Vienna on 14 to 25 June.

Mr. Douglas Hogg: The United Kingdom is closely involved in the preparatory process leading to the world conference on human rights, due to be held in Vienna 14-25 June 1993. United Kingdom objectives at the conference will be to promote universal adherence to existing standards, to explore ways to improve their implementation, and to examine the relationship between human rights, democracy and development. The United Kingdom will also work to ensure that, among other issues, the conference addresses the rights of women, children and the disabled.

Waco Siege

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent loss of life of British citizens at Waco in the United States of America.

Mr. Lennox-Boyd: I refer the hon. Member to the reply given to the right hon. Member for Manchester, Wythenshawe (Mr. Morris) on 26 April 1993, *Official Report*, column *288*.

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government have made to the United States Government concerning the recent deaths of British citizens at Waco, Texas; and if he will make a statement.

Mr. Lennox-Boyd: We remain in close touch with the United States authorities about this tragedy and we are giving every assistance to relatives of the United Kingdom citizens affected. President Clinton has ordered an inquiry into the events at Waco. We await the outcome.

Philippines

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the Government have made to the Philippines Government about the killing of Mr. Chris Batan from the Bontoc office of Task Force Detainees of the Philippines on 23 February.

Mr. Goodlad: We are aware that this case has been highlighted by Amnesty International, and are seeking further information from the Philippine Government, who are investigating the circumstances of the murder.

Far East

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs which countries he visited on his recent visit to the far east; which ministers or Government officials he met; and what matters in regard to nuclear non-proliferation and arms exports were discussed.

Mr. Goodlad: During his visit to Indonesia my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs had discussions with President Soeharto, Foreign Minister Alatas, and Economic and Finance minister Afiff; he also met other Ministers, the Sultan of Yogyakarta, and a number of officials and businessmen. In Japan he met the Prime Minister, Foreign Minister, the Finance Minister and the Minister for International Trade and Industry, and in Korea the President, the Foreign Minister and the Minister for National Defence. The discussions in Japan and South Korea covered North Korea's announcement of its intention to withdraw from the non-proliferation treaty. Arms exports were not discussed during the visit.

South Africa

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the South African authorities on the effect of Mr. Chris Hani's murder on the peace process; and if he will make a statement.

Mr. Lennox-Boyd: We have made every effort to help to minimise the effect of the tragic assassination of Chris Hani on the negotiating process in South Africa, including the provision of a senior police officer to help with the investigation.

In the next few weeks, the Prime Minister and Foreign Secretary will be seeing Nelson Mandela and Chief Buthelezi to discuss the progress of negotiations. The Prime Minister is in regular contact with President de Klerk.

Yugoslavia

Mr. Tipping: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received about rape camps in the former Yugoslavia; and what action he now intends to take.

Mr. Douglas Hogg: We have received many representations from members of this House and of the public. Evidence collected by the EC investigative mission into the abuse of women in former Yugoslavia points to rapes having taken place in small centres, such as schools and hotels, rather than large-scale detention of women in camps for the purpose of rape. In response to the mission's recommendations, we have promoted and jointly funded a project to counsel and help rape victims in Bosnia.

Construction Contracts

Mr. Nicholas Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement of his policy on awarding contracts for construction and refurbishment work on the diplomatic estate, indicating, specifically, the steps which are taken to ensure that opportunities to tender are drawn to the attention of British companies.

Mr. Goodlad: The FCO's policy is to contract with British firms where competition establishes that they provide best value for money, and where their

participation is practicable in local circumstances. All major construction and refurbishment projects are advertised in the supplement to the *Official Journal of the European Community*, in accordance with our obligations under the EC Public Procurement Directive for Works. Information about a wider range of projects is also periodically sent to the Export Group for the Constructional Industries for circulation to its members.

Mr. Nicholas Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent construction work has been undertaken on the proposed embassy in Berlin; to which companies major contracts have been awarded; what nationality are those companies; what is the value of the contracts; and what steps have been taken to ensure that British companies had the opportunity to tender for the work.

Mr. Goodlad: The proposed embassy in Berlin is still at pre-planning stages, and no construction work has yet been carried out. In due course, the project will be advertised in the supplement to the *Official Journal of the European Community* in accordance with our obligations under the EC Public Procurement Directive for Works and its details will be sent to the Export Group for the Constructional Industries.

Mr. Nicholas Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent construction work has been undertaken on the high commission in Islamabad; to which companies the major contracts were awarded; what nationality were those companies; what was the value of the contracts; and what steps were first taken to ensure that British companies had the opportunity to tender for the work.

Mr. Goodlad: The construction of a new Immigration and Consular building, at a total contract value of about £4·8 million, is currently proceeding in Islamabad. Glauser International, a French contractor with an established operation in Pakistan, is the main contractor. The sub-contractor for the mechanical, electrical and services engineering work (valued at about £2·2 million) is the British firm Balfour Kilpatrick Ltd. This project was drawn to the attention of the Export Group for the Constructional Industries. Eight contractors, including five British, were invited to bid.

Mr. Nicholas Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent construction work has been undertaken on the embassy in Kiev; to which companies the major contracts were awarded; what nationality were those companies; what was the value of the contracts; and what steps were first taken to ensure that British companies had the opportunity to tender for the work.

Mr. Goodlad: The recently-occupied embassy and residence building in Kiev is currently being refurbished at total contract cost of about £300,000. All the contracts were awarded to British companies: Rotary International, Kitchen World and Amity International Ltd. The tender lists were derived from contractors who had expressed an interest in the project.

SCOTLAND

Special Educational Needs

Mr. Home Robertson: To ask the Secretary of State for Scotland how many appeals have been made to him against the terms of records of needs for children with special needs under the Education (Scotland) Act 1980 in the last four years; what are the average and maximum times taken to process such appeals; and if he will make a statement.

Lord James Douglas-Hamilton: In the four-year period from 1989 to 1992, 13 appeals were referred to the Secretary of State under section 64(1)(a) of the Education (Scotland) Act 1980. Of these, six appeals received in 1992 are still under consideration. The other seven appeals were determined on average within eight months but in one case processing took 12 months. The considerations involved in the appeals process are invariably complex, but steps are being taken to bring outstanding appeals to a conclusion as quickly as possible.

Dentistry

Mrs. Ray Michie: To ask the Secretary of State for Scotland what plans he has to introduce a scheme in Scotland similar to that operating in England and Wales giving financial assistance towards the setting up or expansion of dental practices within family health service authorities.

Mr. Stewart: There are no plans at present to introduce a similar scheme in Scotland.

Forth Road Bridge

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what forecast he has made of the likely level of tolls for the new Forth road bridge; and if he will make a statement.

Lord James Douglas-Hamilton: As the Government reported in February in our response document to the setting forth consultation, preliminary indications suggest that the additional bridge and associated roadworks identified in that consultation could be supported by a toll comparable in real terms to the toll on the present bridge when it opened in 1964. The 2/6d toll then would compare to around £1·25p now. The precise level of toll on any new bridge will not be known until the completion of a full competitive tender process should the Government decide to proceed with the project following the feasibility studies currently under way.

Skye Bridge

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what force of impact the caissons on the Skye bridge are being constructed to withstand.

Lord James Douglas-Hamilton: The caissons on the Skye bridge have been designed to withstand the impact from a 10,000 tonne dead weight vessel. This allows for all known shipping movements. This 10,000 tonne limit was agreed with Marine Directorate of the Department of Transport.

Caledonian MacBrayne

Mr. Charles Kennedy: To ask the Secretary of State for Scotland under what statutory provisions he can override the commercial decisions of the directors of Caledonian MacBrayne.

Lord James Douglas-Hamilton: My right hon. Friend's powers and obligations in respect of Caledonian MacBrayne Ltd. are defined in the terms of the Highlands and Islands Shipping Services Act 1960 and the undertaking of 15 August 1975 between the Secretary of State and the company. As controlling shareholder of the company, my right hon. Friend has certain other powers and responsibilites, which are defined in the company's articles of association.

Kyle-Kyleakin Ferry

Mr. Charles Kennedy: To ask the Secretary of State for Scotland whether the construction of the Skye bridge and its approach roads will result in any physical obstruction to the use of the Kyle-Kyleakin ferry slipways.

Lord James Douglas-Hamilton: The construction of the Skye bridge and its approach roads will not result in any physical obstruction to the use of the Kyle-Kyleakin ferry slipways. HRC's complementary Kyle prospect enhancements, made possible by the bridge, take advantage of the released ferry marshalling area.

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what Scottish Office grant aid was made available for the construction of the piers and slipways presently used by the Kyle-Kyleakin ferry; and what provisions cover the refund of such money.

Lord James Douglas-Hamilton: None.

White Fish

Mr. Wilson: To ask the Secretary of State for Scotland what quantities of white fish were withdrawn from the market under intervention in each of the past 12 months at each port; what was the total sum paid to fishermen in respect of these landings; and what quantities of this fish have gone for human consumption *(a)* abroad or *(b)* via domestic charities.

Sir Hector Monro *[holding answer 23 April 1993]:* None of the white fish withdrawn from the market under intervention has gone for human consumption either abroad or to charities. Full settlement to the producers organisations of compensation payable for fish withdrawn under the European Community's price support system for the year to end December 1992 has yet to take place, though advance payments have been made. Information on the quantities of white fish withdrawn from the market in Scotland under intervention in each of the 12 months to end March 1993, on the ports of landing and on the intervention sums paid so far is set out in the tables.

Compensation paid to producers organisations in each of the 12 months to end March 1993 following the withdrawal of whitefish from the market

	£
1992	
April	12,900
May	68,700
June	166,600
July	51,200
August	168,100
September	160,400
October	45,600
November	121,300
December	13,800
1993	
January	—
February	—
March	—

Withdrawals of whitefish (tonnes) by port of landing during the period 1 March 1992 to 31 March 1993

Port	*April 1992*	*May 1992*	*June 1992*	*July 1992*	*August 1992*	*September 1992*	*October 1992*	*November 1992*	*December 1992*	*January 1993*	*February 1993*	*March 1993*
Eyemouth	—	—	—	—	—	6	1	—	—	—	3	—
Pittenweem	—	—	—	—	—	—	—	—	—	—	—	—
Arbroath	—	—	—	—	—	—	—	—	—	—	—	6
Aberdeen	4	5	25	97	46	48	—	—	—	—	57	29
Peterhead	2	89	277	493	355	309	84	—	—	30	357	113
Fraserburgh	—	18	3	73	58	51	32	—	—	57	119	34
Macduff	—	4	1	4	2	6	—	—	—	—	4	—
Buckie	—	1	4	2	—	1	—	—	—	1	1	10
Lossiemouth	—	—	—	—	—	—	—	—	—	—	—	—
Wick	—	19	8	10	16	12	1	—	3	9	21	19
Shetland	—	1	2	13	16	15	3	—	—	9	166	54
Kinlochbervie	—	23	44	58	69	19	1	—	—	—	11	20
Stornoway	—	—	1	—	1	2	1	1	25	7	8	1
Ullapool	—	—	—	—	—	—	—	—	—	1	2	—
Mallaig	—	5	6	—	—	—	—	—	—	—	4	—
Oban	—	—	—	2	—	—	—	—	—	—	—	—
Campbeltown	—	—	—	—	—	—	—	—	—	—	—	—
Ayr	—	—	1	2	2	5	3	3	—	—	1	5
Lochinver	2	7	27	29	27	7	4	—	—	3	8	13

Forestry

Mr. Maclennan: To ask the Secretary of State for Scotland, pursuant to his answer of 22 March, *Official Report*, column *477*, what comments his Department made to the Highland regional council on their draft indicative forestry strategy concerning Caithness; what consideration he has given to the Highland regional

council's Economic Review Issue No. 19, published in January; if the comments on page 15 accurately reflect his Department's views; and if he will make a statement.

Sir Hector Monro *[holding answer 20 April 1993]:* The comments in the Economic Review relate to a letter of 23 October 1992 from the Scottish Office environment department to the regional council commenting that some of the agreements in the council's land use strategy for Caithness and Sutherland were not fully reflected in its draft indicative forestry strategy. The letter also pointed out that the draft omitted reference to the continuing programme of designation of sites of special scientific Interest in the area by Scottish Natural Heritage.

These comments were made as technical assistance to the council's professional officers and were not formal comments on an alteration or review in relation to the existing structure plan. No such alteration or review has been submitted to my right hon. Friend for his approval.

Fisheries (Bird Killing Licences)

Mr. Graham: To ask the Secretary of State for Scotland how many licences were applied for, and issued, under section 16 of the Wildlife and Countryside Act 1981 to permit the killing of *(a)* cormorant, *(b)* goosander and *(c)* red-breasted merganser in Scotland for each year since 1988, to prevent serious damage to fisheries.

Sir Hector Monro *[holding answer 26 April 1993]:* The information is as follows:

	1988 (February-April)	*1989 (February-April)*	*1990 (February-April)*	*1991 (February-April)*	*1992 (February-April)*	*1992 (September-December)*
Cormorants only						
applications	6	5	12	16	12	6
licences granted	6	5	12	16	12	6
Goosander and/or mergansers only						
applications	12	9	12	13	2	—
licences granted	12	9	12	10	2	—
Cormorants and goosander/mergansers						
applications	23	23	18	32	20	3
licences granted	23	23	18	24	20	—
Total number of applications submitted	41	37	42	61	34	9
Total number of licences granted	41	37	42	50	34	6

Mr. Graham: To ask the Secretary of State for Scotland how many *(a)* cormorants, *(b)* goosander and *(c)* red-breasted merganser were killed under licence in (i) Scotland and (ii) the Tweed catchment, for each year since 1988, to prevent serious damage to fisheries.

Sir Hector Monro *[holding answer 26 April 1993]:* The details are as follows for the period 1988-1992.

1. Birds reported killed under licence in Scotland (excluding the River Tweed)

	Cormorants	*Goosanders*	*Mergansers*
1988 (February—April)	221	429	204
1989 (February—April)	112	383	247
1990 (February—April)	335	673	421
1991 (February—April)	381	504	235
1992 (February—April)	141	412	148
1992 (September—December)	46	—	—

2. Birds reported killed under licence in the River Tweed catchment

	Cormorants	*Goosanders*
1988	50	258
1989	5	30
1990	17	264
1991	26	164
1992	28	124

No application has been received to shoot mergansers in the Tweed catchment during this period.

Mr. Graham: To ask the Secretary of State for Scotland what analysis has been carried out on the diet of *(a)* cormorants, *(b)* goosander and *(c)* red-breasted merganser killed under licence in (i) Scotland and (ii) the Tweed catchment; and what proportion of their diet was salmon; and what proportion was assessed to constitute serious damage to salmon fisheries.

Sir Hector Monro *[holding answer 26 April 1993]:* The Scottish Office Agriculture and Fisheries Department (SOAFD) commissioned research from the Institute of Terrestrial Ecology (ITE) in 1987. The programme has been extended to 1994 and is designed to investigate the predatory activities of sawbill ducks (goosanders and mergansers) and other piscivorous birds, and their impact on salmonid populations in Scottish rivers, including the River Tweed. A major element of the programme is an analysis of the gut of birds shot under licence to determine the nature of their diet. Results of this research programme are expected to be available in 1994.

Community Care

Dr. Godman: To ask the Secretary of State for Scotland what proposals he has for the issuing of guidelines to social work departments in relation to the discharging from

hospitals of psychiatric patients into the community by way of the community care programme; and if he will make a statement.

Mr. Stewart *[holding answer 22 March 1993]:* Guidance was issued to local authorities, health boards and others in February 1992. My noble and learned Friend the Minister of State is aware of the current review of treatment in the community for people with a mental disorder in England and will consider the need for any changes in Scotland arising from that review.

NATIONAL FINANCE

Third World Debt

Sir David Steel: To ask the Chancellor of the Exchequer when the United Kingdom will implement the Trinidad terms on remission of debt for the poorest countries as indicated by the Prime Minister in October 1991.

Mr. Nelson: The United Kingdom conduct their policy with regard to developing country debt issues through the Paris Club. This multilateral approach is shared by our creditor colleagues, and works to the benefit of both creditors and debtors. The United Kingdom Government have an excellent record on initiatives and action on developing country debt—including the Prime Minister's Trinidad terms. For full details, I refer the hon. Member to the reply that I gave recently to the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) on 26 April 1993, *Official Report*, c. *293*.

Bitumen (Tax)

Mr. Conway: To ask the Chancellor of the Exchequer how a natural bitumen (CN2714) would be taxed in accordance with EC Council directive 92/81/EEC if such hydrocarbon is used as a fuel for power generation with a price and role similar to that of coal.

Sir John Cope: Natural bitumen classified under CN2714 is not specified in EC Council Directive 92/81/EEC and therefore not subject to mineral oils duty under the directive, whereas mixtures based on natural bitumen are classified under CN2715 and when used as a fuel for power generation are subject to duty under the Directive. Clause 10 of the current Finance Bill gives effect to this aspect of the directive.

Company Cars

Mr. Beith: To ask the Chancellor of the Exchequer whether the Inland Revenue regards as business use cases where an employee is provided with a company car and uses it to drive, or to be driven, from home to the normal place of employment.

Mr. Dorrell: Home-to-work travel in a car made available by an employer is normally regarded as private use.

PRIME MINISTER

Sellafield

Mr. Llew Smith: To ask the Prime Minister what representations he received on the dangers of plutonium proliferation from the thermal oxide reprocessing plant at Sellafield during his most recent visit to Washington DC.

The Prime Minister: None.

Visually Impaired People

Mr. Alfred Morris: To ask the Prime Minister what action Government Departments have taken, or will be taking, to improve official communications with people who are visually impaired by providing more information in large print, braille or on tape; and if he will make a statement.

The Prime Minister: A number of Government publications have already been produced for people who are visually impaired. Examples are given in the following table:

BRAILLE

Cabinet Office
The Citizen's Charter First Report: A Guide (also available in audio cassette version)

Agriculture, Fisheries and Food
New Microwave Labels (to be issued shortly—also available in audio cassette and large print versions)

Employment
Jobseeker's Charter
P.A.C.T. (Placing, assessment and counselling teams)

Environment
Council Tax: A Guide to the New Tax for Local Governments (also available in audio cassette and large print versions)
Council Tax: Liability, Discounts and Exemptions (also available in audio cassette and large print versions)
Council Tax: Valuation and Banding (also available in audio cassette and large print versions)
Council Tax: How to Appeal (also available in audio cassette and large print versions)
Council Tax: Transitional Deduction Scheme (also available in audio cassette and large print versions)

Health
Patient's Charter (also available in audio cassette version)
NHS Reforms and You (also available in Moon and audio cassette versions)

Northern Ireland
HPSS Charter for Patients and Clients

Social Security
Parents Who Live Apart (also available in audio cassette version)
Guide for the Disabled

AUDIO CASSETTE

Cabinet Office
The Citizen's Charter: A Guide

Education
Special Education Needs Charter
Parent's Charter
Your Child and the National Curriculum: A Parent's Guide
Grants and Loans
Testing 7 Year Olds
Testing 14 Year Olds
Children with Special Needs: A Guide for Parents

Environment
Council Tenant's Charter

Health
Health of the Nation
While You Are Pregnant—Safe Eating
Elderly Health

Community Care Changes in April 1993 (tapes also available in ethnic minority languages)

Home Office
Practical Ways to Crack Crime
Prisoners Information Pack
Fire Safety in the Home

Social Security
Disability Living Allowance (tapes also available in ethnic minority languages)
Disability Working Allowance (tapes also available in ethnic minority languages)
People with Learning Difficulties
Care in the Community (tapes also available in ethnic minority languages)

Transport
Door to Door Transport—A Guide to Transport for People with Disabilities
How To Use A Puffin

LARGE PRINT
Health
Keep Warm, Keep Well (also available in audio cassette version)
Community Care Changes in April 1993

Home Office
Fire Safety Advice
Fire Safety Advice for Disabled People

Social Security
The Guide to New Benefits for the Disabled
Care in the Community

Moreover the citizens charter, which calls on public services to make sure information about services is easily accessible to all their users, is putting fresh emphasis on the need for effective communication with those who have special needs, including people who are visually impaired.

Libya

Mr. Dalyell: To ask the Prime Minister what representations he has received from Arab sources about the effect of sanctions on transport in Libya, with particular reference to the delay in the provision of non-banned medicines causing them to be ineffective.

The Prime Minister: So far as I am aware, I have received no representations.

Engagements

Mr. David Evans: To ask the Prime Minister if he will list his official engagements for Tuesday 27 April.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

AGRICULTURE, FISHERIES AND FOOD

Abattoirs

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what estimates have been made as to the number of abattoirs in the United Kingdom which will be unable to meet the standards set out in the Fresh Meat (Hygiene and Inspection) Regulations 1992.

Mr. Soames: Nine abattoirs have been refused licences under the Fresh Meat (Hygiene and Inspection) Regulations 1992 because of serious hygiene deficiencies. Approximately 30 abattoirs have yet to agree a work plan to upgrade their premises to comply with the Regulations and have been given a time-limited licence to enable outstanding problems to be resolved. No further licences will be issued to these premises unless a work plan to remedy structure-related hygiene problems is agreed.

Premises which are refused a licence may appeal to the meat hygiene appeals tribunal.

Biofuels

Mr. Whittingdale: To ask the Minister of Agriculture, Fisheries and Food what measures his Department is taking to promote the production and use of biofuels.

Mr. Curry: The Department is sponsoring research on a number of topics relevant to biofuels and other non-food uses of crops, and is working closely with other departments, in particular the Department of Trade and Industry's energy technology support unit. We are also pressing for perennial crops such as short rotation coppice and miscanthus to be eligible under the non-rotational option for set-aside.

Bovine Somatotropin

Dr. Wright: To ask the Minister of Agriculture, Fisheries and Food what consideration he has given to the 1990 report of the Veterinary Products Committee in deciding that BST should be licensed.

Mr. Soames: In 1990 the Veterinary Products Committee advised Ministers that, having assessed data on two BST products, it was satisfied that they were efficacious and that their use would not pose any health hazard to consumers of milk from treated animals. On the basis of the data before it, however, the committee was not completely satisfied with some aspects of the safety and welfare of treated animals if used commercially, and could not recommend that a licence be granted. In such circumstances, under the Medicines Act 1968, applicants have a right of appeal to the Medicines Commission before their application is determined. Additional scientific evidence can be generated and presented at such hearings. Both companies exercised that right and in January 1993, on the basis of the evidence then presented, the Medicines Commission advised that the Medicines Act criteria of safety, quality and efficacy were met.

This advice was reflected by the United Kingdom delegation during the subsequent final scientific evaluations of the two BST products by the EC Committee on Veterinary Medicinal Products. However, no product licences under the Medicines Act may be issued so long as the licensing moratorium agreed by the European Community's Council of Ministers remains in force.

Broiler Chickens

Dr. Wright: To ask the Minister of Agriculture, Fisheries and Food what proposals he has to make changes to slaughterhouse practices and legislation in relation to the treatment of broiler chickens.

Mr. Soames: The Department initiated discussion on an EC proposal on the welfare of animals at slaughter, including poultry, during the United Kingdom presidency. Discussions are continuing and we will be seeking high

welfare standards to be implemented and enforced throughout the Community. Proposals to implement Council Directive 92/116/EEC on poultry meat hygiene are currently being prepared, in discussion with industry and enforcement interests, and will be issued for public consultation in due course.

Integrated Administration and Control Scheme

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food what arrangements have been made to pay any interest accrued where it is established through the integrated administration and control scheme that the applicant has been underpaid, erroneously, under any of the various CAP regimes established by the 1992 CAP reforms.

Mr. Curry: Cases involving erroneous underpayments would be dealt with on their merits, within the rules of Government accounting.

Foot and Mouth Disease

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what is the cost to date of the measures taken to prevent an outbreak of foot and mouth disease since the presence of vaccinated stock in the United Kingdom first came to his attention.

Mr. Gummer: The measures taken include the tracing and testing of some 850 cattle in some 27 consignments imported into Great Britain since last August and which are now located throughout the country. Information on the cost of such measures, which are still continuing, is only available at disproportionate cost.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what is the most recent figure for the number of cattle presently in the United Kingdom which are known to have been vaccinated against foot and mouth disease; from which country they originated; if the precise location of each vaccinated animal is known to the authorities; and what plans he has for removing vaccinated livestock from the United Kingdom.

Mr. Gummer: So far, a total of 238 imported cattle have been tested positive for the presence of antibodies to foot and mouth disease (FMD). In the absence of clinical disease, the positive test results indicate that the animals in question may have previously been vaccinated against FMD. Most of the seropositive animals originated in the Czech Republic and a small number in Poland. All seropositive animals are currently under restriction on their holdings while the tracing and testing of remaining animals is completed. In view of the long-standing policy not to permit the presence in the United Kingdom of animals which have been vaccinated against FMD, and the fact that the animals were imported in contravention of Community import rules, the seropositive animals will have to be either returned to their countries of origin or slaughtered. My veterinary officials have been in touch with their counterparts in the Czech Republic and Poland to discuss possible arrangements for the re-export of the animals in question.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what plans he has to compensate United Kingdom livestock farmers who came to be in possession of stock vaccinated against foot and mouth disease.

Mr. Gummer: The resolution of the problem is a commercial matter between the exporters, the importers and the current owners. The Ministry of Agriculture, Fisheries and Food is under no obligation to pay any form of compensation.

SOCIAL SECURITY

Benefits (Capital Limits)

Mr. Kirkwood: To ask the Secretary of State for Social Security what would be the full year cost of abolishing all the capital limits for all social security benefits.

Mr. Burt: Using data from the 1988, 1989 and 1990 Family Expenditure Surveys modelled at 1993-94 prices and benefit levels, we estimate that the cost would be approximately £1,590 million.

Mr. Kirkwood: To ask the Secretary of State for Social Security how many people would receive increased benefit payments if all the capital limits for social security benefits were abolished.

Mr. Burt: Using data from the 1988, 1989 and 1990 Family Expenditure Surveys modelled at 1993-94 prices and benefit levels, we estimate that the number of people who would receive increased payments (including those who currently receive no payment) would be as shown in the table.

Benefit	*Gainers*
Income support	800,000
Housing benefit	400,000
Council tax benefit	1,360,000
Family credit	50,000

Training Schemes

Ms Short: To ask the Secretary of State for Social Security in what circumstances participants in training for work, learning for work and the community action programme who receive income support as part of their participation allowance will be eligible for the £10 a week voluntary payments disregard; and if he will make a statement.

Mr. Burt: Participants in training for work and community action will receive an allowance equivalent to their benefit entitlement, plus £10 a week training premium. Participants in learning for work will receive an allowance equivalent to their benefit (without the £10 premium).

Participants on any of these schemes will be eligible for the £10 a week voluntary payments disregard, subject to the usual conditions.

Ms Short: To ask the Secretary of State for Social Security how much end-of-training bonus training for work, learning for work and community action participants will be able to receive without its affecting their entitlement to income support; and if he will make a statement.

Mr. Burt: Any payment not exceeding £200 received as a training bonus will be disregarded.

Part-time Study

Ms Short: To ask the Secretary of State for Social Security what is the application of the 21-hour rule to unemployed income support claimants who wish to study courses of higher education, including undergraduate and post-graduate degree courses and higher national diploma courses; and if he will make a statement.

Mr. Burt: I refer the hon. Member to my reply to her on 15 April at column *704*.

Social Fund

Mrs. Dunwoody: To ask the Secretary of State for Social Security what action his Department has undertaken following the research it has commissioned on the social fund; and when a new system of entitlements to grants will be developed.

Mr. Scott: We are currently carefully considering the operation of the social fund, including grants provision, in response to the research commissioned from York university's social policy research unit, along with a number of other reports and our own close monitoring of the fund.

Disability Benefits

Ms Short: To ask the Secretary of State for Social Security if he will take steps to ensure that people in receipt of disability benefits who take up a place in the work activity element of training for work, or in the community action programme, will not have their subsequent eligibility for disability benefit challenged because of their participation in the programme; and if he will make a statement.

Mr. Scott: Participation in a training for work or community action programme will not in itself automatically debar a person from disability benefits. A trainee in receipt of disability living allowance or attendance allowance may have their entitlement reviewed after six months to establish whether their needs have changed.

Deafness Claims

Mr. Byers: To ask the Secretary of State for Social Security what plans he has to implement the recommendations of the Industrial Injuries Advisory Council on the occupational deafness disability benefit scheme contained in Cm. 817 and Cm. 1245; and if he will make a statement.

Mr. Scott: The Industrial Injuries Advisory Council's recommendations have been carefully considered. A number of administrative changes have been introduced, and new arrangements for audiometric tests are currently being evaluated. A decision on extending the scheme will be taken once we have the results of this study.

Mr. Byers: To ask the Secretary of State for Social Security what steps he is taking to prevent delays in diagnosing and assessment of deafness claims by war pensioners in the Newcastle area.

Miss Widdecombe: Following a competitive tendering exercise a national contract for the provision of audiological testing will be awarded in May. This will provide a more efficient and speedier service, throughout the country.

Retirement Pensions

Mr. Churchill: To ask the Secretary of State for Social Security how many retirement pensioners qualify for the additional payments available to those aged 80 years and over; and what percentage this represents of the overall total of retirement pensioners.

Miss Widdecombe: At September 1992 (the latest date in respect of which figures are available) 2,241,040, or 21·8 per cent. of, retirement pensioners were aged 80 or over and therefore qualified for an age addition of £0·25 to their pension.

Note: The term "retirement pensioner" includes those receiving non-contributory retirement pension and/or graduated retirement benefit only and pensioners residing overseas.

Retirement Age

Mr. Tipping: To ask the Secretary of State for Social Security when he intends to announce proposals which equalise the retirement age of men and women; and if he will make a statement.

Miss Widdecombe: The Government are committed to the equalisation of state pension age. No decisions have yet been made on what option should be adopted.

We will announce our proposals for equalisation when we have fully considered the views expressed by both the public and interested organisations and its implications for related developments in the private pensions sector.

Disabled (Car Insurance)

Mr. Alfred Morris: To ask the Secretary of State for Social Security what representations the Minister for Disabled People has had from Artsline in regard to car insurance for vehicles driven by disabled people; what reply he is sending; what action he has taken; and if he will make a statement.

Mr. Scott: We have received a copy of a letter from Mr. Roger Robinson, director of Artsline, to the chief executive of the Association of British insurers about the costs of car insurance for disabled drivers. The issue of insurance policies and their terms are for the commercial judgment of insurance companies. In 1989, the Association of British Insurers produced a dossier of advice for disabled drivers and undertook to investigate individual cases of difficulty. We understand that it will be sending a full reply to this case and we have asked for a copy of its response, in the light of which we shall write to Mr. Robinson.

Fostering

Ms Coffey: To ask the Secretary of State for Social Security if he will extend the home responsibility protection to foster carers who do not receive a financial reward from fostering; and if he will give reasons for his answer.

Mr. Burt: Eligibility for HRP is dependent on entitlement to certain benefits, primarily child benefit. To avoid double provision from public funds for the cost of child care, child benefit is not paid to foster carers who receive an allowance from the local authority. Consequently HRP is not available in these cases.

Personal Injury Compensation

Mr. Dewar: To ask the Secretary of State for Social Security (1) how much in state benefits was recovered from legal damages in employer liability personal injury cases under section 22 of the Social Security Act 1989 in each quarter of 1990, 1991 and 1992;

(2) how much in state benefits was recovered from legal damages in personal injury cases under section 22 of the Social Security Act 1989 in each quarter of 1990, 1991 and 1992.

Miss Widdecombe: The operation of the compensation recovery unit is a matter for Mr. Michael Bichard the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available and a copy will be placed in the Library.

Letter from Mr. M. Bichard to Mr. Donald Dewar, dated 26 April 1993:

As Chief Executive of the Benefits Agency it is my responsibility for answering questions about relevant operational matters. I am therefore replying to the points raised in your recent Parliamentary Questions to the Secretary of State for Social Security asking how much in state benefits was recovered from legal damages in (i) personal injury cases and (ii) employer liability personal injury cases under section 22 of the Social Security Act 1989 in each quarter of 1990, 1991 and 1992.

The Compensation Recovery Scheme became effective on personal injury claims settled on or after 3 September 1990. Details of all recoveries made since that date are shown at Annex A by quarter and details of all recoveries made in employer liability cases are shown similarly at Annex B.

I hope you find this reply helpful. A copy will appear in the *Official Report* and a copy will also be placed in the Library.

ANNEX A
Recoveries on all personal injury claims

Quarter ended	*Recoveries (£s)*
31 December 1990	1,108,818·90
31 March 1991	2,619,996·10
30 June 1991	4,119,276·67
30 September 1991	5,559,042·77
31 December 1991	6,604,468·94
31 March 1992	9,034,568·47
30 June 1992	10,203,274·13
30 September 1992	10,972,265·31
31 December 1992	12,131,043·13

ANNEX B
Recoveries in employer liability cases

Quarter ended	*Recoveries (£s)*
31 December 1990	504,600·09
31 March 1991	1,206,281·02
30 June 1991	2,099,802·83
30 September 1991	2,630,944·11
31 December 1991	3,441,977·44
31 March 1992	5,020,164·86
30 June 1992	5,742,871·01
30 September 1992	5,913,562·40
31 December 1992	6,833,390·53

Benefit Deductions

Mr. Bayley: To ask the Secretary of State for Social Security what percentage of income support recipients are now having deductions made from benefits as a result of paying back social fund loans *(a)* nationally, *(b)* by territory, and *(c)* in each Department of Social Security-Benefits Agency district.

Mr. Burt: The administration of income support is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available and a copy will be placed in the Library.

Letter from Mr. M. Bichard to Mr. Hugh Bayley, dated 26 April 1993:

As Chief Executive of the Benefits Agency it is my responsibility to answer questions about relevant operational matters. I am therefore replying to your recent Parliamentary Question to the Secretary of State for Social Security asking, what percentage of Income Support recipients are now having deductions made from benefits as a result of paying back Social Fund loans *(a)* nationally, *(b)* by territory, and *(c)* in each Department of Social Security-Benefits Agency district.

It is not possible to provide this information as it is not collected as a matter of routine; also records relate to *applications* rather than applicants. I can, however, advise you that at 31 March 1993, some 680,000 loans nationally were being repaid from various sources. In the main, this was by deduction from Income Support.

I hope you find this reply helpful. A copy of this letter will appear in the Official Report and a copy will be placed in the Library.

Mrs. D. Milford

Mr. Steen: To ask the Secretary of State for Social Security when the application for attendance allowance submitted by Mrs. D. Milford (NI JB 091986 C) in May 1992 will be considered; and what reasons underlie the time taken in notifying Mrs. Milford.

Mr. Scott: The administration of attendance allowance is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member and a copy will be placed in the Library.

Letter from Mr. M. Bichard to Mr. Anthony Steen, dated 26 April 1993:

As Chief Executive of the Benefits Agency, it is my responsibility to answer questions about relevant operational matters. I am therefore replying to your recent Parliamentary Question to the Secretary of State for Social Security asking when the application for attendance allowance submitted by Mrs. D. Milford in May 1992 will be considered and the reasons for the delay in notifying Mrs. Milford.

Mrs. Milford has been in receipt of the lower rate of Attendance Allowance (AA) since 5 June 1989 and wrote to the Attendance Allowance Unit on 29 May 1992 requesting that she receive the higher rate of AA. Mrs. Milford's claim for the increased rate of AA has now been considered by the Adjudication Officer and she was notified of the result of the claim on 22 April 1993.

Whilst the delay in arriving at the decision on this claim has taken longer than is usual for these types of cases, an examination of the papers show that the main reason for this was the difficulty encountered in trying to obtain the dates of Mrs. Milford's hospitalisation. It was imperative not only that these dates were obtained, but also verified, as they did have a material effect on the award and payment of the allowance.

I thank you for the opportunity to explain this case. I hope that you find this reply helpful. A copy will appear in the *Official Report* and a copy will also be placed in the Library.

EMPLOYMENT

Learning for Work

16. **Mr. Rowe:** To ask the Secretary of State for Employment how many places have been provided on the learning for work scheme announced in the Budget.

Mrs. Gillian Shephard: Provision for 30,000 people to take part in learning for work will be available during the 1993-94 academic year starting in September in England and Wales and in August in Scotland.

Labour Statistics

17. **Mr. Ilsley:** To ask the Secretary of State for Employment what initiatives she has to decrease unemployment in mining areas.

Mr. McLoughlin: We are making available £75 million to training and enterprise councils and the Employment Service to help redundant miners and other unemployed people in areas affected by a pit closure.

18. **Mr. Bellingham:** To ask the Secretary of State for Employment what measures she is introducing to assist the long-term unemployed in East Anglia.

Mr. Michael Forsyth: New measures recently announced will provide an extra 100,000 opportunities nationally. Learning for work, community action and an expanded business start-up scheme will be available to long-term unemployed people in East Anglia as elsewhere. Additionally, a pilot scheme, north Norfolk action, will provide 100 opportunities for long-term unemployed people in Norfolk to participate in full-time community work.

19. **Mr. Mullin:** To ask the Secretary of State for Employment what estimate she has for the number of part-time or casual workers in *(a)* 1979 and *(b)* 1992; and if she will make a statement.

Mr. McLoughlin: Estimates from the Labour Force Survey show that the number of part-time employees in spring 1979 was almost 4 million, and in autumn 1992 it was over 5 million; 780,000 people were in casual, temporary and seasonal jobs in spring 1984, decreasing to 690,000 in autumn 1992.

26. **Mr. Denham:** To ask the Secretary of State for Employment what has been the change in unemployment in the south-east since 1990.

Mr. McLoughlin: In the South East region, seasonally adjusted claimant unemployment rose by 604,100 between March 1990 and March 1993.

Mr. Elletson: To ask the Secretary of State for Employment what measures she is introducing to assist the long-term unemployed in the north of England.

Mrs. Gillian Shephard: New measures announced in the Budget will provide an extra 100,000 opportunities nationally for long-term unemployed people. Learning for work, community action and an expanded business start-up scheme will be available to long-term unemployed people in the north of England, as elsewhere.

Disabled People

21. **Mr. French:** To ask the Secretary of State for Employment what proposals she has for extending employment training opportunities for the disabled.

Mr. Michael Forsyth: From 1 April people with disabilities have had priority for a place on a wide range of employment and training programmes including training for work.

In addition, people with disabilities will be given similar priority on learning for work and community action, where they are eligible.

Small Businesses

22. **Mr. David Shaw:** To ask the Secretary of State for Employment what steps she is taking to enable trade unionists and unemployed persons to receive training in the establishment and running of small businesses.

Mr. Michael Forsyth: Training in the establishment and running of small businesses is available under the business start-up scheme, youth training, training for work and through our support of the Prince's Youth Business Trust.

Trade unionists who meet the appropriate eligibility conditions can participate in any of these programmes.

Back Pain

23. **Mr. Jessel:** To ask the Secretary of State for Employment what steps are being taken by the Health and Safety Executive to reduce the number of working days lost due to back pain.

Mr. McLoughlin: I am informed that the Health and Safety Executive is working actively with industry and others to reduce the number of working days lost due to back pain. New regulations on manual handling of loads and the use of display screen equipment and the executive's current "Lighten the Load" campaign will all help to focus the attention of industry on the need to reduce the incidence of back pain and other musculo-skeletal disorders and promote their prevention.

Training

24. **Mr. Corbyn:** To ask the Secretary of State for Employment what proportion of under 21-year-olds move directly on to permanent employment from training schemes.

Mr. McLoughlin: In 1992, 35 per cent. of those leaving youth training moved directly into employment. In the same period, 19 per cent. of those aged under 21 leaving employment training found a job.

For both programmes, regular follow-up surveys show that much greater proportions are in a job three months after leaving their training.

"New horizons for Women"

25. **Lady Olga Maitland:** To ask the Secretary of State for Employment if she will make a statement on progress on the "new horizons for women" initiative.

Mrs. Gillian Shephard: "New Horizons" events have so far been held in Manchester and Newcastle and I am very encouraged by the interest which they have generated. The next event will be held in Bristol on 10 May and further events are planned elsewhere in the country during the coming months.

Youth Training Guarantee

27. **Mr. Jon Owen Jones:** To ask the Secretary of State for Employment what assessment she has made of how effectively the youth training guarantee is working.

Mr. McLoughlin: The Department's contracts with TECs calls for regular monitoring and review, at a local level, of the numbers of young people covered by the youth training guarantee who are seeking a place. The review is conducted jointly by Departmental officials, TECs and other interested parties such as the careers service. In addition, my right hon. Friend the Secretary of State announced to the House on 7 July last year, *Official Report*, cols 171-72, measures establishing a national system for monitoring the numbers of young people seeking training.

We are confident that the TECs and careers services are working well together to ensure that sufficient places are available to meet demand.

TEC Challenge Fund

28. **Mr. Waller:** To ask the Secretary of State for Employment if she will make a statement on the TEC challenge fund.

Mrs. Gillian Shephard: I am delighted to announce that a prospectus inviting TECS to bid for TEC challenge funds was issued on 13 April. A copy has been placed in the Library.

Departmental Working Conditions

Mr. Adley: To ask the Secretary of State for Employment what representations she has received about working conditions in her office block in Tothill street, from staff working in the building.

Mr. McLoughlin: My right hon. Friend has received no direct representations from staff about working conditions in her office block in Tothill street. Such matters are usually addressed at regular meetings between officials and staff representatives.

Coal Industry

Mr. Tipping: To ask the Secretaryn of State for Employment on what date she estimates that funds from the package of additonal assistance for redundant miners announced in October 1992 will begin to be released in the Nottinghamshire coalfield.

Mr. McLoughlin: I refer the hon. Member to the reply given to my hon. Friend the Member for Woodspring (Dr. Fox) on 31 March 1993, *Official Report*, column *254*.

We cannot make an estimate of when individual pit areas might be eligible for help. That will depend on decisions made by individuals employed at the pits concerned.

Employment Legislation

Mr. Dalyell: To ask the Secretary of State for Employment what proposals she has for further legislation on terms and conditions of employment.

Mr. Michael Forsyth: The Trade Union Reform and Employment Rights Bill currently before Parliament further strengthens the framework of statutory employment protection in relation to maternity, written particulars of employment and unfair dismissal. In general, however, terms and conditions of employment are a matter for agreement between employers and employees without Government intervention.

Gas Safety

Mrs. Jane Kennedy: To ask the Secretary of State for Employment what proposals emerged from the review initiated by the Health and Safety Executive of the Gas Safety (Installation and Use) Regulations 1984; and when she will publish these proposals.

Mr. McLoughlin: The Health and Safety Commission will consider proposals emerging from the review shortly.

DEFENCE

Dockyard Redundancies

Mr. Jamieson: To ask the Secretary of State for Defence if it is his intention to continue funding redundancies in the royal dockyard.

Mr. Aitken: Under the term contracts for the operation of the Royal dockyards, my Department has an obligation to reimburse the dockyard operators for the cost of redundancies among their employees arising from reductions in the naval refit programme (subject to their having achieved specified targets for commercial (non-MOD) work). Arrangements for the period after the present term contracts expire have yet to be determined.

RAF Menwith Hill

Mr. Cryer: To ask the Secretary of State for Defence whether a lost property system is operated at Menwith Hill RAF base near Harrogate with recorded acknowledgement of all items handed in; and if he will make a statement.

Mr. Archie Hamilton: Yes.

Bosnia

Dr. David Clark: To ask the Secretary of State for Defence how many British service personnel have been killed or injured on active service with UNPROFOR II; and if he will make a statement.

Mr. Archie Hamilton: There has been one death, that of Lance Corporal Edwards, and five injuries to British soldiers sustained in the course of their duties while serving with UNPROFOR Bosnia-Herzegovina command.

Dr. David Clark: To ask the Secretary of State for Defence (1) what assessment his Department has made of the possibility of extending the policy of safe havens from northern Iraq to Bosnia; and if he will make a statement;

(2) what consideration he has given to the military implications of the establishment of safe havens in Bosnia; and if he will make a statement;

(3) what discussions he has had with his NATO counterparts regarding the military implications of the establishment of safe havens in Bosnia; and if he will make a statement.

Mr. Archie Hamilton: We welcome the UNHCR's proposal to establish safe areas in Bosnia by agreement with the parties; the United Kingdom supported similar ideas last July. The position in Bosnia is however different to that in northern Iraq; the ethnic map, topography and triangular war make it impossible in the absence of an effective peace agreement to envisage the establishment of genuine safe areas without the deployment of huge numbers of heavily armed United Nations ground troops assisted by air power.

Dr. David Clark: To ask the Secretary of State for Defence on how many occasions British service personnel deployed with UNPROFOR II have sought to negotiate local ceasefires and other methods of preventing conflicts with local militia commanders; and if he will make a statement.

Mr. Archie Hamilton: Participating in negotiations to arrange local ceasefires to allow the passage of humanitarian aid and refugees, the evacuation of the sick and wounded and other tasks within the mandate of the UNPROFOR troops operating in Bosnia-Herzegovina is part of the British battalion group's day-to-day business. It is not possible to provide a precise figure.

Dr. David Clark: To ask the Secretary of State for Defence (1) what discussions he has had with his NATO counterparts concerning an increase in the size of the British contribution to UNPROFOR II; and if he will make a statement;

(2) what discussions he has had with his NATO counterparts concerning a general increase in the size of UNPROFOR II; and if he will make a statement.

Mr. Archie Hamilton: Participation in United Nations peacekeeping deployments in the former Yugoslavia is kept under constant review in concert with our NATO allies. These discussions naturally include the possible size and scope of future United Nations deployments in the former Yugoslavia.

Dr. David Clark: To ask the Secretary of State for Defence (1) what consideration he has given to the military consequences of implementing the Vance-Owen peace proposals in Bosnia; and if he will make a statement;

(2) what discussions he has had with his NATO counterparts relating to the military consequences of implementing the Vance-Owen peace proposals in Bosnia; and if he will make a statement.

Mr. Archie Hamilton: Both within the United Nations and NATO, the possible size and scope of an operation to assist the parties to implement the Vance-Owen peace proposals is being kept under close review.

Dr. David Clark: To ask the Secretary of State for Defence how many times British service personnel deployed with UNPROFOR II have been mentioned in dispatches.

Mr. Archie Hamilton: Mentions in dispatches are awarded in operational theatres only. The former Yugoslavia has not been declared an operational theatre, although this is under review.

Airwork Ltd.

Dr. David Clark: To ask the Secretary of State for Defence what is the current value and type of contracts that his Department have with Airwork Ltd.; and what conditions relating to operations in the event of a conflict have been included in these contracts.

Mr. Aitken: Figures for the end of the 1992-93 financial year are still being finalised, but at the end of February my Department had 49 contracts with Airwork Ltd. The original value of these was some £91 million, but the value of the work still to be carried out is some £28·5 million.

Airwork Ltd. provides my Department with a wide range of aircraft-related maintenance, repair and other support activities, as well as providing services such as catering and cleaning.

Terms and conditions of individual contracts are regarded as commercially confidential, but I can confirm that our policy for contracting out support services takes account of the need for continued support in time of conflict.

Meggitt Aerospace and Defence plc

Dr. David Clark: To ask the Secretary of State for Defence how many contracts currently exist between his Department and Meggitt Aerospace and Defence plc.

Mr. Aitken: My Department holds no contracts directly with this company, but does hold a large number with its various subsidiaries. A total of 1,363 such contracts were active during the 1992-93 financial year.

RAF St. Athan

Dr. David Clark: To ask the Secretary of State for Defence what assessment he has made as to the adequacy of the maintenance of aircraft at RAF St. Athan; and if he will make a statement.

Mr. Archie Hamilton: RAF St. Athan is accredited by my Department's directorate of quality assurance to an international quality standard and there is no cause to doubt the quality of the aircraft maintenance carried out there. Some problems have, however, been identified during a recent modification programme on Tornado aircraft, the cause of which is currently being examined.

Army Recruitment

Mrs. Ewing: To ask the Secretary of State for Defence if he will provide a breakdown by individual Army recruiting offices of the recruitment by regiments or corps for 1991-92 and 1992-93.

Mr. Archie Hamilton: I have placed the available information for main Army careers information offices up to 6 March 1993 in the Library of the House.

RAF Leeming (Aircraft Noise)

Mr. Hague: To ask the Secretary of State for Defence what is the total amount of noise compensation paid out by his Department to property owners in the vicinity of RAF Leeming since the stationing of Tornado aircraft at the base.

Mr. Archie Hamilton: As at the end of March 1993 my Department has paid out £8,903,000 in noise compensation to entitled claimants.

RAF Wyton

Mr. Brazier: To ask the Secretary of State for Defence what further consideration he has given to the future of RAF Wyton and the proposed location of the RAF logistics command headquarters; and if he will make a statement.

Mr. Archie Hamilton: The Royal Air Force's electronic warfare and reconnaissance assets and a number of other major and minor units are currently stationed at RAF Wyton. In order to exploit the benefits of estate rationalisation and because certain units are being market-tested, flying operations at RAF Wyton are planned to reduce to the point at which it would be uneconomic to retain the airfield, with its associated station support services, as a flying station.

Subject to consultation with the trade unions I have concluded that the electronic warfare and reconnaissance assets should be relocated to RAF Waddington, and other units to RAF Marham and RAF Finningley. These relocations would be completed by mid 1996.

I announced on 14 August that RAF Wyton, along with RAF Brampton, would form the centre for RAF logistics management, and that this would involve the concentration there of support activities situated now at several sites, including MOD Harrogate. It subsequently emerged from revised Army plans that Uniacke barracks at Pennypot, near Harrogate, might become available for other defence purposes, and I therefore commissioned a detailed study into its possible use for RAF logistics activities. This re-examination is now complete. The result is to confirm that the Brampton/Wyton option provides the best solution to RAF needs. RAF Logistic Command will therefore form on 1 April 1994 at Brampton and, on current plans, most of the logistic support services will move to Wyton in 1995 and 1996. MOD Harrogate, RAF Swanton Morley, and eventually RAF Stanbridge, will close as originally announced.

I am happy to say that the Army apprentice college at Uniacke barracks at Pennypot will, however, remain open for longer than previously anticipated. Apprentice training for the Royal Signals will continue there for the time being and will move direct to Blandford where new facilities should be ready for occupation during 1995. Alternative long-term defence uses for the Pennypot site are under consideration.

Food Distribution

Mr. Brazier: To ask the Secretary of State for Defence what plans he has for the future arrangements for the purchase and distribution of food for the armed services.

Mr. Archie Hamilton: Responsibility for the purchase and distribution of food to the armed services is currently split between the Director General of Supplies and Transport (Naval), the Royal Logistic Corps and the Navy, Army and Air Force Institutes (NAAFI). Following a detailed study, I have concluded in principle that the task should be rationalised and that, subject to satisfactory terms being negotiated, a fixed-term contract should be awarded in the first instance to NAAFI. Once consolidation has been achieved, as much of the work as possible will be subjected to market testing. The responsibility for the policy and management of food supply will remain within the Ministry of Defence.

We shall be consulting interested parties, in particular the Ministry of Defence trade unions, about the proposal in the normal way. I am placing a copy of the consultative document in the Library of the House.

Maintenance Group Defence Agency

Mr. Brazier: To ask the Secretary of State for Defence if he will publish key management targets for the Maintenance Group Defence Agency.

Mr. Archie Hamilton: The Maintenance Group Defence Agency's key management targets for 1993-94 are as follows:

(a) To achieve at least 98 per cent. of the specified maintenance and communications-electronics tasks to standard and on time.
(b) To achieve the Joint Service Publication 336 Defence Supply Manual speed of issue and pipeline targets for at least 95 per cent. of the depot supply task.
(c) To keep within the group's allocated budget.
(d) To reduce the cost per unit of output by 2·5 per cent.
(e) To achieve the quality systems targets set in the group's management plan.
(f) To install the new financial and management accounting system at all the group's major units by 31 March 1994.
(g) To complete the warehouse and transportation management system full study by 12 October 1993, and to commence implementation by 1 November 1993.

Written Answers to Questions

Wednesday 28 April 1993

LORD CHANCELLOR'S DEPARTMENT

Legal Aid

Mrs. Mahon: To ask the Parliamentary Secretary, Lord Chancellor's Department what provision is made for legal aid to be granted to enable a patient to attend a hearing at an appeals unit of a regional health authority when a doctor appeals against a decision by the family health services authority in favour of the patient.

Mr. John M. Taylor: Legal advice and assistance is available under the green form scheme on almost any point of English law. A financially eligible person may seek advice on such a point prior to the hearing.

Performance Targets

Mr. Carrington: To ask the Parliamentary Secretary, Lord Chancellor's Department what are the key performance targets for Her Majesty's Land Registry and the Public Record Office executive agencies for 1993-94.

Mr. John M. Taylor: The following tables set out the key performance targets that my noble and learned Friend the Lord Chancellor has set for Her Majesty's Land Registry and for the Public Record Office for 1993-94.

Her Majesty's Land Registry Executive Agency
Key performance targets 1993-94

Indicator	*Target*
1. *Financial*	
Return on average capital employed	6 per cent.
2. *Efficiency*	
Progressive reduction in unit costs in real terms	To achieve or better a 13 per cent. improvement over the five year period 1993-94 to 1997-98 of which an improvement of at least 2 per cent. is required in 1993-94.
3. *Productivity*	
Progressive increase in output per post	
4. *Speed of service*	
Percentage of pre-completion applications handled in 3 days	96 per cent.
Average handling time for post-completion applications (weeks)	5
5. *Quality of service*	
Percentage of pre-completion applications handled free of error	99·7 per cent.
Percentage of post-completion applications handled free of error	97·65
6. *Development of Land Registration*	
Number of computerised registers	8·30 million

Note:
Fuller details of the Registry's performance targets are given in its *Business Plan*, which is available from Her Majesty's Land Registry.

Public Record Office Executive Agency
Key performance targets 1993-94

Indicator	*Target*
1. *Efficiency:*	
Indicator: Cost of selecting and accessioning records:	To decrease the cost of selecting and accessioning records by 7 per cent.
Indicator: Unit costs of providing record storage space, document productions and reader services:	To reduce the cost of providing records storage space per linear foot by 6 per cent.
	To decrease the cost per document produced to readers by 9 per cent.
	To decrease the total reader service costs per reader visit (Census microfilms) by 5 per cent.
	To decrease the total reader service costs per reader visit (other records) by 4 per cent.
Backlog of records awaiting review:	To identify and quantify the backlog.
	To reduce the known backlog of records over 30 years old which have not been processed, by 1,500 feet (current backlog 5,500 feet).
Storage of records:	81 per cent. of records to be stored to an acceptable standard.
Reader satisfaction:	85 per cent. of reader satisfaction survey forms returned to have a better overall assessment of good, or better.
Management efficiency in running services and projects	The overall rate of achievement for target levels set for management services.
2. *Quality of service*	
Hours during which the Office is open to the public:	It is planned to extend opening hours at Kew on weekdays.

Notes:
1. Fuller details of the Office's performance targets are given in its *Business Plan*, which is available from the Public Record Office.
2. Following the introduction of accruals accounting, the basis on which the unit costs are calculated will be revised during 1993-94.

Incest

Miss Lestor: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to review the sentencing guidelines on incest, particularly those referring to mitigating factors; and what training is given to the judiciary to encourage greater insight into the nature of sexual offences.

Mr. John M. Taylor: Sentencing guidelines are issued by the Lord Chief Justice in consultation with any other judges as he thinks fit and any review is entirely in his hands. The Judicial Studies Board distributes the guidelines to all judges, recorders and assistant recorders who sit in the Crown court, the most recent issue being in July 1992. One of those guidelines deals with "Incest and Indecent Assault". Lectures and discussions on the nature of sexual offences are included in training courses for judges who sit in the criminal and the civil and family jurisdictions. Medical consultants, child psychiatrists and other professionals lead these training sessions.

TRANSPORT

Departmental Contracts

Mr. Cousins: To ask the Secretary of State for Transport if he will list for each of the last five years the duration, value and nature of contracts awarded by his Department to Arthur Andersen, Kleinwort Benson, Denton, Hall, Begrie and Warren.

Mr. Kenneth Carlisle: In the last five years the contracts awarded are as follows:—

Arthur Andersen
No awards

Kleinworth Benson
One award, for the period September 1990 to April 1991
Contract related to Advice to DOT (Ports Division) for privatisation of Trust Ports
Value £30,000.

Denton, Hall, Burgin and Warren
No awards

A1-M1 Link

Dr. Hampson: To ask the Secretary of State for Transport what is the timetable for the completion of the A1-M1 link; and if he will make a statement.

Mr. Kenneth Carlisle: The public inquiry into the draft orders for the M1-A1 link between the M1 south of Leeds and the A1 north-east of Garforth closed on 25 February and the indpendent inspector is now writing his report. Future progress depends on when the Secretaries of State for the Environment and for Transport receive the report and are able to issue their decision. In view of this, and the statutory framework within which these actions take place, it would be inappropriate for me now to anticipate a timetable for the completion of this scheme.

Road Maintenance

Mr. Robert Ainsworth: To ask the Secretary of State for Transport what comparisons he has made between road maintenance expenditure in the United Kingdom and in other European countries.

Mr. Kenneth Carlisle: Very little comparative information is readily available. I am at present considering the case for a study to obtain more.

Third Harbour Crossing, Lowestoft

Mr. Wilson: To ask the Secretary of State for Transport what consideration he has given to Waveney district council's submission for a third harbour crossing at Lowestoft; and if he will make a statement.

Mr. Kenneth Carlisle: We expect to announce a preferred route for the Pakefield to Kessingland section of the proposed A12 Lowestoft relief road later this year. Progress beyond that stage on the Lowestoft relief road, which includes a further harbour crossing, will depend on the availability of resources.

In the meantime the Department has accepted in principle that a 100 per cent. grant should be made to Suffolk county council for its eastern relief road scheme to relieve congestion in the urban area of Lowestoft. This scheme should be carried out in the current financial year.

Jubilee Line

Dr. Spink: To ask the Secretary of State for Transport when he expects to be able to give final approval for work to commence on the Jubilee line tube extension into Docklands; and if he will make a statement.

Mr. Norris: Once the administrators and the parties involved in the financing of Canary Wharf have concluded with LT a satisfactory funding agreement covering the basis of their contribution to the Jubilee line extension, my right hon. Friend the Secretary of State for Transport will be able to authorise the start of construction.

A43 (Roundabouts)

Mr. Wilson: To ask the Secretary of State for Transport if he will bring forward proposals for the provision of roundabouts on the A43 at Stanyon and Corby; and if he will make a statement.

Mr. Kenneth Carlisle: Investigations into these junction arrangements are in hand.

Motor Cyclists

Mr. Harvey: To ask the Secretary of State for Transport if he will make a statement on the safety implications for motor cyclists of current motorway central reservation barrier designs.

Mr. Kenneth Carlisle: The current safety fences and safety barriers have been designed and tested to contain and safely redirect an errent 1·5 tonne vehicle—that is, a medium to large car—travelling at 113 km/h and impacting at an angle of up to 20 deg. They have been successfully deployed in the central reserves and verges of motorways and other roads.

No specific impact testing has been carried out with motor cycles, but over the past 25 years there has been no evidence to suggest that the steel safety fencing or concrete safety barrier is particularly hazardous to this class of vehicle and road user.

Clearly, there are inherent dangers should a motor cyclist hit a safety fence and its support posts, but accident records show that it is not very common for motor cyclists to collide with motorway central reserve safety fencing.

Rail Privatisation

Mr. Luff: To ask the Secretary of State for Transport (1) how he expects Worcester rail services, other than those provided by InterCity, to be grouped for the purpose of inviting franchise bids; and if he will make a statement;

(2) when he expects to invite bids for the franchise to operate services, other than those provided by InterCity, between London and Worcester; and if he will make a statement.

Mr. Freeman: Following the announcement of the first franchises on 2 February, we hope to make a further announcement later this year about how and when the rest of the network will be prepared for franchising.

Mr. Luff: To ask the Secretary of State for Transport when formal applications to bid for the franchise to operate Great Western main line InterCity services will be sought; and when he expects to award the franchise.

Mr. Freeman: It is too early to say.

American Vehicles

Mr. Luff: To ask the Secretary of State for Transport what representations he has received concerning regulations affecting the use of American automobiles in the United Kingdom; and if he will make a statement.

Mr. Kenneth Carlisle: The Department has received many letters from owners of cars manufactured for use in America.

The scope of checks on lighting equipment in the MOT test was extended with effect from 1 January 1993, increasing the level of enforcement of certain existing requirements of the lighting regulations. These new checks have highlighted the fact that most American cars do not comply with the requirement, in existence since 1 September 1965 for all vehicles manufactured after that date, that indicators should be amber.

Severn Crossing

Mr. Morgan: To ask the Secretary of State for Transport, pursuant to his answer of 8 March, *Official Report*, column *407*, what provision he will make for an on site resident engineer to inspect, monitor and certify the quality of constructional steel fabricated by Construzione Cimolai Armando at its factory in Pordenone for use as part of the second Severn crossing in line with the system of inspection, monitoring and certification for constructional steel for United Kingdom highway structure fabricated within the United Kingdom.

Mr. Kenneth Carlisle *[holding answer 27 April 1993]:* The second Severn crossing is being financed and constructed under the terms of a concession agreement between the Government and a concession company, Severn River Crossing plc.

To ensure that SRC and its contractor, the Laing-GTM joint venture, satisfy their responsibilities under the concession agreement, an independent firm of consulting engineers has been appointed as the Government's agent. The agent is responsible for the monitoring of design and construction of the works to see that they comply fully with laid down British or equivalent standards and specifications. SRC's quality assurance system will be audited and monitored.

In carrying out these duties, the Government agent has access to all locations where materials are being manufactured for the works, for the purposes of general inspection and of amending any test or investigations being carried out.

NATIONAL FINANCE

Bank Closures

Mr. Vaz: To ask the Chancellor of the Exchequer if he will make a statement on the closure of the Mount Banking Corporation Ltd.

Mr. Nelson: On 19 October 1992 the directors of Mount Bank petitioned for and obtained an administration order under the Insolvency Act 1986.

Mr. Vaz: To ask the Chancellor of the Exchequer if he will make a statement on the closure of the Al Baraka bank.

Mr. Nelson: Albaraka International Bank Ltd. announced on 31 March that after extensive discussions with the Bank of England about possible changes in its ownership structure, it had decided to discontinue providing deposit facilities within the United Kingdom and to repay all depositors starting on 1 April 1993. The announcement said that the intended surrender of the bank's authorisation had arisen as a result of the new Basle supervisory requirements and not as a result of financial deficiency or its existence as an Islamic bank.

Mr. Vaz: To ask the Chancellor of the Exchequer if he will list the banks that have had their licences revoked by the Bank of England since 9 April; and if he will give the reasons for each of the closures.

Mr. Nelson: Under section 17(2) of the Banking Act 1987 the Bank of England makes available monthly a list of the institutions authorised under part I of that Act. The bank's lists conventionally record separately those institutions which have ceased to be authorised during the intervening period. There are, however, a number of ways in which an institution may cease to be authorised and information concerning the reasons for the cessation of any particular authorisation is covered by the restrictions on disclosure in part V of the Act.

Mr. Vaz: To ask the Chancellor of the Exchequer if he will make a statement on the closure of the Roxburghe Bank.

Mr. Nelson: On 8 April 1993 the directors of Roxburghe bank petitioned for and obtained an administration order under the Insolvency Act 1986.

Mr. Vaz: To ask the Chancellor of the Exchequer what discussions *(a)* he and *(b)* his officials have had with the Bank of England about the closure of (i) the Mount Banking Corporation Ltd; (ii) the Roxburghe bank and (iii) the Al Baraka bank.

Mr. Nelson: Meetings are held from time to time between the Governor and the Chancellor of the Exchequer, and between Bank and Treasury officials, at which banking supervision issues are discussed. It is not the practice to make public whether or not a particular institution is mentioned at these meetings.

Incomes

Mr. Corston: To ask the Chancellor of the Exchequer what was the average value in 1979 and 1990, at 1990 prices, of *(a)* NHS benefits in kind, *(b)* other benefits in kind and *(c)* all benefits in kind, received only by households with children by quintile groups of households, ranked within all households ranked by equivalised disposable income.

Mr. Nelson: The figures are available only at current prices. They are as follows:

NHS benefit and other benefits in kind for household with children by quintile groups of all households ranked by equivalised disposable income

	Bottom	2nd	3rd	4th	Top	All
1979						
NHS	430	449	451	410	434	436
Other	1,454	1,165	976	883	748	1,028
Total	1,883	1,614	1,426	1,293	1,182	1,464
1990						
NHS	1,338	1,315	1,217	1,337	1,300	1,296
Other	3,029	2,577	2,405	2,155	1,762	2,413
Total	4,367	3,892	3,622	3,492	3,061	3,709

Note: These estimates are based on data collected in the Family Expenditure Survey (FES). They are not strictly comparable over time as the FES changes from year to year.

Ms Corston: To ask the Chancellor of the Exchequer what was the average equivalised disposable income, and the average disposable income per equivalent adult, by *(a)* quintile and *(b)* decile groups of households, at 1990 prices, for 1979 and 1990.

Mr. Nelson: The information is not available in the precise form requested because the equivalence scale used is based on households rather than adults. In addition, the figures are available only at current prices. The figures are given in the table:

Equivalised disposable income by quintile groups of all households ranked by equivalised disposable income

Using the McClements equivalence scale with a household of a married couple = 1

	Bottom	2nd	3rd	4th	Top	All
1979	1,934	2,749	3,656	4,783	7,354	4,095
1990	4,378	6,777	9,983	14,297	27,038	12,494

Using the McClements equivalence scale re-scaled so that a household of one adult = 1

	Bottom	2nd	3rd	4th	Top	All
1979	1,180	1,677	2,230	2,918	4,486	2,498
1990	2,671	4,134	6,089	8,721	16,493	7,621

Equivalised disposable income by decile groups of all households ranked by equivalised disposable income.

	Bottom	2nd	3rd	4th	5th	6th	7th	8th	9th	Top	All
Using the McClements equivalence scale with a household of a married couple = 1											
1979	1,689	2,179	2,534	2,964	3,416	3,897	4,438	5,129	6,043	8,664	4,095
1990	3,596	5,161	6,120	7,435	9,081	10,884	13,012	15,580	19,598	34,467	12,494
Using the McClements equivalence scale re-scaled so that a household of one adult = 1											
1979	1,030	1,329	1,545	1,808	2,084	2,377	2,707	3,128	3,686	5,285	2,498
1990	2,194	3,148	3,733	4,535	5,540	6,639	7,937	9,504	11,955	21,025	7,621

These figures are not strictly comparable over time because of changes in classification of both income and taxation and because of changes in the Family Expenditure Survey.

North Sea Drilling

Mr. William Ross: To ask the Chancellor of the Exchequer what information he has as to the number of drilling projects in the North sea which have been cancelled since his Budget statement.

Mr. Dorrell: We do not have access to any unpublished information on this matter.

Government Contracts

Mr. Cousins: To ask the Chancellor of the Exchequer what steps he has taken to monitor the compliance of contractors on Government contracts with clauses requiring payments of subcontractors within 30 days; and how he will report the results of this monitoring to Parliament.

Mr. Portillo: Where a prime contractor for a Government Department fails to comply with the provision for making prompt payment in his sub-contract, the sub-contractor will have a remedy through the courts in the normal way. Where there is evidence of poor performance by a prime contractor, which may include the late payment of bills to a sub-contractor, that will be taken into account by the Department in awarding subsequent contracts.

Mr. Cousins: To ask the Chancellor of the Exchequer what steps he has taken to ensure that all Government contracts contain a clause requiring payment of sub-contractors within 30 days.

Mr. Portillo: Guidance containing a model clause for inclusion in Government contracts was issued to Departments on 14 April 1992. Government Departments have confirmed that they have introduced clauses in all their contracts, where special circumstances do not apply, which require the supplier or contractor to pay its suppliers or sub-contractors promptly, normally within 30 days.

Commercial Revaluations

Mrs. Lait: To ask the Chancellor of the Exchequer when he expects the next revaluation of commercial premises to be completed; and on what date the rental values will be based.

Mr. Nelson: The next revaluation of commercial premises will be completed to enable new rating lists to be compiled on 1 April 1995. Rental values will be based on a valuation date of 1 April 1993.

Premium Bonds

Mr. Tony Banks: To ask the Chancellor of the Exchequer what is the current premium bond prize-fund rate; and how many readjustments in the prize-fund rate have been made since 1963.

Mr. Nelson *[holding answer 27 April 1993]:* The current prize fund rate is 5 per cent. per annum. The rate when the scheme began in 1956 was 4 per cent. There have been 12 changes since then.

Mr. Tony Banks: To ask the Chancellor of the Exchequer what have been the total net receipts to the Treasury arising from the sale of premium bonds since their introduction; and how much is currently held in unclaimed prize money.

Mr. Nelson *[holding answer 27 April 1993]:* The balance outstanding at the end of March 1993 was £2·659 billion. The value of unclaimed prizes is £10·8 million.

DEFENCE

Nuclear Testing

Mr. Hutton: To ask the Secretary of State for Defence what is his policy on the release of information on his Department's study of alternative technologies for testing nuclear warheads.

Mr. Aitken: I refer the hon. Member to the reply I gave to the hon. Member for Motherwell, North (Dr. Reid) on 2 November 1992, *Official Report*, column *53*. Release of information on alternative technologies must have regard to the requirements of national security, and our non-proliferation obligations and concerns.

Mr. Hutton: To ask the Secretary of State for Defence how many of his Department's personnel are currently involved in studying alternative technologies for testing nuclear warheads.

Mr. Aitken: It has not been the policy of this or previous Governments to reveal details of the staffing levels required for nuclear warhead research programmes.

Mr. Hutton: To ask the Secretary of State for Defence, pursuant to his answer of 23 October 1992, to the hon. Member for Motherwell, North (Dr. Reid), *Official Report*, column *403*, how much expenditure was incurred in 1992-93 on studying alternative technologies for testing nuclear warheads.

Mr. Aitken: It has not been the policy of this or previous Governments to reveal costs associated with the nuclear warhead research programmes.

Mr. Hutton: To ask the Secretary of State for Defence what consultations he has had with *(a)* his United States and *(b)* his French counterparts relating to the development of alternative technologies for testing nuclear warheads; and if he will make a statement.

Mr. Aitken: My right hon. and learned Friend the Secretary of State for Defence has recently had meetings with both Secretary Aspin and Mr. Léotard, at which a range of subjects of mutual interest was discussed. We are in close touch with the United States and French authorities on nuclear testing and associated issues.

Search and Rescue

Mr. Martlew: To ask the Secretary of State for Defence what plans he has to utilise the facilities used by the search and rescue service at RAF Leuchars when the service at the base is closed; and if he will make a statement.

Mr. Archie Hamilton: Search and rescue flying from RAF Leuchars ceased on 1 April. The Aberdeen, Dundee and St. Andrews University Air Squadron will use the facilities vacated by the SAR flight.

Mr. Martlew: To ask the Secretary of State for Defence what estimates he has of the cost reductions or increases that will be made with the reorganisation of the RAF search and rescue service; and if he will make a statement.

Mr. Archie Hamilton: The changes in the deployment of the RAF search and rescue force will reduce operating costs by approximately £6·5 million per annum at today's prices.

University Air Squadron

Mr. Martlew: To ask the Secretary of State for Defence if he will list all the locations where students of the University air squadron are entitled to have training and flying lessons free of charge; and if he will make a statement.

Mr. Archie Hamilton: Training and flying lessons take place at the following locations: RAF Leuchars; RAF Cosford; Colerne; Cambridge; RAF Turnhouse; RAF Newton; Glasgow International; RAF Woodvale; RAF Leeming; RAF Benson; Belfast City; RAF Boscombe Down; RAF St. Athan; RAF Finningley and the Royal Military College, Shrivenham. My Department does not raise charges against members of the University air squadron, but individual universities may do.

Outdoor Pursuits

Mr. Martlew: To ask the Secretary of State for Defence how many service personnel have been seconded to organisations concerned with outdoor pursuits and adventure travelling, including Operation Raleigh, in each of the last five years; and if he will list the organisations concerned; and if he will make a statement.

Mr. Archie Hamilton: None has been seconded. A number of personnel from the three services have, however, participated in expeditions organised by Operation Raleigh, now Raleigh International, and the British Schools Exploring Society. Their participation was authorised as adventurous training and they were regarded as being on duty. According to our records, the number of service personnel involved was as follows:

Year	Number of service personel Raleigh International	British Schools Exploring Society
1992-93	68	18
1991-92	77	8
1990-91	35	11
1989-90	68	7
1988-89	62	11
Total	310	55

Land Sales

Mr. Martlew: To ask the Secretary of State for Defence if he will give *(a)* the amount of land sold by his Ministry and *(b)* the amount raised from the sale, in each of the last five years in each region of the United Kingdom; and if he will make a statement.

Mr. Archie Hamilton: My noble Friend the Under-Secretary of State for Defence will write to the hon. Member.

British Aerospace

Mr. Martlew: To ask the Secretary of State for Defence, pursuant to his answer of 2 April, *Official Report*, column 508, which organisation paid the salaries of the RAF personnel seconded to British Aerospace; and if he will make a statement.

Mr. Archie Hamilton: British Aerospace.

Humanitarian Flights

Mr. Hardy: To ask the Secretary of State for Defence how many flights have been made since January 1992 by aircraft of the Royal Air Force in pursuance of humanitarian purposes; and how many aircrew have been involved in this activity.

Mr. Archie Hamilton: Since 1 January 1992, the RAF has flown over 770 sorties to provide humanitarian aid in Bosnia, Somalia, the Bahamas and Guatemala. In addition, four sorties were flown to evacuate British and other nationals from Angola and Palestinian deportees from Israel; and 10 sorties were mounted to assist with fire fighting in the Lebanon. Also, the RAF has so far mounted over 3,000 sorties in support of the air exclusion zones in northern and southern Iraq and over 500 sorties in support of the various military operations in the former Republic of Yugoslavia. These operations have involved a significant number of aircrew, but precise details are not held centrally and could be provided only at disproportionate cost.

Abbey Wood, Bristol

Mr. Tim Smith: To ask the Secretary of State for Defence what is the estimated cost of the new office development planned at Abbey Wood in north Bristol.

Mr. Aitken: The estimated major works cost of the new procurement executive headquarters at Abbey Wood, North Bristol, inclusive of site acquisition, construction, fitting out, professional works management and VAT is £255·4 million at 1993-94 prices.

ATTORNEY-GENERAL

Crimes (Racial Motivations)

Mr. Gerrard: To ask the Attorney-General what monitoring is undertaken of the number of cases where racial motivations have been raised by the Crown prosecution service during court proceedings.

The Attorney-General: The Crown prosecution service is monitoring both the number of cases identified by the police as containing an element or allegation of racial motivation and the decisions taken by Crown prosecutors resulting from their review of those cases.

AGRICULTURE, FISHERIES AND FOOD

Producer Groups

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what sources of funding the Government have made available to develop the marketing potential of producer groups; what is the forecast value of expenditure on producer marketing grants by 1992 and for each of the next three years; and by what means producer groups qualify for funding.

Mr. Gummer: The current scheme for developing the marketing potential of producer groups is the group marketing grant introduced in April 1992. Expenditure is continuing under the closed agricultural and horticultural co-operation scheme and EC regulation 1035/72 aid to producer groups.

Awards under the group marketing grant worth £552,000 were made during the first financial year, 1992-93, of the scheme. Expenditure in 1992-93 and provision for the following three years are as follows:

£'000

Financial year		Group marketing grant	Expenditure under closed schemes
1992-93 expenditure		21	1,232
1993-94	provision	1,720	859
1994-95		2,938	280
1995-96		3,544	179

The conditions attached to the group marketing grant are set out in the brochure, copies of which are in the Library.

Agri-Environment Regulation

Mr. Moss: To ask the Minister of Agriculture, Fisheries and Food, what are his plans for implementing the EC Agri-Environment Regulation (2078/92); and if he will make a statement.

Mr. Gummer *[pursuant to his reply, Official Report, 26 March 1993, columns 729-30]:* I am today issuing for public consultation proposals for the introduction of up to 30 new nitrate sensitive areas forming the seventh and final element of my proposals for implementing the EC Agri-Environment Regulation in England.

The new scheme will build upon and extend the NSA approach introduced by the pilot nitrate scheme in 1990. It will encourage changes in farming practices which are

designed to reduce nitrate leaching losses. The scheme will be targeted on areas around boreholes where such changes will help protect groundwater sources affected by rising nitrate levels.

The areas have been selected on the basis of advice from the National Rivers Authority taking a wide range of criteria into account. My officials will be consulting locally later this year on the boundaries of each of the proposed new NSAs.

Detailed arrangements for the new scheme will be finalised after the results of the consultation have been analysed. It is envisaged, however, that it will open for applications in the first half of 1994.

I am making copies of the consultation document available in the Library of the House.

EC Animals Directive

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food which EC member states have taken the necessary legal steps to implement the EC directive on the protection of animals during transport (91/628/EEC).

Mr. Gummer: Monitoring the implementation of EC directives by the member states is carried out by the Commission. It has not yet indicated what action has been taken on directive 91/628.

Agriculture Council

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Agriculture Council held in Luxemburg on 26 and 27 April.

Mr. Gummer: The meeting of the Agriculture Council of 26 and 27 April, at which I represented the United Kingdom, again considered the Commission's proposals for farm prices and related measures for 1993-94 but reached no conclusion and will resume its discussions at its May meeting. I stressed the overriding need for the Council's decisions to keep within the tight constraints on Community expenditure.

During the discussion I urged the Commission to come forward as soon as possible with a proposal for non-rotational set-aside of arable land and it undertook to do so in time for the Council's next meeting.

The Council formally adopted a decision, agreed in principle at its March meeting, to end the milk co-responsibility levy from 1 April 1993.

Rights of Way

Mr. Martlew: To ask the Minister of Agriculture, Fisheries and Food what advice his Ministry gives to farmers and landowners about the maintenance of rights of way over land which is subject to the different types of set-aside payments; and if he will make a statement.

Mr. Curry: The fact that land has been set aside does not affect the farmer's responsibilities as regards rights of way over that land. These are explained in the general guidance on the Rights of Way Act 1990, which has been sent to all farmers.

NATIONAL HERITAGE

Foundation for Sport and the Arts

Mr. Pendry: To ask the Secretary of State for National Heritage what was the total amount of financial support given to angling *(a)* by his Department and *(b)* by the Foundation for Sport and the Arts in 1991-92 and 1992-93.

Mr. Brooke *[holding answer 26 April 1993]:* Most of my Department's funding for sport is made through the Sports Council. In 1991-92 it paid grant of £71,749 to angling's governing bodies, including £20,660 to the National Angling Council, which was disbanded at the end of that year. In 1992-93 grant paid by the Sports Council to angling's remaining governing bodies was £46,800.

The Foundation for Sport and the Arts is independent of Government and its grants are made at the absolute discretion of the trustees. I understand that the trustees do not consider angling to be eligible for support on the ground that it is not an athletic sport.

WALES

Leyland-DAF

Mr. Barry Jones: To ask the Secretary of State for Wales if he will permit those organisations and agencies answerable to him to draw up plans to assist small companies owed money by Leyland-DAF; and if he will make a statement.

Mr. David Hunt: A wide range of services exists in Wales to assist all companies to enhance their business. The WDA and other agencies stand ready to offer whatever help is possible if approached by any of the companies affected by the Leyland-DAF situation.

Labour Statistics

Mr. Ron Davies: To ask the Secretary of State for Wales what were the unemployment figures, in each county, at April in each year since 1989.

Mr. David Hunt: All available unemployment figures can be accessed on line by House of Commons Library staff.

Mr. Rowlands: To ask the Secretary of State for Wales what estimate he has made of the number of jobs lost *(a)* in manufacturing, *(b)* in mining, *(c)* in private services and *(d)* in the public sector in the areas covered by the valleys initiative during the last five years.

Mr. David Hunt: While comprehensive information on total jobs lost is not available, the numbers of employees employed in the valleys initiative area are given in the following table:

	SIC (1980)[1]	*1987*	*1991*	*Thousands Change*
Manufacturing	Div 2-4	62·3	57·4	−4·9
Mining	AH 1113 & 1114	11·6	3·4	−8·2
All services[2]	Div 6-9	92·0	101·9	+9·8

Source: Censuses of Employment.
[1] Standard Industrial Classification (Revised) 1980.
[2] Information is not available separately for private and public sector employment.

Job Creation

Mr. Rowlands: To ask the Secretary of State for Wales, pursuant to his oral statement of 1 April, *Official Report*, column 513, whether he will list the companies and projects which have created the 24,000 jobs in the areas covered by the valleys initiative during the last five years.

Mr. David Hunt: I will write to the hon. Gentleman and place a copy in the Library of the House.

Urban Programmes

Mr. Rowlands: To ask the Secretary of State for Wales what amounts were received by the local authorities within the area covered by the valleys initiative through urban development programmes, and an urban investment grant in 1992-93; and what will be those amounts for each of the next five years.

Mr. David Hunt: In 1992-93 nearly £20·6 million was approved from the urban programme. This includes supplementary approvals made throughout the year. In 1993-94 a total of £17 million has so far been approved for areas covered by the valleys programme. It is not possible to forecast the corresponding figures for the next four years.

In 1992-93 urban investment grant awards to the valleys totalled £1·5 million. The amounts in future years will depend on the take-up of the scheme, but provision for 1993-94 has been increased by 40 per cent. Urban investment grant is specifically aimed at supporting private sector development and is not available to local authorities.

Communication Skills

Mr. Gareth Wardell: To ask the Secretary of State for Wales what arrangements he has made for the Further Education Funding Council to provide funding for the teaching of communication skills to adults with severe learning difficulties.

Sir Wyn Roberts: Schedule 2 to the Further and Higher Education Act 1992 lists the courses of further education which the Further Education Funding Council for Wales is expected to secure. This includes courses to teach independent living and communication skills to persons having learning difficulties and which prepare them for entry to further courses of study within schedule 2.

In his letter of guidance to the chairman of the funding council, my right hon. Friend drew attention to the council's specific duty to have regard to the requirements of students with all types of disability. The council should aim to ensure, so far as is consistent with its duties under the Act, that learning difficulties are no bar to access to further education.

In allocating resources to further education providers, the council has drawn specific attention to the requirement to have regard to the interests of adults who have basic educational needs.

Valleys Initiative

Mr. Rowlands: To ask the Secretary of State for Wales, pursuant to his statement on 1 April, *Official Report*, column 513, whether he will break down the £1,000 million announced for the valleys initiative into appropriate public expenditure categories for each of the next five years.

Mr. David Hunt: Total public expenditure under the programme for the valleys over the next five years will be well over £1 billion. I will publish shortly details of the breakdown of programme expenditure for 1993-94.

B. Dixon-Bate Ltd

Mr. Barry Jones: To ask the Secretary of State for Wales if he will visit the company headquarters of B. Dixon-Bate Ltd. in Clwyd.

Mr. David Hunt: I have no present plans to do so.

EC Funding

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 20 October 1992, *Official Report*, columns *283-84*, what progress he has made in allocating the £2·8 million under the European regional development fund; how much of the expenditure has already been announced and for what purposes; and on what the residual amount will be spent.

Mr. David Hunt: I made it clear in my answer on 20 October 1992, *Official Report*, columns *283-84*, that the £2·8 million to which the hon. Gentleman refers represents resources additional to the very substantial allocations already available from the European regional development fund under the industrial South Wales and RECHAR structural funds programmes. £1·61 million ERDF has already been committed to projects in the Betws and Taff Merthyr areas and the monitoring committees responsible for implementing these programmes will be asked to approve further projects to take up the whole of the available resources by the end of this year.

Ambulance Services

Mr. Richards: To ask the Secretary of State for Wales: what plans he has to introduce paramedics to rural and urban ambulance services in Wales.

Mr. Gwilym Jones: The ambulance services in Wales are to provide at least one fully trained paramedic on each front-line ambulance no later than the end of 1996. This target applies equally to all the ambulance service classifications—that is, urban, rural and sparsely populated—across Wales. The provision of paramedics is currently ahead of schedule, and the Welsh Office will continue to financially support this training.

Mr. Richards: To ask the Secretary of State for Wales what is the average age of each ambulance fleet in Wales.

Mr. Gwilym Jones: This information is not available centrally.

Doctors' Working Hours

Mr. Morgan: To ask the Secretary of State for Wales what information he has on the number of junior hospital doctors in Welsh health authorities and trust hospitals working over the prescribed 83 hours per week maximum; and if he will make a statement.

Mr. Gwilym Jones: Health authorities and NHS trusts have confirmed that no junior doctor in Wales is contracted to work more than a maximum average of 83 hours per week with effect from 1 April 1993.

Cadw

Mr. Jonathan Evans: To ask the Secretary of State for Wales what targets he has set for Cadw, Welsh Historic Monuments executive agency for 1993-94.

Sir Wyn Roberts: Cadw has been set the following key targets for 1993-94:

(i) To complete 90 per cent. of the approved conservation maintenance programme.
(ii) To promote the preservation of historic buildings and ancient monuments by completing 20 resurvey lists and 90 scheduling actions, of which at least 60 per cent. involve additional protection.
(iii) To resolve 75 per cent. of statutory cases within the target periods (28 days for listed building consent cases, 90 days for scheduled monument consent cases and 120 days for ad hoc listings).
(iv) To resolve 80 per cent. of grant applications within the target periods (17 weeks for Historic Buildings Council cases, six weeks for Ancient Monuments cases and 10 weeks for Civic Initiatives (Heritage) Grant Scheme cases); and to pay 90 per cent. of properly presented claims within five weeks of receipt.
(v) To maintain Cadw's market share of the number of visitors to the top twenty heritage sites in Wales at 63 per cent.
(vi) To increase the average spend per visitor to 188 pence.
(vii) To operate within allocated programme and running cost budgets.
(viii) To achieve an efficiency saving of 2·0 per cent. on gross running costs.

Full details of Cadw's performance against its targets for 1992-93 will be published in the agency's annual report.

TRADE AND INDUSTRY

Queensferry Post Office

Mr. Barry Jones: To ask the President of the Board of Trade if he will visit Queensferry post office sorting office.

Mr. Heseltine: I have no plans at present to visit Queensferry post office sorting office.

Loan Guarantee Schemes

Mrs. Anne Campbell: To ask the President of the Board of Trade how much money has been guaranteed to cover loan guarantee schemes during the last two years.

Mr Leigh: Gross expenditure on the loan guarantee scheme in the past two years has been:

	£ million
1991-92	31·6
1992-93	22·4

Mrs. Anne Campbell: To ask the President of the Board of Trade how many loan guarantee schemes have been started within the last two years.

Mr. Leigh: The number of loans guaranteed under the loan guarantee scheme in the past two years has been:

	Number
1991-92	2,936
1992-93	2,335

Telephone Lines (Installation Costs)

Mrs. Dunwoody: To ask the President of the Board of Trade if he will bring forward proposals for an ombudsman to oversee the cost of the installation of telephone lines by telephone companies.

Mr. Leigh: I have no plans to do so.

Textiles

Mr. Pike: To ask the President of the Board of Trade how many applications he has received under the Retex programme; when he expects to make a decision on these applications; and if he will make a statement.

Mr. Sainsbury: Sixty-seven applications have been received. The projects will be considered by the Retex programme monitoring committee after the United Kingdom programme is agreed with the Commission.

Insolvency Service

Mr. Cousins: To ask the President of the Board of Trade if the review of the funding and fee charging policy of the insolvency service has been completed.

Mr. Neil Hamilton: I refer the hon. Member to the reply I gave to the hon. Member for Beaconsfield (Mr. Smith) on 16 February, *Official Report*, column *136*.

Coal Industry

Mr. Tipping: To ask the President of the Board of Trade how many copies of the booklet, "The Prospects for Coal: Summary of the Coal Review White Paper", have been produced; how many have been sent to correspondents by post; and at what total cost.

Mr. Eggar: A total of 115,000 copies of the booklet have been produced and, so far, approximately 109,500 copies have been distributed. The total cost of production and distribution is approximately £40,000.

Insolvency Law

Sir Keith Speed: To ask the President of the Board of Trade what plans he has to review insolvency law.

Mr. Neil Hamilton: Officials in the insolvency service continue to monitor the operation of insolvency law, but I have no plans for a general review.

Company Failures

Sir Keith Speed: To ask the President of the Board of Trade if he will publish the letter sent by his Department to the Public Relations Consultants Association on 1 March about the collapse of Corporate Communications plc.

Mr. Neil Hamilton: No.

Sir Keith Speed: To ask the President of the Board of Trade what plans he has to prevent individuals who have presided over the collapse of their companies, of which they have been directors, from setting up similar new businesses with similar customers having failed to honour the debts of their former companies.

Mr. Neil Hamilton: The insolvency legislation already provides that directors whose conduct shows that they are unfit to manage companies may be disqualified from holding office. I have no plans to change the legislation in this regard.

Steel

Mr. Hardy: To ask the President of the Board of Trade what was the volume of steel production in the first quarter of 1991, 1992 and 1993; and if he will make a statement.

Mr. Sainsbury: The information is as follows:

1991 Q1 4·1 million tonnes
1992 Q1 4·2 million tonnes
1993 Q1 4·2 million tonnes (provisional)
Source: British Iron and Steel Producers' Association.

Mr. Hardy: To ask the President of the Board of Trade what assessment he has made as to the reliability of the volume of steel production as an indicator of economic vitality.

Mr. Sainsbury: The output of one industry cannot by itself be an adequate indicator of the state of the whole economy.

Internal Market Council

Mr. John Marshall: To ask the President of the Board of Trade if he will make a statement on the outcome of the EC Internal Market Council meeting held in Luxembourg on 5 April.

Mr. Neil Hamilton: I attended the second Internal Market Council of the Danish Presidency in Luxembourg on 5 April. The Council had a relatively substantial agenda. We managed to make progress on, and defend, a number of significant United Kingdom interests.

The Council adopted directives covering explosives, doctors' diplomas and motorcyle brakes. We succeeded in postponing a decision on a proposal to establish a 100 bhp maximum power limit for motor cycles until at least the June Council. We do not consider that the limit is justified on safety grounds.

Common positions were reached on directives covering public supply contracts, unauthorised use and statutory markings of motor cycles, and cable and satellite broadcasting. This last measure together with discussion of a proposed directive on the harmonisation on the term of copyright protection, allowed us to reach agreement on a text on film authorship which protects United Kingdom interests, notably those of film producers.

I emphasised our opposition to important elements of the European company statutory proposal. We continue to oppose the proposed worker participation directive; the legal base of the measures; and certain important technical aspects of the regulation.

Unfortunately, most other member states wish to continue work on the proposals.

There was a wide-ranging televised open debate on the subject of the single market after 1992. The United Kingdom, in line with all other member states emphasised the importance of making the single market work effectively. No operational conclusions were drawn.

The Commission reported that the overall rate of implementation of white single market measures has now risen to 83 per cent. The United Kingdom is in third position, with an 88 per cent. implementation record.

Political agreement to extend the transitional period to mid-1995 for the entry into force of the personal protective equipment directive will assist industry by giving it more time to meets its requirements. Motorcycle helmets are now expected to be excluded from the scope of the directive, with the Commission due to provide specific separate proposals within the next six months. Political agreement on the CE conformity marking for industrial products is subject to parliamentary scrutiny reserves.

The next formal meeting of the Council will take place on Monday 14 June.

Small Firms

Ms Quin: To ask the President of the Board of Trade what was the rate of small firm formation by standard planning region for each of the last three years.

Mr. Leigh *[holding answer 22 April 1993]:* The best indicator of regional trends in small business start-ups is given by figures on VAT registrations. Registration rates for the three most recent years are given in the table.

Registration rates[1] (per cent.)

Region	*1989*	*1990*	*1991*
South East	17	16	13
East Anglia	14	12	11
South West	14	12	11
West Midlands	15	13	11
East Midlands	15	13	12
Yorkshire and Humberside	15	13	12
North West	16	15	13
North	15	13	11
Wales	13	12	10
Scotland	14	14	12
Northern Ireland	8	8	7
United Kingdom	15	14	12

[1] New registrations as a percentage of the stock of VAT registered businesses at the start of the year.
Other estimates of regional start-ups are produced by Barclays Bank. Their regions do not correspond to standard planning regions.

Estimates of business start-ups produced by Barclays Bank plc

Region[1]	*Starts in 1991*	*Starts in 1992*
Greater London	101,000	98,000
Rest of South East	95,000	91,000
East Anglia	25,000	23,000
Midlands	63,000	58,000
South West	39,000	32,000
North and Yorkshire	43,000	44,000
North West	54,000	51,000
Wales	31,000	28,000
Scotland	34,000	30,000
Total	482,000	456,000

[1] Regions do not correspond to standard planning regions.

EDUCATION

Grant-maintained Schools

Mr. Byers: To ask the Secretary of State for Education how many parents rang the grant-maintained schools' helpline during its pilot period: and whether it is to be established on a permanent basis.

Mr. Forth: The grant-maintained helpline received 2,650 calls during the six week pilot period, of which 2,040 were from parents. The Department is currently evaluating the performance of the helpline. Decisions on whether to establish the service permanently have not yet been made.

Mr. Byers: To ask the Secretary of State for Education if he will list by local education authority those schools which were subject to reorganisation proposals which he subsequently approved for grant-maintained status and the dates on which such approvals were given.

Mr. Forth: A list of schools which were subject to closure or reorganisation proposals under section 12 or 13 of the Education Act 1980 when they applied for self-governing (GM) status is as follows:

LEA	*School*	*Approval date*
Avon	Beechen Cliff school	15 September 1989
Barnet	Hendon school	11 April 1989
Bedfordshire	Queensbury school	11 April 1989
Berkshire	Southlands school	6 December 1989
Bolton	St. James' CE school	28 February 1989
Brent	Copland community school	2 December 1991
Calderdale	The North Halifax high school	21 May 1990
	The Crossley Heath school	21 May 1990
Cambridgeshire	Gamlingay GM Village college	21 November 1991
Cheshire	Bankfield high school (GM)	2 June 1989
	Kettleshulme primary school	23 January 1992
Cumbria	Queen Elizabeth grammar school	14 October 1991
	Trinity school, Carlisle	18 February 1992
	St. Aidan's county high school	24 February 1992
Derbyshire	Netherthorpe school	30 June 1989
Ealing	Greenford high school	28 January 1992
	Brentside high school	28 January 1992
	Drayton Manor high school	4 February 1992
	Wood End first school	25 September 1992
	Ellen Wilkinson school for girls	4 February 1992
	Wood End middle school	25 September 1992
	Northolt high school	4 February 1992
Gloucestershire	Ribston Hall high school	15 September 1989
Hampshire	Calmore GM middle school	28 January 1993
	Testwood school	9 November 1992
	Abbotswood GM middle school	19 November 1992
Hertfordshire	Francis Bacon school	21 May 1990
Kensington	Cardinal Vaughan memorial school	30 November 1989
Kent	Oakwood Park grammar school	20 February 1992
	Wilmington grammar school for boys	28 January 1991
	Grammar school for girls, Wilmington	20 April 1989
	Thamesview school	5 July 1991
Leicestershire	Long Field GM high school	25 August 1989
Newham	Stratford school	21 May 1990
Northamptonshire	Southfield school for girls	24 November 1989
Nottinghamshire	Ravensdale middle school	14 February 1992
Sandwell	Manor high school, Sandwell	30 May 1991
Sheffield	Clifford CE GM school	24 April 1992
Southwark	London Nautical school	30 June 1989

LEA	School	Approval date
Surrey	Hawkedale first school	9 March 1992
	Send C of E first school (GM)	9 March 1992
	The Manor County first school	9 March 1992
	de Stafford school	10 March 1992
	Heathside secondary school	10 March 1992
Tameside	Audenshaw high school	22 February 1989
Warwickshire	The Avon Valley GM school	28 March 1991

School Places

Mr. Byers: To ask the Secretary of State for Education how many surplus school places were removed from the education system in each school year from 1984-85.

Mr. Forth: The number of surplus school places that have been removed since 1984-85 are as follows:

	'000s
1984-85	135
1985-86	128
1986-87	106
1987-88	109
1988-89	118
1989-90	93
1990-91	99
1991-92	n/a

In view of the new national survey of the capacity of schools carried out in 1991 separate figures have not been collected on the number of places removed from the education system in the school year 1991-92 onwards.

Special Learning Difficulties

Mr. Alton: To ask the Secretary of State for Education if he will list the local education authorities which have applied since the beginning of the year for lap-top computers for children with special learning difficulties; and what response was made to such applications.

Mr. Forth: I announced in January a major pilot study to assess the educational impact of using portable computers in schools. The following local education authorities (LEAs) have submitted project bids in respect of children with special learning difficulties:

LEAs	Manchester
Camden	Salford
Greenwich	Stockport
Hackney	Barnsley
Islington	Rotherham
Lambeth	Sheffield
Lewisham	Leeds
Barking	Avon
Barnet	Berkshire
Brent	Cleveland
Bromley	Derbyshire
Croydon	East Sussex
Haringey	Hertfordshire
Hounslow	Humberside
Kingston-upon-Thames	Lancashire
Merton	Leicestershire
Birmingham	Norfolk
Coventry	Somerset
Liverpool	Suffolk
Sefton	Surrey

All project bids are currently being assessed and evaluated; decisions will be announced shortly.

Mr. Alton: To ask the Secretary of State for Education how many children with special learning difficulties have been statemented during the past 12 months; what funding is made available for such children in state, voluntary sector and grant-maintained schools; and what steps he takes to ensure quality control and adequate provision for statemented children.

Mr. Forth: Information on the number of children for whom statements of special educational needs were made for the first time in the last 12 months is not yet available. The latest collated information indicates that statements were made in respect of 30,699 children for the first time during the calendar year 1991.

Any additional funding for the provision specified in a pupil's statement is the responsibility of the local education authority which maintains the statement, irrespective of the type of school the pupil attends.

Quality control and ensuring that adequate provision is made for children with statements are similarly matters for local education authorities. Paragraph 5 of part III of schedule 1 to the Education Act 1981 requires authorities to review statements at least annually.

The Education Bill currently before Parliament makes similar provision—at clause 162—for statements to be reviewed at least annually and provides, for the first time, for the necessary regulations governing the manner in which those reviews are to be conducted. I anticipate that the new code of practice to be made under clause 149 of the Bill will offer guidance on the contents of statements and the manner of their review.

Music Teaching

Dr. Spink: To ask the Secretary of State for Education what plans she has to investigate the political impartiality of music teaching in Sheffield; and what actions are open to parents in this matter.

Mr. Forth: Certain conditions must be met before my right hon. Friend can take action on a complaint of a breach of the law relating to the school curriculum.

Section 44 of the Education (No. 2) Act 1986 requires local education authorities, head teachers and school governing bodies to forbid the promotion of partisan political views in the teaching of any subject. Section 45 of the Act requires them to do as much as they reasonably can to see that any presentation of political issues to pupils is balanced and takes account of opposing views.

Parents who wish to complain about any apparent breach of curriculum law can do so under the arrangements established by all local education authorities under section 23 of the Education Reform Act 1988 for dealing with curriculum complaints. Schools must make details of these arrangements available on request. The Secretary of State cannot consider a curriculum complaint

until it has been disposed of locally by the governors, the local education authority, or both, as appropriate. He has received no complaint about music teaching in Sheffield.

NORTHERN IRELAND

Employment Tribunals

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many staff are employed by the offices of the industrial tribunals and the fair employment tribunals; and how many are *(a)* Protestants and *(b)* Roman Catholics.

Mr. Mates: The Office of Industrial Tribunals and the Fair Employment Tribunal is staffed by 26 civil servants.

Disclosure of information on the religious affiliation of Northern Ireland civil service staff is governed by a code of practice which stipulates that no statistical summaries will be produced which fall outside the categories of analyses agreed with staff representatives. The most recent analyses were published in the "Fourth Report of the Northern Ireland Civil Service Equal Opportunities Unit", a copy of which has been placed in the Library of the House.

Fish Pass, Toome

Mr. William Ross: To ask the Secretary of State for Northern Ireland when he expects the new fish pass at Toome to be fully in operation.

Mr. Hanley: The new fish pass at Toome has been substantially complete since December. However, operation has been delayed pending the completion of some additional features requested by fisheries interests. Completion of these works is dependent on low downstream levels in the River Bann, but it is intended that the fish pass will be fully operational by early June.

Manufacturing Output

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what was the manufacturing output or productivity in Northern Ireland for each year since 1989.

Mr. Atkins: Northern Ireland indices of production and productivity for the years in question are as follows:

	1989	*1990*	*1991*	*1992*
Index of Production[1]	111	114	112	114
Index of Productivity[1]	112	114	116	123

[1] 1985 = 100

Students

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland how many full-time mature students within the meaning of the grants regulations were in attendance at the University of Ulster and Queen's university, Belfast, each year since 1988.

Mr. Hanley: The information is as follows:

Academic year	*University of Ulster*	*Queens' University Belfast*
1988-89	320	283
1989-90	332	315
1990-91	360	308
1991-92	391	371
1992-93	371	411

Figures were supplied by the universities and relate to full-time undergraduate students who had attained the age of 26 before entry to the university.

Labour Statistics

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what is the latest level of unemployment in the Belfast travel-to-work area.

Mr. Atkins: At 11 March 1993, the latest date for which figures are available, there were 52,773 unemployed claimants in the Belfast travel-to-work area, representing 12·8 per cent. of the work force in this area.

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland how many people were unemployed in the Province *(a)* at the latest date for which figures are available; and *(b)* in May 1990; and what is *(b)* as a percentage of *(a)*.

Mr. Atkins: At 11 March 1993 there were 106,016 unemployed claimants in Northern Ireland. The number of unemployed claimants in May 1990 was 96,064, which represents 90·6 per cent. of the March 1993 figure.

Criminal Damage and Injury

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland how much was paid in compensation for criminal damage and injury to *(a)* property and *(b)* individuals in each year since 1990-91.

Mr. Mates: Responsibility for the subject in question has been delegated to the Compensation Agency under its chief executive, Mr. J. Robinson. I have asked him to arrange for a reply to be given.

Letter from J. Robinson to Mr. Peter Robinson, dated 27 April 1993:

I refer to your recent Parliamentary Question concerning the amount of criminal injury and damage compensation paid since 1990-91. The Secretary of State has asked me to respond.

The table below details the amounts of compensation paid including costs and fees.

	Criminal injury	*Criminal damage*
	£m	£m
1990-91	19·5	22·7
1991-92	25·0	33·1
1992-93 (forecast)	26·6	75·9

The figures for 1992-93 cannot be confirmed until the Appropriation Account is finalised.

School Leavers

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what is the forecast number of school leavers in the Province after the 1993 summer term.

Mr. Hanley: It is anticipated that there will be approximately 23,000 school leavers in 1993.

Public Service Employment

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what percentage of the working population in Northern Ireland is employed directly by the Government or in organisations and industries owned wholly or in part by the state; and if he will give the figures for 1990.

Mr. Atkins: At June 1992, the latest date for which figures are available, the public sector in Northern Ireland accounted for 32·7 per cent. of civil employment. The corresponding figure for June 1990 was 33·2 per cent.

Cardiac Patients

Dr. Hendron: To ask the Secretary of State for Northern Ireland (1) when patients will need to wait less than 12 months for their first appointment with a cardiac surgeon;

(2) what plans he has to reduce the length of time patients wait for their first appointment with a cardiac surgeon.

Mr. Hanley: The majority of patients wait between three and 12 months for their first appointment with a cardiac surgeon. It is the Department's aim, in keeping with the patients charter, to ensure as soon as possible that all patients are seen within three months of the date of their referral to a surgeon.

In his recent report on cardiac surgery services, the Chief Medical Officer of the Department of Health and Social Services pointed to the inadequacy of the present arrangements for the management of the cardiac surgery outpatient waiting list at the Royal Group of Hospitals Trust. As a result the Department has asked the trust to review the handling of out-patients.

Dr. Hendron: To ask the Secretary of State for Northern Ireland what is the effect on patients' rights under the patients charter of refusal to go outside Northern Ireland for treatment.

Mr. Hanley: In the speciality of cardiac surgery a number of patients have declined the offer of treatment outside Northern Ireland. It may not be possible in these cases to offer treatment in the Province within the guarantee period set down in the patients charter. However, these patients will not lose their place on the cardiac surgery waiting list. Those requiring urgent treatment will continue to receive it as quickly as possible.

It is not expected that this situation will arise for any other treatments.

Health Care Centres

Dr. Hendron: To ask the Secretary of State for Northern Ireland (1) what are the quality ratings of each health care centre under the criteria used for the assessment of the quality of clinical care;

(2) what assessment he has made of the quality of care available in *(a)* the Royal Victoria hospital and *(b)* other health care;

(3) which health care centres will not be used again following assessment by his Department.

Mr. Hanley: I assume that the hon. Gentleman is inquiring about medical audit. As I stated in the answer I gave to the hon. Member for Belfast, South (Rev. Martin Smyth) on 19 April, *Official Report*, column *19*, reports on medical audit are prepared on an annual basis by a regional audit advisory committee and area audit advisory committees in each board. These are then presented to my noble Friend Lord Arran. They are not published, nor are there any plans to do so. The reports are, however, available to boards, trusts and other provider units; specialties within units; and to GPs where they are subject to medical audit.

It is not intended that the findings of medical audit should be used in making a case for the closure of a health care facility. The purpose of medical audit is to ensure that the services being provided meet the agreed standards for those services and that any shortcomings identified are corrected as soon as possible.

Independent Commission for Police Complaints

Sir James Kilfedder: To ask the Secretary of State for Northern Ireland when he will lay before Parliament the annual report of the Independent Commission for Police Complaints for Northern Ireland; and if he will make a statement.

Sir Patrick Mayhew: The report, which is the fifth annual report to be produced by the commission since its establishment in 1988, has been laid before Parliament today. It provides a detailed account of the commission's oversight of police conduct, including the supervision of complaints against the police and the commission's role in disciplinary proceedings once a complaint has been investigated.

It is essential that the community has confidence in the integrity of the police and the commission has a vital role in ensuring that complaints are fairly and properly investigated and that appropriate action is taken. Throughout the report, by providing detailed explanations of its work in investigating actual complaints, the commission demonstrates the high standards and dedication which it applies to its task.

I am grateful to the commission for all its work. I have no doubt that it will continue to contribute significantly to the enhancement of public confidence in the RUC. In this it has my full support.

SCOTLAND

Family Mediation Service

Mr. Maclennan: To ask the Secretary of State for Scotland whether he has received the final report on a national family mediation service from the Planning, Industrial and Economic Development Advisers, and if he will make a statement.

Lord James Douglas-Hamilton: My right hon. Friend has received the final report on the feasibility of a national family mediation service from PIEDA plc. He is considering the report's recommendations.

Agriculture

Sir David Steel: To ask the Secretary of State for Scotland if he will extend the completion date for integrated administration and control systems forms.

Mr. Lang *[holding answer 22 April 1993]:* Council regulation (EEC) 3508/92 which establishes the integrated administration and control system throughout the EC, requires that the main IACS area aid application form be submitted in 1993 not later than 15 May. Ministers have no discretion to alter this clear legal requirement.

Paramedics

Mr. Galbraith: To ask the Secretary of State for Scotland, pursuant to his answer of 31 March, *Official Report*, columns 311-12, if he will *(a)* list the references which show that rapid response by skilled staff to a seriously ill patient enhances recovery and survival, *(b)* say when he expects to be able to publish the outcome of patients managed by Scottish ambulance paramedics, *(c)* compare outcomes of patients managed before and after the introduction of paramedics and *(d)* give the name of Scottish ambulance service's consultant medical director.

Mr. Stewart *[holding answer 26 April 1993]:* The information requires detailed and lengthy explanations and my noble Friend the Minister of State is writing today to the hon. Member on this. A copy of the letter will be placed in the Library.

ENVIRONMENT

Right to Buy

16. **Mr. Gallie:** To ask the Secretary of State for the Environment if he will make a statement on the number of houses sold under the right-to-buy scheme.

Sir George Young: Since its introduction in 1980, almost 1·5 million tenants in Great Britain have bought their homes under the right to buy. This amply demonstrates the popularity and success of the policy.

Dioxins (Derbyshire)

17. **Mr. Barnes:** To ask the Secretary of State for the Environment what investigations were undertaken by his Department into dioxin levels and their potential sources in Staveley, Derbyshire between the samples taken from near Hall lane, Staveley, early in 1992 and samples taken from several areas on 23 February 1993; and if he will make a statement.

Mr. Howard: Samples were taken by HMIP in connection with dioxins in the Staveley area of Derbyshire on 18 February 1992, 3 September 1992, 4 February 1993 and 23 February 1993.

The samples taken were of herbage and soil and from deposits in a scrap metal melting plant at a local foundry. HMIP and MAFF are continuing their investigations into dioxin levels in this area.

Housing Market

19. **Mr. French:** To ask the Secretary of State for the Environment what effect the housing market package announced in the Chancellor's autumn statement has had on the housing market; and if he will make a statement.

Sir George Young: I refer my hon. Friend to the answer I gave earlier to my hon. Friend the Member for Mid-Kent (Mr. Rowe).

Water Companies (Capital Expenditure)

20. **Mr. Jenkin:** To ask the Secretary of State for the Environment if he will make a statement about Ofwat's monitoring activities relating to capital expenditure of the water companies.

Mr. Howard: The Director General of Water Services monitors the performance of the industry and publishes summary information for the industry annually. Investment is running at twice the level previously activated this century.

Council Tax

21. **Mr. Denham:** To ask the Secretary of State for the Environment what is his Department's latest information about the level of average household council tax bills.

Mr. Redwood: I refer the hon. Member to the answer I have just given to the hon. Member for Houghton and Washington (Mr. Boyes).

30. **Mr. Dickens:** To ask the Secretary of State for the Environment what is the average level of band C council tax charged by Labour-controlled local authorities.

Mr. Redwood: I refer my hon. Friend to the answer given by my hon. Friend the Under-Secretary of State, the Member for Hornchurch (Mr. Squire) on 23 March 1993 to my hon. Friend the Member for Teignbridge (Mr. Nicholls).

National Parks

22. **Mr. McFall:** To ask the Secretary of State for the Environment what progress has been made on the recommendations of the Edwards committee on the future of national parks.

Mr. Howard: Our policy statement on the national parks, published in January 1992, welcomed the general thrust of the report of the Edwards panel and the recommendations for the future of the national parks subsequently put to us by the Countryside Commission and the Countryside Council for Wales. The statement also promised legislation to restate national park purposes and to establish independent authorities for the eight national parks currently run as county council committees. We fully recognise the importance of this legislation and I have made it clear that it will be introduced at the earliest opportunity.

Public Bodies (Appointments)

23. **Mrs. Mahon:** To ask the Secretary of State for the Environment for how many appointments to public bodies he is responsible.

Mr. Howard: I am responsible for 988 appointments to 56 public bodies.

Caravan Sites Act 1968

24. **Mr. Barry Field:** To ask the Secretary of State for the Environment what action his Department is taking to reform the Caravan Sites Act 1968.

Mr. Baldry: I refer my hon. Friend to the answer I gave to my right hon. Friend the Member for Woking (Sir C. Onslow) on 31 March 1993, *Official Report*, column *291*.

Standard Spending Assessments

25. **Mr. Ian Bruce:** To ask the Secretary of State for the Environment what plans he has to amend the formula for the calculation of standard spending assessments.

Mr. Robin Squire: We are currently reviewing standard spending assessments in consultation with local authority representatives to incorporate detailed information from the 1991 census into the SSA formulae.

We are taking this opportunity to reconsider more widely the current range of social factors used within SSAs and the weight placed upon them, the basis of the area cost adjustment, measures of population density and sparsity and the inclusion of day visitors. We are also prepared to consider representations about other aspects of SSAs.

River Pollution

26. **Mr. Robert B. Jones:** To ask the Secretary of State for the Environment what action he has taken to reduce the release of red list substances into rivers.

Mr. Howard: The National Rivers Authority and Her Majesty's inspectorate of pollution are required, under the Water Resources Act 1991 and the Environmental Protection Act 1990 respectively, to regulate such discharges to rivers, which are subject to appropriate environmental quality standards.

Urban Policies

27. **Mr. Purchase:** To ask the Secretary of State for the Environment if he will make a statement on the effect of his urban policies.

Mr. Robin Squire: I refer the hon. Gentleman to the reply I gave earlier to the hon. Member for Manchester, Blackley (Mr. Eastham).

Compulsory Competitive Tendering

31. **Sir Fergus Montgomery:** To ask the Secretary of State for the Environment whether he will extend the range of local services put out to compulsory competitive tendering.

Mr. Robin Squire: Yes. I refer to my answer to my hon. Friend the Member for Kensington (Mr. Fishburn) on 19 April, *Official Report*, c. *42*.

Local Authority Housebuilding

28. **Mr. Skinner:** To ask the Secretary of State for the Environment what are the latest annual figures for local authority house building; and what was the comparable figure for June 1979.

Mr. Baldry: It is estimated that local authorities completed 2,900 new dwellings in England during 1992. They completed 72,500 new dwellings during the 12 months to May 1979.

Housing associations are now the main providers of new social housing and the Housing Corporation estimates that an extra 80,000 homes will have been made available to new tenants during 1992-93.

Local Authorities (Recycling)

29. **Mr. Robathan:** To ask the Secretary of State for the Environment what progress has been made with local authority recycling plans.

Mr. Howard: A total of 366 waste collection authorities have submitted recycling plans to my Department. Of those, 335 have been cleared by the Department as complying with the necessary statutory requirements.

Local Government Funding

32. **Mr. Garnier:** To ask the Secretary of State for the Environment what plans he has to make official visits to shire counties in the next month to discuss local government funding; and if he will make a statement.

Mr. Redwood: I have no plans to visit any shire county councils during May. I will be meeting representatives of the shire counties at the Consultative Council on Local Government Finance on two occasions later this year.

Energy Efficiency

33. **Mr. Wicks:** To ask the Secretary of State for the Environment what proposals he has to increase energy efficiency in the housing of people on low income.

Mr. Baldry: The home energy efficiency scheme provides grants to low-income households to undertake basic energy efficiency improvements and some £37·5 million is available for grants in 1993-94.

We also provide substantial assistance for those on low income through local authorities' mainstream council housing repair and improvement programmes, as well as through the estate action and green house programmes. Authorities in England spent over £200 million in 1991-92 on energy efficiency improvements under these programmes.

The Energy Saving Trust has recently been formed as a private sector company to propose, develop and manage new programmes to promote the efficient use of energy in the domestic and small business sector. The trust will be taking an interest in the problems of low-income households.

Prestwich Hospital Site

34. **Mr. Sumberg:** To ask the Secretary of State for the Environment what representations he has received in relation to the planning inquiry at the Prestwich hospital site in Greater Manchester; and if he will make a statement.

Mr. Baldry: Between the close of the inquiry and the issue, on 5 April, of my right hon. Friend the Secretary of State's decision on this planning appeal, seven letters were received from local residents confirming their opposition to the proposed development. Two of these were forwarded by the hon. Member for Bury, South (Mr. Sumberg). No representations have been received since the issue of the decision.

Rented Accommodation

35. **Mr. Winnick:** To ask the Secretary of State for the Environment what recent representations have been made over the supply of affordable rented accommodation.

Sir George Young: The Department regularly receives a number of representations on the supply of rented accommodation, including in recent months a campaign by the Churches National Housing Coalition.

Local Authority Debt

36. **Mr. Ward:** To ask the Secretary of State for the Environment how many local authorities have no outstanding debt.

Mr. Redwood: On the latest available information, 18 local authorities in England were debt free for capital control purposes at 31 December 1992.

Water Supply (Disconnections)

37. **Mrs. Helen Jackson:** To ask the Secretary of State for the Environment how many homes have had their water supply disconnected in the current year, 1992 and 1991.

Mr. Howard: Water companies are obliged to report numbers of disconnections every six months to OFWAT's customer service committees. This information is collated and published by the Director General of Water Services in a press release twice a year. Figures for the six months to 31 March 1993 are not yet available, but in the six month period from 1 April to 30 September 1992 there were a total of 8,284 domestic disconnections. Domestic disconnections for the whole of 1991-92 and 1990-91 totalled 21,282 and 7,673 respectively.

River Wear (Pollution)

38. **Mr. Mullin:** To ask the Secretary of State for the Environment what discussions he has had with the National Rivers Authority and British Coal regarding the potential pollution of the River Wear likely to be caused by the cessation of pumping after the closure of Easington and Vane Tempest collieries.

Mr. Howard: I have not discussed this specific matter with the National Rivers Authority or British Coal. It is for British Coal in consultation with the NRA to assess any environmental effects of pit closures and what measures might need to be taken to avoid pollution. I understand that arrangements have been made between British Coal and the NRA for effective liaison over any proposed closures.

Empty Dwellings

Ms Janet Anderson: To ask the Secretary of State for the Environment what proportion of dwellings in his Department's estate are empty; and what proportion of local authority dwellings are empty and available for letting.

Mr. Baldry: At 1 April 1992 17,500 local authority properties which were empty as a result of management factors, 0·45 per cent. This compares to just seven empty properties, 7·4 per cent., as a result of management factors in my Department's estate at 1 April this year.

Council Tenants (Services)

Mr. Bellingham: To ask the Secretary of State for the Environment what action he is taking to improve the quality of service council tenants receive from their councils.

Mr. Baldry: The extension of compulsory competitive tendering to housing management will improve the quality of service for council tenants and value for money.

Local Government Finance

Mr. Riddick: To ask the Secretary of State for the Environment whether he will list the 10 local authorities with the highest level of debt.

Mr. Redwood: The 10 local authorities with the highest external debt at the end of 1991-92 were:

Birmingham	Southwark
Manchester	Camden
Lambeth	Leeds
Islington	Hackney
Liverpool	Sheffield

Housing Associations

Mr. Nigel Jones: To ask the Secretary of State for the Environment how many *(a)* MOD and *(b)* other Government Department's properties have been purchased by housing associations, through private treaty sales, under the Government's housing market package; and if he will make a statement.

Mr. Baldry: According to provisional outturn figures from the Housing Corporation, housing associations in England have purchased 78 properties from the Ministry of Defence and none from any other Government Department under the housing market package announced by the Chancellor in his autumn statement.

Mr. William Powell: To ask the Secretary of State for the Environment how many housing association units have been purchased by housing associations under the housing market package announced in November 1992 in each local authority in Northamptonshire.

Mr. Baldry: According to provisional outturn figures from the Housing Corporation, housing association purchases in each of the local authority areas in Northamptonshire were as shown in the table.

Local Authority Area	*Number of units purchased*
Corby	24
Daventry	45
East Northamptonshire	36
Kettering	78
Northampton	60
South Northamptonshire	17
Wellingborough	25

Local Government Reform

Mr. Dalyell: To ask the Secretary of State for the Environment when he expects to reply to the letter, sent to him by the hon. Member for Linlithgow, on Monday 12 April, concerning local Government reform.

Mr. Robin Squire: My right hon. and learned Friend replied to the letter from the hon. Member today.

Fire Brigades

Dr. Moonie: To ask the Secretary of State for the Environment what provision has been made in local authority standard spending assessments for 1993-94 in respect of fire brigades' pay; and if he will make a statement.

Mr. Robin Squire: The Government expect the national joint council for local authorities' fire brigades to comply with Government policy on public sector pay in settling any pay increase for firefighters in 1993. The provision we have made within standard spending assessments for 1993-94 reflects this expectation.

Performance Targets

Mr. Booth: To ask the Secretary of State for the Environment what performance targets have been set for the Ordnance Survey executive agency in the year 1993-94.

Mr. Baldry: The following performance targets have been set for Ordnance Survey in 1993-94:

1. Recover at least 71 per cent. of the total costs incurred by the Agency.
2. Survey and map at the basic scales 780,000 units of change.
3. Increase by 39,000 the number of basic scale maps available in digital form.
4. Complete the implementation of the network of Ordnance Survey Superplan agents by 1 September 1993.
5. Despatch within six working days (including the day the order is received) 90 per cent. of orders for small scale maps.
6. Operate a telephone helpline service for customers between 8.30 am and 5.00 pm on working days, within 10 second response time within these hours and a telephone answering service at all other times.

These are challenging targets which build upon the good performance of previous years and reflect Ordnance Survey's commitment to providing quality service to customers.

Footpath Closures

Mr. Gerrard: To ask the Secretary of State for the Environment how many public footpaths in the United Kingdom were closed under section 257 of the Town and Country Planning Act 1990 in *(a)* 1991 and *(b)* 1992; how many proposals to extinguish a public footpath under section 257 of the Town and Country Planning Act 1990 in each year were referred to his Department for arbitration following protests from members of the public; and how many of these resulted in (i) the footpath being closed and (ii) the footpath remaining open.

Mr. Maclean: Details of the number of public path extinguishment orders made and confirmed under section 257 of the Town and Country Planning Act 1990 are set out in the table. The information relates only to England and Wales as the provisions of the 1990 Act do not apply to Scotland or Northern Ireland.

	[1]*1991*	[1]*1992*
Confirmed by Authority	42	35
Confirmed by Secretary of State	4	1
Not confirmed by Secretary of State	1	0
Outcome as yet unknown[2]	37	69

[1] This information relates to the closure of both footpaths and bridleways.
[2] These Orders have yet to be decided, or have been deferred or abandoned.

Mr. Gerrard: To ask the Secretary of State for the Environment how many public footpaths in the United Kingdom were closed under paragraph 2A of schedule 6 to the Highways Act 1980 in each year since 1982; how many proposals to close public footpaths in the United Kingdom under paragraph 2A of schedule 6 to the Highways Act 1980 were referred to his Department for arbitration following protests from members of the public in each year since 1982; and how many of these resulted in (i) the footpath being closed and (ii) the footpath remaining open.

Mr. Maclean: Details of the number of public path extinguishment orders made and confirmed under section 118 of the Highways Act 1980 are set out in the table. The information relates only to England and Wales as the provisions of the 1980 Act do not apply to Scotland or Northern Ireland.

Section 118

	[1]*1983*	[1]*1984*	[1]*1985*	[1]*1986*	[1]*1987*	[1]*1988*	[1]*1989*	[1]*1990*	[1]*1991*	[1]*1992*	[1]*1993*
Confirmed by Authority	66	72	103	91	79	85	72	85	79	60	1
Confirmed by Secretary of State	21	25	25	22	26	23	17	33	6	0	0
Not confirmed by Secretary of State	7	10	13	8	15	8	4	10	3	0	0
Outcome as yet unknown[2]	30	5	26	13	49	34	20	46	47	85	43

[1] This information relates to the closure of both footpaths and bridleways.
[2] These Orders have yet to be decided, or have been deferred or abandoned.

Sellafield

Mr. Llew Smith: To ask the Secretary of State for the Environment what was the annual discharge of radioactivity from Sellafield since 1979 in terms of *(a)* solids, *(b)* aqueous and *(c)* airborne releases; and if he will make a statement on the cumulative total of radioactivity currently stored in site at Sellafield.

Mr. Maclean: Information on discharges of radioactivity from Sellafield can be found in BNFL's "Annual Reports on Radioactive Discharges and Monitoring of the Environment", copies of which are in the Library of the House.

The storage of radioactive waste on site is a matter for my right hon. Friend the Secretary of State for Employment.

EC Waters Directives

Mr. Harvey: To ask the Secretary of State for the Environment what progress is being made in implementing *(a)* the EC bathing waters directive, *(b)* the EC urban waste waters directive and *(c)* the EC shellfish waters directive; and if he will make a statement.

Mr. Maclean: With respect to the bathing waters directive, I refer the honourable Member to the answer I gave the honourable Member for Dartford (Mr. Dunn) on 18 November 1992, *Official Report*, c *208*. I recently announced the publication of draft implementing

regulations and an accompanying guidance note for the EC urban waste water treatment directive. Copies of these, and of another consultation paper about the methodology for identifying sensitive areas under the directive, which was issued on 26 March, have been placed in the Library of the House. Twenty-nine waters have been designated under the shellfish waters directive in the United Kingdom. The National Rivers Authority monitors these waters in accordance with the directive's requirements.

Mr. Harvey: To ask the Secretary of State for the Environment what plans the Government have to contribute towards the costs of implementing *(a)* the EC bathing waters directive, *(b)* the EC urban waste waters directive and *(c)* the shellfish waters directive, in the South West Water services area.

Mr. Maclean: The cost of these obligations falls to the privatised water companies, using the funds available to them.

Mr. Harvey: To ask the Secretary of State for the Environment what plans he has to seek EC permission to delay implementation of *(a)* the EC bathing waters directive, *(b)* the EC urban waste waters directive and *(c)* the EC shellfish waters directive.

Mr. Maclean: The time allowed for application to the European Commission for permission to delay implementation of the provisions of the bathing waters directive has expired. My Department will be drawing up an implementation programme for the urban waste water treatment directive, in accordance with its requirements, by the end of this year. There is no provision in the shellfish waters directive allowing member states to seek permission to delay implementation.

Uniform Business Rate

Mr. Harvey: To ask the Secretary of State for the Environment what assessment the Government have made of the impact of the introduction of the uniform business rate on bankruptcy levels in the south-west.

Mr. Robin Squire: We have made no such assessment. Bankruptcy may be caused by a variety of factors.

The business rate transitional arrangements helped those businesses most seriously affected by the 1990 reforms. Many businesses in the south-west benefited from the arrangements. These have already been improved by some £1,250 million as a result of the Non-Domestic Rating Act 1992, with a proposed further £560 million of assistance in this year's Budget.

Biodiversity

Mr. Llew Smith: To ask the Secretary of State for the Environment if he will now arrange a meeting with his American counterpart to co-ordinate implementation of the priority elements of the biodiversity convention.

Mr. Maclean: My right hon. and learned Friend discussed the biodiversity convention with Vice President Gore and the administrator of the Environmental Protection Agency on his visit to the United States last month.

We were very pleased to hear that the United States now intends to sign the convention and we will continue to work with them to resolve our various concerns about the interpretation of some of its provisions with a view to achieving the objective of establishing the basis for ratification of the convention by the end of this year.

Housing and Council Tax Benefit

Mr. Spellar: To ask the Secretary of State for the Environment what regulations are laid down for local authorities in respect of capital for the calculation of housing/council tax benefit; and what is the rationale underlying the level of the implied return on capital.

Mr. Burt: I have been asked to reply.

Regulations provide that no account is taken of £3,000 or less and that there is no entitlement to housing/council tax benefit where capital exceeds £16,000.

Where capital exceeds £3,000 but is not more than £16,000 an income of £1 a week is assumed for each £250 or part of £250 above £3,000. The formula assumes no particular return on capital invested. It ensures that help is targeted on those who need it most, including those with modest amounts of capital.

Housing Management

Mr. Battle: To ask the Secretary of State for the Environment if he will list the management agreements to which he has, since 1 January 1992, given his consent under section 27 of the Housing Act 1985, which are not agreements with tenant management organisations, in each case giving the name of the local authority involved, the name of the estate or a description of the dwellings to which the agreement relates, the main management functions delegated and the identity of the managing agent.

Sir George Young *[holding answer 27 April 1993]:* Since 1 January 1992 I have given my consent to 15 management agreements made with organisations other than tenant management organisations under the provisions of section 27 of the Housing Act 1985, as amended by section 10 of the Housing and Planning Act 1986. The details of these agreements is as follows:

Local authority	*Dwellings*	*Management functions*	*Managing agent*
LB Camden	Scattered temporary properties for use of homeless	Rent collection, repairs	STL Ltd
LB Camden	Scattered temporary properties for use of homeless	Rent collection, repairs	Paddington Churches HA
LB Camden	Scattered temporary properties for use of homeless	Rent collection, repairs	West Hampstead HA
LB Camden	Scattered temporary properties for use of homeless	Rent collection, repairs	Notting Hill HA
Nottingham	Bilborough Frail Elderly Unit	Repairs, nominations, arrears, rent collection	Anchor HA

Local authority	*Dwellings*	*Management functions*	*Managing agent*
Leicester	Goscote House for student accommodation	Rent collection, repairs, nominations	Leicester University
Newcastle	The Pines and The Beeches, Cruddas Park for student accommodation	Arrears, rent collection	Newcastle College
LB Wandsworth	Temporary properties for use of homeless: five dwellings	Repairs, enforcement of tenancy conditions, granting non-secure tenancies	Threshold HA
LB Wandsworth	Five dwellings	Repairs, enforcement of tenancy conditions, granting non-secure tenancies	Threshold HA
LB Wandsworth	Four dwellings	Repairs, enforcement of tenancy conditions, granting non-secure tenancies	Threshold HA
LB Wandsworth	Four dwellings	Repairs, enforcement of tenancy conditions, granting non-secure tenancies	Threshold HA
LB Wandsworth	Three dwellings	Repairs, enforcement of tenancy conditions, granting non-secure tenancies	Threshold HA
LB Wandsworth	Two dwellings	Repairs, enforcement of tenancy conditions, granting non-secure tenancies	Threshold HA
LB Wandsworth	Three dwellings	Repairs, enforcement of tenancy conditions, granting non-secure tenancies	Threshold HA
LB Wandsworth	Nine dwellings	Repairs, enforcement of tenancy conditions, granting non-secure tenancies	Threshold HA

FOREIGN AND COMMONWEALTH AFFAIRS

Yugoslavia

Mr. Elletson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with other United Nations Security Council members about an appropriate response to Croat aggression against Muslim civilians in Bosnia-Herzegovina.

Mr. Douglas Hogg: We are concerned at reports, some confirmed by British troops in Bosnia, of atrocities committed against Muslim civilians, allegedly by Bosnian Croats. The United Nations Security Council discussed the problem of Croat-Muslim fighting in the wake of the recent outbreaks of hostilities between these parties and adopted a statement on 21 April calling on both sides to desist. The EC presidency delivered a protest to President Tudjman on 23 April, and the situation in central Bosnia was most recently discussed at the EC Foreign Ministers' meeting at Hindsgavl on 25 April.

Mr. Elletson: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Croatia about the attacks by HVO forces on Muslim civilians in and around Vitez, on 21 April.

Mr. Douglas Hogg: We deplore the recent violence and support the efforts to halt it, notably by British forces and the EC monitoring mission on the ground, and Lord Owen in discussion with Croat and Muslim leaders. The EC presidency on behalf of the EC and member states delivered a strongly worded démarche to President Tudjman on 23 April about the renewed fighting between Croats and Muslims in central Bosnia, calling on the President to use his influence to bring about an end to the hostilities.

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to ensure British forces in Bosnia and Croatia as part of the United Nations peacekeeping forces are given copies of the Blue Book handbook on peaceful settlement of disputes between states, provided by the United Nations Office of Legal Affairs last year.

Mr. Douglas Hogg: A copy of this publication has been passed to the Ministry of Defence for onward transmission to the British forces serving with the United Nations protection force in former Yugoslavia.

Nuclear Accident, Siberia

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has sought from his Russian counterpart on the recent accident at the Tomsk-7 nuclear reprocessing plant in Siberia in regard to dispersal of radioactivity to the atmosphere; and what response he has received.

Mr. Lennox-Boyd: Since the incident at Tomsk-7 Her Majesty's embassy in Moscow has remained in close touch with the appropriate Russian authorities who have been providing information in a timely manner. The Russian authorities have confirmed that action is being taken to decontaminate areas affected by the incident.

Cambodia

Sir David Steel: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the United Nations concerning an increase in funding to UN operations in Cambodia to enable an effective peace settlement, the clearance of land mines and the implementation of infrastructure reforms.

Mr. Goodlad: The costs of the UN operation in Cambodia were estimated to be $1·69 billion. This should be sufficient to enable the UN transitional authority in

Cambodia to continue to operate until its mandate expires three months after the elections due to be held from 23 to 27 May. The international community has also pledged some $880 million for the reconstruction and rehabilitation of Cambodia, much of which will be provided through UN agencies working in the country.

Sudan

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the principal concerns of the Government about human rights in Sudan.

Mr. Douglas Hogg: We have many concerns. These include reports of extra-judicial killings, arbitrary detentions and instances of torture, and the plight of displaced persons. We are also concerned at the lack of progress towards a genuinely accountable form of government acceptable to all sections of Sudan, and at interference with fundamental freedoms, such as freedom of religion and expression.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made by the Christian churches operating in Sudan to the British Government about the conditions under which they operate in Sudan.

Mr. Douglas Hogg: We have had written and oral representations from the Anglican Church and other churches active in Sudan, both Protestant and Catholic, expressing concern at official harassment of Christian communities throughout the country. We are naturally concerned. We will keep in touch with the churches about ways of maintaining pressure on the Sudanese Government.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment the Government have made about the safety of the Nuba people in Sudan; and if the Government will make special representations to the United Nations that an international team should be sent to the Nuba mountains to find out what has been happening to the Nuba people.

Mr. Douglas Hogg: We are deeply concerned by the accounts which have reached us over recent months of human rights abuses in the Nuba Hills. We trust that the Government of Sudan will give unhindered access to the special rapporteur of the United Nations Commission on Human Rights so that he can investigate these reports.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what pressure he is putting on the combatants in the Sudanese civil war to reach a peaceful settlement.

Mr. Douglas Hogg: We have urged all parties to the civil war to resolve Sudan's problems through negotiation. We welcome the Nigerian Government's success in reconvening peace talks between delegations of the Government of Sudan and the Sudan Peoples' Liberation Army.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs when it is expected that the special rapporteur to the United Nations Commission on Human Rights will start his work on Sudan.

Mr. Douglas Hogg: The special rapporteur will start his work as soon as possible after his appointment has been confirmed by the Economic and Social Council of the United Nations. We shall work for this decision to be made as soon as possible. Preliminary work has already begun at the centre of human rights in Geneva.

United Nations Peacekeeping Department

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to make a one-off additional donation to the United Nations peacekeeping department.

Mr. Douglas Hogg: We have no plans to make an additional cash donation to the United Nations department of peacekeeping operations. We are, however, providing 4 Army majors to the secretariat to assist with military aspects of planning and conducting peacekeeping operations, at no cost to the United Nations.

Iraq

Sir David Steel: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the United Nations and the Government of Iraq concerning the treatment and well-being of the marsh Arabs of southern Iraq.

Mr. Douglas Hogg: We fully support United Nations Security Council resolution 688 which condemns the repression of the Iraqi civilian population throughout Iraq and demands an immediate end to this repression. We are concerned at Iraq's failure to comply with United Nations SCR 688 and take every opportunity to call on Iraq to do so. Most recently our permanent representative at the United Nations reminded the United Nations Security Council sanctions review meeting on 29 March that the "repression of the civilian population continues in many parts of Iraq, notably the south, where the draining of the marshes threatens an environmental as well as a human tragedy".

We have consistently called on Iraq to allow human rights monitors into the whole of the country, especially the south, to report on the situation there in accordance with the request of the United Nations special rapporteur on Iraq but to date Iraq has failed to comply with this request.

Kashmir

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his Department's assessment of the latest situation in Kashmir in respect of human rights.

Mr. Lennox-Boyd: The state of human rights in Kashmir gives grounds for concern. During his recent visit to India, my right hon. Friend the Prime Minister raised with the Indian Prime Minister the situation in Kashmir. Mr. Narasimha Rao reiterated his commitment to respect for human rights. He confirmed that he would be introducing legislation soon to set up an independent human rights commission, which he was determined would be effective. My right hon. Friend the Prime Minister encouraged him to allow independent international human rights organisations and others to visit Kashmir.

Korea

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what action is being taken by the United Nations against the Democratic People's Republic of Korea in response to Korea's withdrawal from the nuclear non-proliferation treaty; and if he will make a statement.

Mr. Douglas Hogg: On 8 April, the President of the United Nations Security Council issued a statement on North Korea which expressed concern at the situation, reaffirmed the importance of the non-proliferation treaty and of parties adhering to it, and encouraged the International Atomic Energy Agency to continue consultations with North Korea. The Security Council remains seized of the matter and discussions continue on how to resolve the situation.

Turkey

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the extent of evidence of aerial bombing of Kurdish areas of Turkey and of the enforced evacuation of Kurdish villages, in Turkey.

Mr. Garel-Jones: The Kurdish Workers' party's (PKK) nine-year terrorist campaign in south-east Turkey constitutes a serious threat to security in the region. During that period there have been 6,000 deaths. The Turkish authorities have made no secret of the aerial bombardment of suspected positions of PKK terrorists. We are aware of allegations, which the Turkish Government deny, of forced evacuation of villages in south-east Turkey. We frequently make clear to the Turkish Government the importance we attach to combating terrorism within a legal framework and with full respect for human rights.

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Turkish authorities in relation to rights of the Kurdish ethnic minority and progress towards a political solution on the issue.

Mr. Garel-Jones: We regularly raise with the Turkish authorities the human rights situation throughout Turkey, including the south-east of the country.

We welcome the recently improved security situation in south-east Turkey and the reported indefinite extension of the Kurdish Workers' party (PKK) ceasefire. We also welcome Mr. Demirel's statement that the state of emergency in the south-east will not be extended beyond its expiry on 19 July provided the present calm situation continues, and the announcement of steps aimed at increasing both investment in that part of the country and recognition of the Kurdish cultural identity.

HOME DEPARTMENT

Fire Brigades

Dr. Moonie: To ask the Secretary of State for the Home Department whether the fire brigade pay formula agreement will be honoured in 1993-94; and if he will make a statement.

Mr. Peter Lloyd: I refer the hon. Member to the reply given to a question from the hon. Member for North Warwickshire (Mr. O'Brien) on 22 April, at column *182*.

Pet Animals Act 1951

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what plans he has to amend the Pet Animals Act 1951.

Mr. Charles Wardle: There are no plans at present to amend the Pet Animals Act 1951, as amended in 1983.

Nuclear Materials

Mr. Llew Smith: To ask the Secretary of State for the Home Department what involvement officials of his Department will have in the sub-committee established by Interpol at its special meeting in Lyons in January to draw up common reporting and recording standards of sensitive nuclear materials apprehended by European police forces.

Mr. Charles Wardle: Home Office officials will not be involved.

Mr. Llew Smith: To ask the Secretary of State for the Home Department what representations his Department had at the meeting of Interpol held in Lyons in January on European police co-operation in combating the illegal imports and exports of nuclear materials to European countries.

Mr. Charles Wardle: No Home Office officials attended the Interpol meeting on illegal trafficking of radioactive substances.

Crime, Greater Manchester

Mr. Callaghan: To ask the Secretary of State for the Home Department how many men have been convicted of offences which involved the use of a knife at courts covering the Greater Manchester area for each of the last three years.

Mr. Jack: Information available centrally, which is given in the table, relates only to the number of persons found guilty of possession of knives under section 1 of the Prevention of Crime Act 1953 and section 139, of the Criminal Justice Act 1988, for the years 1989 to 1991. It is not possible to distinguish centrally whether knives have been used for other offences, such as wounding. Information for 1992 is not yet available.

Number of male offenders who were found guilty of offences of possession of knives in the Greater Manchester Police Force Area 1989-1991

Offence	*Males*		
	1989	*1990*	*1991*
Carrying of offensive weapons without lawful authority or excuse[1]	289	246	294
Carrying article with blade or point in public place[2]	122	115	110

[1] Prevention of Crime Act 1953, section 1. May include a small number of offences involving truncheons, etc.
[2] Criminal Justice Act 1988, section 139.

Court Documentation

Mr. Sweeney: To ask the Secretary of State for the Home Department if he will set out in table form the name and purpose of each document or item of paperwork which has to be completed by *(a)* the arresting officer, *(b)* the custody officer and *(c)* any other police officer or police civilian staff in England and Wales as part of the process from arrest to court decision where the accused (i) pleads guilty at a magistrates court to taking and driving away, (ii) pleads guilty at a magistrates court to burglary and (iii) pleads not guilty and is tried at a Crown court for burglary.

Mr. Charles Wardle: It is not possible to set out a table of paperwork. The number of documents that are required will vary according to the procedures of the police force concerned and the precise circumstances of the offence and of the alleged offender.

Prison Service (Director General)

Mr. Blair: To ask the Secretary of State for the Home Department when criteria for assessing the performance-related part of the salary of the director general of the prison service will be determined; and if they will be published.

Mr. Peter Lloyd: From 1 April, when the agency came into being, the performance of the director general will be assessed on the basis of both qualitative and quantitative measures. They will reflect the prison service's key targets, as set out in the agency's corporate and business plans, copies of which are in the Library. The details of the arrangements for assessing the performance of the director general will be settled shortly, but they are personal to him and I have no plans to publish them. His salary, including his performance bonus, will, however, be published in October 1994 in the agency's annual accounts, a copy of which will also be placed in the Library.

Asylum Seekers, Haslar Gaol

Ms Lynne: To ask the Secretary of State for the Home Department how many asylum seekers are currently on hunger strike at Haslar gaol; and what steps are being taken to end the strike and their detention.

Mr. Peter Lloyd: There are currently no detainees in Haslar prison who are refusing food. Persons detained at Haslar under powers contained in the Immigration Act 1971 are held pending resolution of their immigration status or pending removal. Every effort is made to resolve any obstacle to these objectives as soon as possible such as an application for asylum, an extant appeal or application for judicial review, or the need to obtain an appropriate travel document.

Appeals

Mr. Sweeney: To ask the Secretary of State for the Home Department if he will give the number of cases and defendants for each year since 1971 where the original verdict of guilt was overturned on subsequent appeal.

Mr. Jack: Information on the number of appeals against conviction by result has been published annually in the Command Paper "Criminal Statistics England and Wales". Table 6.7 of the 1980 publication gives requested data back to 1972. Similarly table 6.6 of the 1990 volume gives requested data back to 1981. Copies of these publications are available in the Library.

1991 data will be published in the Home Office statistical bulletin "Criminal Appeals England and Wales, 1991"—table 1 refers—issue 13/93 on 29 April 1993. A copy of which will also be placed in the Library.

1992 data will not be available until the autumn of 1993.

Table 1
Appeals against conviction[1] disposed of, by court and result

England and Wales — *Number of appellants*

Year	The Crown Court				The Court of Appeal			
	Result				Result			
	Total Number of appellants	Conviction confirmed or appeal abandoned	Conviction quashed[2,3] Number	Conviction quashed[2,3] Percentage of number of appellants	Total Number of appellants	Conviction confirmed or appeal abandoned	Conviction quashed[3] Number	Conviction quashed[3] Percentage of number of appellants
1981	6,202	4,514	1,688	27	1,418	1,282	136	10
1982	6,083	4,393	1,690	27	1,352	1,239	113	8
1983	6,420	4,532	1,888	29	1,421	1,287	134	9
1984	6,769	5,013	1,756	26	1,735	1,549	186	11
1985	7,383	5,560	1,823	25	1,397	1,228	169	12
1986	6,473	4,737	1,736	27	1,892	1,730	162	9
1987	5,893	4,100	1,793	30	1,129	995	134	12
1988	5,527	3,783	1,744	32	1,267	1,136	131	10
1989	6,705	4,467	2,238	33	1,578	1,404	174	11
1990	8,076	5,368	2,708	34	1,634	1,436	198	12
[4]1991	8,537	5,287	3,250	38	1,711	1,488	223	13

[1] Including appeals against both conviction and sentence (3,663 at the Crown Court and 777 at the Court of Appeal in 1991).
[2] Including cases remitted to magistrates' courts.
[3] Including cases in which a retrial was ordered but excluding cases in which the conviction was quashed on some counts but confirmed on others, or a conviction for a lesser offence was substituted.
[4] Estimated—see note 3.

Crime Statistics

Mr. Sweeney: To ask the Secretary of State for the Home Department what steps are being taken by his Department to ensure that all police forces in England and Wales have a common system of recording and classifying crime statistics.

Mr. Jack: The police forces already have such a system, governed by detailed Home Office rules and instructions on classifying offences according to statute, counting offences and completing regular statistical returns. However, many of these rules have remained unchanged since 1980 and the large number of definitional and legislative changes that have occurred since then raises the risk of inconsistencies developing. My Department is currently looking at introducing revisions with the aim of eliminating such inconsistencies and thus improving the quality of the crime statistics. As part of this process, each force, as well as representatives of the Association of Chief Police Officers, have been consulted. I expect a set of proposals to be submitted for my consideration later this year.

Prison Services

Mr. Blair: To ask the Secretary of State for the Home Department what criteria are used for not disclosing information on the ground of commercial confidentiality for parliamentary questions asked about *(a)* the prison escort service in the east midlands and Humberside and *(b)* each contracted-out prison; and what plans he has to alter the criteria (i) for questions relating to these contracts and (ii) for questions relating to future contracts.

Mr. Peter Lloyd: For both the court escort service and prison management contracts, the non-disclosure of information on the ground of commercial confidentiality is intended to protect the purchasing authority's position in future tendering exercises by not making known to competitors the details of a winning bid, particularly staffing and fee details in the case of a service contract.

For the future, there will be full disclosure and reporting of a range of performance data on all prisons, whether directly or privately managed. There will also be disclosure of total staffing levels, occupancy and a breakdown of staffing into main categories. Other information will be provided so long as it does not affect security or the rights of individuals or is not commercially sensitive. This will be in response to specific requests if the information is available or can be obtained at reasonable cost and, if necessary, after discussion with the service provider.

Lawyers (Offences)

Mr. Sweeney: To ask the Secretary of State for the Home Department if he will give details of the number of *(a)* barristers and *(b)* solicitors convicted of *(a)* non-motoring criminal offences and *(b)* offences relating to the conduct of criminal proceedings in (i) 1971, (ii) 1981 and (iii) 1991.

Mr. Jack: The information is not available in the form requested.

Side-handled Batons

Mr. Madden: To ask the Secretary of State for the Home Department if he will arrange for a sample of police forces, including the west Yorkshire police, to conduct trials in the use of side-handled batons by trained police officers; and if he will make a statement.

Mr. Charles Wardle: There are no plans to conduct such trials.

Bogus Marriages

Mr. Shersby: To ask the Secretary of State for the Home Department how many prosecutions have been initiated by the Crown prosecution service during 1992 of persons suspected of being involved in bogus marriages.

The Attorney-General: I have been asked to reply.

The Crown prosecution service does not maintain records of its cases by reference to categories or type of offence.

Magistrates Courts

Mr. Sweeney: To ask the Secretary of State for the Home Department, if he will give, in table form, for each magistrates court in England and Wales in 1981 and 1991, the number of defendants *(a)* who appeared before the court, *(b)* were found guilty, *(c)* were involved in proceedings which were discontinued, *(d)* were discharged under section 6 of the Magistrates' Courts Act 1980, *(e)* were in cases where the charges were withdrawn, *(f)* were in cases where the charge was dismissed under section 9 of the Magistrates' Courts Act 1980 and *(g)* were found guilty, as a percentage of those who appeared before the court.

Mr. Jack: Information on persons proceeded against at magistrates courts for indictable offences by petty session division and result has been published annually since the 1986 issue in the volumes of supplementary tables to "Criminal statistics, England and Wales"—table 5.6 of volume 5 for 1986 to 1990 and table 4.6 of volume 4 for 1991.

The provision of information for earlier years or for summary offences would involve disproportionate cost.

Table 6.2
Defendants proceeded against at magistrates courts for indictable offences by result
England and Wales

	Number (thousands)										Percentage										
Result	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*
Proceedings discontinued	2·7	2·2	2·2	1·9	1·9	3·0	10·5	14·9	17·7	22·3	31·1	1	—	—	—	—	1	2	3	4	5	6
Discharged under section 6 of Magistrates Courts Act 1980[1]	2·4	2·1	2·9	3·1	3·5	4·1	5·9	6·9	7·9	10·0	10·6	—	—	1	1	1	1	1	1	2	2	2
Charge withdrawn	16·3	20·1	22·9	26·8	31·9	39·3	45·3	49·1	51·5	56·8	66·6	3	4	4	5	6	8	9	10	11	12	14
Total discontinued, withdrawn etc.	21·3	24·5	28·0	31·9	37·3	46·4	61·7	70·9	77·1	89·1	108·3	4	5	5	6	7	10	13	14	17	19	22
Charge dismissed under section 9 of Magistrates Courts Act 1980	18·6	18·5	18·3	15·9	14·5	14·4	14·9	16·3	15·4	16·7	19·0	4	3	3	3	3	3	3	3	3	4	4
Committed for trial	81·1	88·1	95·7	98·8	106·2	97·5	111·3	112·1	100·1	100·3	102·1	16	16	18	19	20	21	23	23	22	21	21
All found guilty at magistrates courts	401·6	407·7	388·1	374·8	361·9	304·7	600·1	295·2	256·5	262·4	259·7	77	76	73	72	70	66	61	60	57	56	53
All proceeded against	522·6	538·8	530·1	521·3	519·8	463·0	488·0	494·5	449·1	468·6	489·1	100	100	100	100	100	100	100	100	100	100	100

[1] Comparison with Crown Prosecution Service data suggests that these figures are overstated.

Refugees

Mr. Allen: To ask the Secretary of State for the Home Department what criteria are applied to refugees with exceptional leave to remain in the United Kingdom when assessing whether or not they should be granted United Kingdom travel documents; and what changes have been made to these in the last 12 months.

Mr. Charles Wardle *[holding answer 23 April 1993]:* Asylum applicants who are found not to be refugees but who are granted exceptional leave to remain may apply for a Home Office travel document if they are unable to obtain a national passport. All such applications are considered on their individual merits, taking account of factors including the practicability of obtaining a national passport and any reasons the applicant may have for being unwilling to approach his or her national authorities. This policy has not changed during the last 12 months.

HEALTH

Electromagnetic Fields

Mr. Purchase: To ask the Secretary of State for Health if she will take steps to inform local authorities and other public bodies of the further studies into the physical interaction of electromagnetic fields and the human head being funded by the Government and to advise them that they should take this into account before allowing further siting of telecommunications equipment on high rise flats and schools.

Mr. Sackville: I refer the hon. Member to the reply my hon. Friend the Parliamentary Under-Secretary of State for Technology gave to the hon. Member for Don Valley (Mr. Redmond) on 23 April at columns *256-57*. The study referred to in that reply will relate only to the interaction of the fields generated by hand-held mobile telephones with the human head and will have no direct bearing on the question of the siting of base station transmitters on high rise flats or schools.

Advice on the health aspects of base station transmitters was given in the National Radiological Protection Board publication GS11 "Guidance as to restrictions on exposures to time varying electromagnetic fields", a copy of which is in the Library.

Orthopaedics Units

Mrs. Helen Jackson: To ask the Secretary of State for Health what representations she has had about the closure of small specialised hospitals for orthopaedics.

Mr. Sackville: Information collected centrally does not enable classification of individual hospitals according to predominant specialty. We have, however, received a number of representations about the provision of orthopaedic services.

MRI Scanners

Dr. Lynne Jones: To ask the Secretary of State for Health what estimate she has made of the national requirement for MRI scanners; when she expects this requirement will be met; and when she anticipates an MRI scanner will be provided for the Midland centre for neurosurgery and neurology.

Dr. Mawhinney: We have made no detailed assessment of the national requirement for magnetic resonance imaging—MRI—scanners. We are continuing with a three year programme of capital allocation for medical equipment including whole body scanners. Six MRI scanners were purchased for England in 1992-93 out of these central funds. A further sum of £15 million has been allocated for this financial year for the purchase of medical equipment. It is for provider units, including the Midland centre for neurosurgery and neurology to decide whether they will provide magnetic resonance imaging.

Psychiatric Services

Dr. Lynne Jones: To ask the Secretary of State for Health what changes there have been since 1986 in the collection of information on admissions of psychiatric patients into hospital *(a)* as voluntary patients and *(b)* detained under the various sections of the Mental Health Acts; and if she will make a statement.

Mr. Yeo: From April 1987, following the Korner review of health service information, statistics on detained patients admitted to national health service facilities and NHS patients using non-NHS facilities under contractual arrangements have been collected on the aggregate return KH15. This return collects information on admissions by legal status—that is, whether informal or detained under one of the sections of the Mental Health Act—and by mental category, and covers the financial year. Prior to this, statistics on formal admissions, by legal status and diagnostic group, to NHS mental illness and mental handicap hospitals and units were collected by the mental health enquiry—MHE—from all psychiatric hospitals, and were for the calendar year. Similarly, the form KO37 covers admissions to private nursing homes authorised to detain patients, and replaced form SBL631, except that KO37 excludes patients treated under contractual arrangements with the NHS which were included on SBL631. Statistics on changes in legal status after admission were collected for the first time in 1987-88 on form KH16.

Information on legal status is included in the psychiatric census part of the hospital episodes statistics system. The census includes details on patients formally detained under the Mental Health Acts and on those patients in hospital under the mental illness specialty for a year or more. The information collected here includes diagnosis, but the data so far have been deficient and unreliable.

Dentistry

Ms Lynne: To ask the Secretary of State for Health what studies her Department has conducted into the geographical spread of dentist practices which offer new adult patients NHS services.

Dr. Mawhinney: National health service dental services are available throughout the country to those who require them. If any patients experience difficulty, they should approach their family health services authority who will be able to help.

British Nuclear Fuels plc

Ms Jowell: To ask the Secretary of State for Health if she will list the medical facilities and services, including laboratories, in respect of which British Nuclear Fuels plc has acted as agents or provided services for the Northern Health region or any district health authority in each year since 1980.

Mr. Sackville: The information is not available centrally. The hon. Member may wish to contact Mr. Peter Carr, the chairman of Northern regional health authority, for details.

Infertility Treatment

Dr. Lynne Jones: To ask the Secretary of State for Health if she will make a statement on the details of the funding arrangements for women given treatment for infertility under the NHS.

Mr. Sackville: Health authorities are funded for the purchase of a full range of services for their resident populations rather than for specific treatments or procedures. Decisions about the resources and priority given to any particular service are the responsibility of individual health authorities.

Bogus Marriages

Mr. Shersby: To ask the Secretary of State for Health how many suspected bogus marriages have been drawn to the attention of the Registrar-General during the past year; and if she will publish in tabular form the number of such marriages reported by each superintendent registrar in the Greater London area.

Mr. Sackville: The information is shown in the table. During 1992, superintendent registrars reported 189 cases to the Registrar General where they suspected that a proposed marriage had been arranged for the sole purpose of evading statutory immigration controls. Of the 189 cases, 152 were notified by superintendent registrars from the Greater London area.

Reports received by the registrar general from superintendent registrars in Greater London for the period 1 January 1992 to 31 December 1992

	Number
Brent	33
Bromley	2
Ealing	9

	Number
Hackney	2
Hammersmith	4
Hendon	7
Hillingdon	2
Islington	5
Kensington and Chelsea	4
Lambeth	3
Lewisham	40
Merton	5
Newham	2
Redbridge	1
Southwark	6
Tower Hamlets	5
Waltham Forest	1
Wandsworth	1
Westminster	20
Total number of cases reported by London registration districts	152
Total number of cases reported for the whole of England and Wales	189

North West Regional Health Authority

Mr. Bennett: To ask the Secretary of State for Health what progress is being made by the North West regional health authority to improve health facilities at Brinningham, Stockport.

Dr. Mawhinney: Health services in Brinnington are the responsibility of Stockport district health authority in conjunction with North Western regional health authority. The hon. Member may wish to contact the chairman of the DHA, Mr. F. Russell, for details.

Halton and Warrington Hospitals

Mr. Hall: To ask the Secretary of State for Health (1) what has been the ratio of administration and clerical staff to nursing and midwifery staff in *(a)* Halton and *(b)* Warrington general hospitals in each year since 1987;

(2) what has been the ratio of managers to nursing and midwifery staff in *(a)* Halton and *(b)* Warrington general hospitals in each year since 1987.

Dr. Mawhinney: This information is not available centrally. The hon. Member may wish to contact Mr. Donald Hammond, chairman of Halton general hospital national health service trust and Mr. Norman Banner, chairman of Warrington hospital NHS trust, for details.

Ambulance Response Times

Mr. Clapham: To ask the Secretary of State for Health what progress is being made in improving ambulance response times; and if she will make a statement.

Mr. Sackville: I refer the hon. Member to the reply I gave the hon. Member for Sheffield, Brightside (Mr. Blunkett) on 23 March at column *576*.

Pharmacies

Mr. Gareth Wardell: To ask the Secretary of State for Health what is the total number of pharmacies in England; and how many dispense more than 2,000 prescriptions.

Dr. Mawhinney: The total number of pharmacies in England in 1991-92 was 9,765. Of these, 6,998 pharmacies dispensed more than 2,000 prescriptions each month on average during that year.

1901 Census

Mr. Whittingdale: To ask the Secretary of State for Health whether she will relax the 100-year rule covering the release of the detailed data of the 1901 census.

Mr. Sackville: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Rutland and Melton (Mr. Duncan) on 21 April at columns *127-28*.

The Registrar General for England and Wales does not propose to make any further relaxations in the arrangements for the release of information from the 1901 census records.

Nurses

Mr. Milburn: To ask the Secretary of State for Health how many nurses who achieved their basic qualification in the northern region before 30 September in each year since 1987 were *(a)* in post in the NHS, *(b)* undertaking further training in the NHS and *(c)* not employed in the NHS one year after qualification.

Mr. Sackville: This information is not available centrally.

AIDS

Mr. Dicks: To ask the Secretary of State for Health how much money has been spent in the last 10 years by her Department or via other bodies or organisations of public awareness campaigns and research on (i) AIDS, (ii) leukaemia in children and (iii) spina bifida.

Mr. Sackville: For details of expenditure on AIDS public awareness campaigns and research, I refer my hon. Friend to the replies I gave to my hon. Friend the Member for Coventry, South-West (Mr. Butcher) on 26 April at columns *280-81*.

Comparable information on the amount spent related to children with leukaemia is not available centrally.

So far as spina bifida is concerned, an expert advisory group report on "Folic Acid and the Prevention of Neural Tube Defects" was launched in December 1992. This publication cost £21,400 to produce and its distribution to the national health service cost in excess of £50,000. A follow-up public information campaign in the current financial year is being planned. Research into spina bifida is undertaken by the Medical Research Council which receives its grant in aid from the office of my rright hon. Friend the Chancellor of the Duchy of Lancaster.

Mr. Dicks: To ask the Secretary of State for Health how much public money has been spent by her Department or via other bodies or organisations in connection with the AIDS disease since 1986; and how many cases of AIDS have become known since that time.

Mr. Sackville: The cumulative total of Government funding for HIV/AIDS for the financial years 1986-87 to 1992-93 is £886,304,000. This includes money made available for medical treatment and care, training of health and social care workers, infection control, surveillance, protection of the blood supply, HIV testing and counselling, funding of voluntary sector projects, local authority support services, research, and public education and prevention campaigns. This figure does not include spending by other Government Departments on HIV and

AIDS work connected with their own spheres of interest. Information about total expenditure from non-governmental sources is not available centrally.

A total of 7,083 cases of AIDS and 16,164 cases of HIV have been reported since 1986.

Mr. Dicks: To ask the Secretary of State for Health how many research programmes examining the HIV/AIDS virus have been funded either directly or indirectly from public expenditure over the past 10 years.

Mr. Sackville: The main agency through which the Government support medical research is the Medical Research Council which receives grant-in-aid from the office of my right hon. Friend the Chancellor of the Duchy of Lancaster for a directed programme of AIDS research covering vaccine development and to improve our understanding of the natural history of the virus. Between 1986-87 and 1992-93, a total of £66,170,000 was made available to fund the programme.

Mr. Dicks: To ask the Secretary of State for Health what evidence she has as to the relative degree of risk to *(a)* heterosexuals and *(b)* homosexuals of contracting AIDS.

Mr. Sackville: HIV, the virus which causes AIDS, is primarily transmitted by unprotected sexual intercourse between men or between men and women, where one person is infected. The relative risk of acquiring HIV depends on the frequency and type of sexual activity, prevalence of infection and other factors such as the presence of ulcerative genital diseases.

In general, the individual risk of acquiring infection through unprotected sex between men is at present likely to be far greater than it is for unprotected sex between men and women. This largely reflects the fact that homosexual and bisexual males still account for the greatest number of reports of both HIV and AIDS. However, whilst the numbers of those infected heterosexually are smaller, the fastest rate of growth in HIV reports is now seen in this group.

Mr. Dicks: To ask the Secretary of State for Health what percentage of known AIDS cases have been among homosexuals and drug users; and what percentage of such cases have come from within the heterosexual community over the past 10 years.

Mr. Sackville: A total of 7,331 cases of AIDS had been reported in the United Kingdom up to 31 March 1993. Seventy-five per cent. of cases are attributed to infection transmitted through sex between men; 5 per cent. of cases attributed to infection transmitted through injecting drug misuse; and 2 per cent. of cases have been reported in homosexual or bisexual men who were also drug misusers. Ten per cent. of cases are attributed to infection transmitted through sex between men and women.

Mr. Dicks: To ask the Secretary of State for Health (1) if she will provide details of the annual forecasts of the number of people likely to contract AIDS and the actual number of cases notified;

(2) how accurate the forecast made in 1986 by her Department as to the number of heterosexuals expected to contract AIDS over the next 10 years has so far proved to be; and what assessment has been made of the reasons for divergence of outturn figures from the forecast.

Mr. Sackville: The Government have consistently sought to minimise the uncertainty surrounding the HIV/AIDS epidemic by providing for high quality HIV surveillance which has informed forecasting work and enabled its accuracy to be monitored.

Two official reports have been published on projections for AIDS cases in England and Wales. The Cox report was published in 1988 on projections from 1987 up to the end of 1992. The projections were not subdivided by exposure categories. The Cox report was superseded, in January 1990, by the Day report which provided projections up to end of 1993. Copies of both reports are available in the Library.

The reports provide a range of estimates. Table 1 gives recommended planning estimates from each report for annual total number of AIDS diagnoses, without adjustment for under-reporting, plus the total numbers of AIDS cases reported in each year. However, there is a delay between diagnosis and report so that reporting figures for any one year are not directly comparable to figures for diagnosis. Table 2 gives the Day recommended estimates for total and heterosexual contact AIDS cases, allowing for under-reporting—outcome—plus a projection of the actual numbers of diagnoses allowing for reporting delay.

The uncertainty of the Cox projections was inevitable because of the lack of relevant data available in the very early stages of any new infectious disease epidemic. The shortfall of AIDS cases compared to Cox's estimates is also attributable to modification of high-risk behaviour among homosexual men in the mid-1980s.

AIDS in England and Wales—Reported and projected
Table 1

	1987	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*
Cox	800	1,250	1,800	2,350	2,950	3,600	—
Day	—	—	856	1,040	1,280	1,600	2,160
Reported	624	819	907	998	1,276	1,420	—

Table 2

	1989	*1990*	*1991*	*1992*
Total AIDS Day	1,070	1,300	1,600	2,000
Total AIDS outcome	1,160	1,410	1,530	1,975
Heterosexual AIDS Day	55	115	225	420
Heterosexual AIDS outcome	90	145	220	320

Mr. Dicks: To ask the Secretary of State for Health what assessment she has made of the available evidence on the effectiveness of research and awareness campaigns on AIDS; what plans she has to reduce expenditure by her Department on such campaigns; and if she will make a statement.

Mr. Sackville: Results from a range of surveys, including research and evaluation on the Health

Education Authority's public education campaigns demonstrate significant and sustained levels of public awareness and knowledge about HIV and AIDS.

Expenditure on such campaigns is subject to careful scrutiny and funding will be made available as necessary to meet the Government's objectives. More information about public education and awareness is set out in the White Paper "The Health of the Nation: A Strategy for Health in England", Cm 1986, a copy of which is available in the Library.

Peto Institute

Mr. Morgan: To ask the Secretary of State for Health what further progress has been made on the provision of United Kingdom public funds for an extension of the Peto Institute for Conductive Education.

Dr. Mawhinney: There has not yet been sufficient progress with construction of the International Peto Institute in Budapest to justify further payments by the United Kingdom Government under our agreement with the Hungarian Government.

EMPLOYMENT

Youth Training

Ms Jowell: To ask the Secretary of State for Employment how many youth training places are currently available; and if she will take steps to identify the total number of 16 and 17-year-olds currently eligible for youth training places.

Mr. McLoughlin: Information on the availability of youth training places is not collected. However, we are satisfied that there is sufficient YT provision available to meet demand. There are currently some 300,000 young people on youth training or participating in youth credits in Great Britain.

My right hon. Friend, the Secretary of State, announced to the House on 7 July 1992, *Official Report*, columns *171-72*, measures establishing a national system for monitoring the numbers of young people who are registered with the careers service and seeking training.

Mr. Callaghan: To ask the Secretary of State for Employment how many youth training places she is providing *(a)* in the United Kingdom and *(b)* in the Greater Manchester area.

Mr. McLoughlin: There are currently nearly 300,000 young people on youth training or participating in youth credits in Great Britain and just over 20,000 in Greater Manchester.

Business Start-up Allowance

Ms Short: To ask the Secretary of State for Employment if the extra 10,000 entrants to the business start-up allowance announced in the Chancellor's Budget speech will be in addition to the 48,000 entrants for 1993-94 identified in table 10 of her departmental report for the "Government's Expenditure Plans 1993-94 to 1995-96', Cm 2205; and if she will make a statement.

Mr. McLoughlin: The 10,000 starts will be in addition to the number included in 1993-94 plans submitted by training and enterprise councils in England and Wales and local enterprise companies in Scotland.

Training Schemes

Ms Short: To ask the Secretary of State for Employment what formal rights of appeal exist for a participant in a Government training scheme if he or she has a grievance or feels that they have not received the quality of service they were promised; and if she will make a statement.

Mr. McLoughlin: Detailed grievance procedures are a matter for training and enterprise councils to devise and to arrange for participants to be informed. A contractual requirement placed on TECs is that alternative provision is offered to any participants who express reasonable dissatisfaction with the delivery of their training.

Citizens Charter

Ms Short: To ask the Secretary of State for Employment what citizens charter provisions apply to the rights of youth training, training for work and learning for work participants; and if she will make a statement.

Mr. McLoughlin: The programmes cited by the hon. Member are delivered for the Government by the training and enterprise councils. TECs are encouraged to apply charter principles in all of their activities, and many are doing so.

Training and Enterprise Councils

Ms Short: To ask the Secretary of State for Employment what criteria she has laid down against which training and enterprise councils are expected to assess their providers and award and maintain approved training organisation status; and if she will make a statement.

Mr. McLoughlin: Relations between training and enterprise councils and the Employment Department are governed by the TEC operating agreement. Under the 1993-94 agreement, TECs are required to contract only with training providers that: obtain and maintain approved training organisation status under criteria published by my right hon. Friend, the Secretary of State, a copy of which is being placed in the Library; or have an alternative system approved by my right hon. Friend, as of equivalent or greater assurance and effectiveness.

From April 1994, the Employment Department will require TECs to operate new arrangements in the way they contract for, and manage services and products which the Department funds. The new requirements have been approved by my right hon. Friend and a copy will be placed in the Library.

Training

Ms Short: To ask the Secretary of State for Employment if the condition of 26 weeks unemployment needs to be fulfilled a second time if a person has to leave training for work because of *(a)* operational difficulties encountered by their provider, including inability to obtain a suitable work placement or *(b)* illness or an accident before qualifying for another place; and if she will make a statement.

Mr. McLoughlin: Where a provider is no longer in a position to provide training in accordance with a participants individual participation plan, there is a

contractual requirement placed on TECs to offer participants the opportunity to transfer to another provider under the terms of a plan substantially similar to the existing plan.

TECs are required to agree their policy for dealing with periods of injury or illness with my right hon. Friend the Secretary of State. Where an individual is deemed as having left the programme requalification would be necessary. Time spent in receipt of sickness or invalidity benefit would count towards the 26-week qualifying period.

Ms Short: To ask the Secretary of State for Employment what effect the reduction of income support on the grounds of refusing suitable employment or for leaving work voluntarily has on the participation allowance paid to a person who then joins training for work or learning for work; and if she will make a statement.

Mr. McLoughlin: Reductions of income support due to a person being voluntarily unemployed are disregarded once they join either training for work or learning for work. Their participation allowance is based on the same amount as their overall assessment for income support.

Ms Short: To ask the Secretary of State for Employment in what circumstances time spent on an allowance-supported rehabilitation course counts towards the 26 week qualifying period of training for work; and if she will make a statement.

Mr. McLoughlin: Periods of attendance on an employment rehabilitation course count towards the qualifying period for training for work.

Ms Short: To ask the Secretary of State for Employment what provisions exist for training for work participants who were previously receiving their benefit by a Department of Social Security order book to be paid their participation allowance each week by girocheque; and if she will make a statement.

Mr. McLoughlin: Responsibility for the subject of the question has been delegated to the Employment Service Agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from M. E. G. Fogden to Ms Clare Short, dated 28 April 1993:

As the Employment Service (ES) is an Executive Agency, the Secretary of State has asked me to write to you direct to respond to your Parliamentary Question to her about what provisions exist for Training For Work (TFW) participants who were previously receiving their benefit by a DSS order book to be paid their participation allowance each week by Girocheque. This is something which falls within the responsibilities she has delegated me as Chief Executive of the Agency.

Where a client was previously receiving their benefit by order book, they are asked to present their order book at a Pre-entry Interview (PEI) which they should attend before entering TFW. At the PEI, clients are informed to cash their final order for the week ending which falls on, or after their TFW start date. Once the final order has been cashed, the order book must be returned immediately to the local Benefits Agency (BA) office.

Subsequent payments of participation allowance are then paid at a level equal to the benefit previously in payment but with the addition of £10 Premium. Where the client is in receipt of Income Support (IS), a form is issued by BA to the ES local office to confirm the weekly entitlement to IS. However, some order books include other BA benefits which cannot be changed to a TFW participation allowance, for example attendance allowance. In these cases, if a client is still eligible for the other benefit(s), a revised order book (or girocheques) covering these benefits only is issued by BA.

All clients who transfer from a BA order book are paid their participation allowance weekly and receive their payments on their normal pay day. For example, participants who would normally cash their order on a Monday receive their participation allowance girocheque in time for them to cash it on that day.

Revised guidance has recently been issued to our local offices to ensure that the people referred to in your question receive their participation allowances promptly.

I hope this is helpful.

As decided by the Administration Committee of the House of Commons, Chief Executive replies to written Parliamentary Questions will now be published in the *Official Report*. I will also place a copy of this letter in the Library of the House.

Ms Short: To ask the Secretary of State for Employment in what circumstances people can participate on a part-time basis in training for work, learning for work and the community action programme; what participation allowance they are entitled to; and if she will make a statement.

Mr. McLoughlin: Non-employed participants on training for work who receive an allowance can attend part-time for a minimum of 15 hours per seven-day period, provided the TEC or provider accepts that personal or domestic circumstances are such that they could not reasonably be required to attend full-time. There is no abatement of allowance for part-time attendance. Non-employed participants not in receipt of an allowance just attend for more than 21 hours per seven-day period. For participants who are employed or self employed and who are not in receipt of an allowance, there is no minimum hours of attendance required. Learning for work will only offer support to attend full-time courses of 21 hours a week or more.

Temporary work on community action will be only part time, although there will, in addition, be structured job search assistance aimed at helping participants into work, training or other programmes. Participants will receive an allowance equivalent to their benefit entitlement plus £10 a week.

Ms Short: To ask the Secretary of State for Employment if people on disability benefits will be eligible to participate in *(a)* learning for work and *(b)* the community action programme; in what way the eligibility rules for these programmes differ from those which apply to training for work; and if she will make a statement.

Mr. McLoughlin: People on disability benefits will be eligible for learning for work, as they are for training for work. But they will not be able to join community action, as that will be a programme of actual work and could not, therefore, be offered to those who receive a benefit on the basis of being unfit for work.

Ms Short: To ask the Secretary of State for Employment if participants on the community action programme and learning for work programme will be covered by her Department's analogous industrial injuries scheme; and if she will make a statement.

Mr. McLoughlin: I can confirm that participants on both community action and learning for work will be covered by the analogous industrial injuries scheme.

Ms Short: To ask the Secretary of State for Employment what plans she has to make the learning for work and community action programmes available in the financial year 1994-95; and if she will make a statement.

Mr. McLoughlin: Learning for work will provide opportunities for more than 30,000 unemployed people to take vocational education courses in the 1993-94 academic year which spans the 1993-94 and 1994-95 financial years.

Community action will provide 60,000 voluntary work opportunities. The majority of these will be in 1994-95.

Sir Rhodes Boyson: To ask the Secretary of State for Employment if she will publish the total amount of support given by her Department to *(a)* training and enterprise councils and *(b)* all other initiatives in (i) England, (ii) Greater London and (iii) the south-east, excluding Greater London, for each year from 1982-83 to 1992-93, estimated, distinguishing between current and capital expenditure, though excluding local authority credit approvals and capital allocations.

Mr. McLoughlin: Information on the amount of support provided in England by the Employment Department is published annually in the departmental report, copies of which are available in the Library.

The expenditure on training and enterprise programmes delivered through training and enterprise councils in London and the south east for 1991-92 and 1992-93 is:

	London £ million	*South East £ million*
1991-92	105·1	167·5
[1]1992-93	131·4	[2]129·9

[1] Provisional

[2] This figure excludes expenditure on Hertfordshire and Essex TECs after 1 October 1992, which have now transferred to TEED Eastern Region.

Notes:

1. All figures exclude expenditure on adult trainee allowances and TEC management fees.
2. These figures exclude expenditure through Departmental Area Offices.

Barnsley and Doncaster TEC

Mr. Redmond: To ask the Secretary of State for Employment what percentage of the staff employed by Barnsley and Doncaster training and enterprise council are disabled; and if she will make a statement.

Mr. McLoughlin: It has been the practice of successive Governments to treat information of this kind about individual employers as confidential and not to disclose it without their consent.

Mr. Redmond: To ask the Secretary of State for Employment if she will list the number of staff employed by Barnsley and Doncaster training and enterprise council and the cost for each of the last three years; and if she will make a statement.

Mr. McLoughlin: This is a matter for the TEC. However, I would refer the hon. Gentleman to the audited accounts of Barnsley and Doncaster TEC, which are in the Library.

Mr. Redmond: To ask the Secretary of State for Employment how many disabled young people are receiving training by the Barnsley and Doncaster training and enterprise council; and if she will make a statement.

Mr. McLoughlin: In 1992-93 a total of 178 young people with disabilities were trained as part of Barnsley and Doncaster TEC's careership—youth training—programme. This figure, which is the most recent available, represented 4·7 per cent. of the total number of young people involved in that programme and compares favourably with the national average for youth training, which is around 3 per cent.

Mr. Redmond: To ask the Secretary of State for Employment if she will list by sex the number of young people accepted for each of the last three years by the Barnsley and Doncaster training and enterprise council; and if she will make a statement.

Mr. McLoughlin: Barnsley and Doncaster TEC became operational in January 1991. Information on the number of young people starting youth training since March 1991 is in the table.

Youth training starts by sex: Barnsley and Doncaster TEC (Numbers and percentage)

Year	*Starts*[1] *(numbers)*	*Male Per cent.*	*Female Per cent.*
April 1991 to March 1992	5,120	57	43
April 1992 to December 1992	4,680	60	40

[1] Figures are provisional.

Source: Management information systems and YT Leavers Database.

Mr. Redmond: To ask the Secretary of State for Employment if she will list the number of trainees obtaining a qualification through the Barnsley and Doncaster training and enterprise council, by sex, for each of the last three years; and if she will make a statement.

Mr. McLoughlin: Barnsley and Doncaster TEC did not become operational until January 1991, but it is possible to provide some earlier figures for the area covered by the TEC. The table gives proportions of leavers who gained a qualification.

Proportion of trainees gaining a qualification by sex: Barnsley and Doncaster TEC

	Employment training[1]		*Youth training*[2]	
Year	*Male Per cent.*	*Female Per cent.*	*Male Per cent.*	*Female Per cent.*
April 1989 to March 1990	25	29	n/a	n/a
April 1990 to March 1991	23	32	n/a	n/a
April 1991 to March 1992	26	34	23	25

[1] Full qualification and/or credits towards one.

[2] Full qualification only.

Source: ET and YT Follow-up Surveys.

Mr. Redmond: To ask the Secretary of State for Employment when she last had a meeting with the chairman of the Barnsley and Doncaster training and enterprise council to discuss budgetary matters; what was the outcome of the discussions; and if she will make a statement.

Mr. McLoughlin: My right hon. Friend the Secretary of State last met Mr. Peter Wetzel, the chairman of Barnsley and Doncaster TEC, when she visited the TEC on 1 March. She had a wide-ranging and productive discussion. The detail of any discussion with TECs about budgetary matters cannot, however, be disclosed at this stage.

Assessment and Guidance Credits Initiative

Ms Short: To ask the Secretary of State for Employment which TECs are participating in the assessment and guidance credits initiative; what are the objectives of the programme; what will happen to the schemes in 1994-95; and if she will make a statement.

Mr. McLoughlin: The assessment and guidance credits initiative, now known as skill choice, is starting in 15 training and enterprise councils or local enterprise companies. In England these are:

AZTEC (Kingston/Merton/Wandsworth)
Birmingham
CAMBSTEC (Central and South Cambridgeshire)
CEWTEC (Chester/Ellesmere Port/Wirral)
Coventry and Warwickshire
Dorset
Greater Nottingham
Hampshire
Hertfordshire
Northumberland
South and East Cheshire
Tyneside
Wiltshire.

In Wales, the initiative is operating in:

North West Wales TEC (TARGED)

and Scotland in:

Enterprise Ayrshire.

Skill choice aims to enable individuals, predominantly those in employment, to take greater control of decision making about their future careers by developing effective and comprehensive local information and guidance services, including the assessment and accreditation of prior learning; and putting individual people in the driving seat by offering credits, which they can use to buy the guidance and assessment services of their choice.

The 15 TECs or LECs are participating in the initiative over the two years 1993-94 and 1994-95. If guidance and assessment credits prove successful and cost effective, the Government intend to make them available across the country.

Gateway to Learning Schemes

Ms Short: To ask the Secretary of State for Employment which TECs are participating in the gateway to learning pilot schemes; what are the objectives of the pilots; what will happen to the pilots in 1994-95; and if she will make a statement.

Mr. McLoughlin: The gateways to learning initiative aims to improve local adult occupational guidance provision and to increase the take up of quality assured guidance opportunities. This will help individuals take control of their own career development. The gateway to learning projects are also developing guidance voucher schemes for locally specified client groups. Experience with the initiative so far is very encouraging.

TECs selected for gateways receive part-funding for one year. A list of the 29 TECs chosen to participate in the initiative in 1993-94, together with the 12 TECs which took part in 1992-93 follows.

At the end of 1993-94, when Employment Department pump priming ceases, it is expected that the TECs involved will continue the provision with their own funds. This was achieved with the 1992-93 pilots.

TECs participating in gateways to learning:

1993-94:
Calderdale and Kirklees
County Durham
Greater Peterborough
Humberside
LAWTEC
Leicester
Merseyside
NORMID
Rochdale
Sandwell
SOLOTEC
Staffordshire
Suffolk
Teesside
West London
Central England
Gloucestershire
Heart of England
Kent
Leeds
Manchester
Milton Keynes
North West London
Rotherham
Sheffield
South Thames
Stockport and High Peak
Surrey
Walsall

1992-93:
Bedfordshire
Northumberland
South and East Cheshire
North London
Hertfordshire
Bolton and Bury
Coventry and Warwickshire
Greater Nottingham/North Nottinghamshire
Dudley
Dorset
Wiltshire
Birmingham

Unemployed People (Credits)

Ms Short: To ask the Secretary of State for Employment which training and enterprise councils are participating in the open learning credits for unemployed people initiative; what are the objectives of the programme; what will happen to the scheme in 1994-95; and if she would make a statement.

Mr. McLoughlin: The following TECs are piloting open learning credits during the financial year 1993-94: CENTEC; Coventry and Warwickshire TEC; Devon and Cornwall TEC; consortium of Essex TEC and Hertfordshire TEC; consortium of Greater Nottingham TEC and North Nottinghamshire TEC; Hampshire TEC; Humberside TEC; consortium of Manchester TEC, Stockport and High Peak TEC, and South and East Cheshire TEC; NORMID TEC; consortium of Northumberland TEC and Wearside TEC; Tyneside TEC; South Glamorgan TEC. In addition, two local enterprise companies in Scotland will be running pilots —Scottish Borders and Lochaber.

The objective of the pilots will be to test our open learning credits as a means of providing additional scope for training and enterprise councils and local enterprise companies in Scotland to widen the range of support offered to unemployed people to help themselves back to work by improving their vocational skills and knowledge.

The pilots will be thoroughly evaluated during the current financial year. Decisions about the future will be taken in the light of this evaluation.

The pilots demonstrate the Government's commitment to exploring different ways of helping unemployed people help themselves back to work. The response to the initiative so far from training and enterprise councils, local enterprise companies and the open learning industry has been very positive and open learning credits are already being issued to unemployed people in some of the pilot areas.

Unemployment

Mr. Hardy: To ask the Secretary of State for Employment what is the current rate of unemployment in the Wentworth constituency; what level of economic inactivity in the constituency was revealed by the 1992 census; and if she will make a statement.

Mr. McLoughlin *[holding answer 27 April 1993]:* Official unemployment rates are not available for parliamentary constituencies. The smallest geographical

areas for which unemployment rate are officially compiled are travel-to-work areas. The numbers of claimant unemployed in the Wentworth constituency in March 1993 stood at 4,824.

Figures from the 1991 census show that the number of economically inactive people aged 16-plus in the Wentworth constituency on 21 April 1991 was 28,213.

Unemployment figures from the census of population cannot be compared with those published by the Employment Department. The former are based on a much looser definition and, in particular, do not include an "actively seeking work" criterion in the definition. The Department's figures are available in the Library.

SOCIAL SECURITY

Sickness and Invalidity Benefit

Mr. Dobson: To ask the Secretary of State for Social Security how many people receiving *(a)* sickness benefit and *(b)* invalidity benefit in each month since January 1992 previously sought unemployment benefit.

Mr. Scott: This information is not available.

Benefits

Mr. Dobson: To ask the Secretary of State for Social Security how many people receiving benefits other than unemployment benefit in each year since 1979 were unemployed and under retirement age.

Mr. Burt: The benefits payable to unemployed people under retirement age are income support, housing benefit, council tax benefit, and social fund grants and loans. The table shows the number of income support recipients who are unemployed and not in receipt of unemployment benefit for each year for which figures are available. Income support recipients may also be in receipt of housing benefit, community charge benefit and/or social fund grants or loans.

The number of unemployed people who were not in receipt of income support or unemployment benefit, but who received housing benefit, community charge benefit or social fund grants or loans is not available.

Number of recipients of income support not in receipt of unemployment benefit

(thousands)

	Number
1979	486
1980	678
1981	1,084
1982	1,437
1983	1,621
1984	1,750
1986	1,901
1987	1,793
1988	1,377
1989	1,118
1990	1,019
1991	1,244

Notes:
Figures are rounded to the nearest thousand.
Due to industrial action there was no count in 1985.

Pensioners' Income

Mr. Bradley: To ask the Secretary of State for Social Security what is the percentage of pensioners with an annual income of less than £5,000 for the latest year for which information is available; and if he will give a breakdown by age.

Miss Widdecombe: I refer the hon. Member to my reply to the hon. Member for Birkenhead (Mr. Field) on 14 April 1993 at columns *663-64*.

Disability Living Allowance

Mr. Dewar: To ask the Secretary of State for Social Security what consideration his Department is giving to the state of disability living allowance administration arising from reports of the Parliamentary Commissioner for Administration.

Mr. Scott: All reports received from the Parliamentary Commissioner for Administration are fully and carefully considered by this Department. When an individual case report brings to light procedural weaknesses then appropriate remedial measures are put in hand. The Commissioner's annual report for 1992 refers to a significant number of complaints about the standards of service for disability living allowance which will be the subject of a later report.

Mr. Nigel Griffiths: To ask the Secretary of State for Social Security how many disability appeal tribunals have been held in each region on the subject of disability living allowance; and if he will list their outcome.

Mr. Scott: The administration of disability appeal tribunals is the responsibility of the president of the independent tribunal service, his honour Judge Thorpe, and the hon. Member may wish to contact his office to obtain this information.

Claimants Abroad

Mr. Dewar: To ask the Secretary of State for Social Security what plans he has to review the actively seeking employment regulations in relation to claimants who travel to the United States of America.

Mr. Burt: We have no plans to do so. Benefits for unemployment are not generally payable abroad except under limited provisions within the European Community social security regulations. Claimants travelling to the United States of America have no entitlement to these benefits.

Mr. Dewar: To ask the Secretary of State for Social Security what plans he has to review payment of benefits to people living abroad.

Mr. Burt: We are reviewing procedures to prevent payment to those living abroad who do not qualify for benefit.

Rent Allowances

Mr. Spellar: To ask the Secretary of State for Social Security what is the latest estimate of expenditure on rent allowances for the financial year 1992-93; and if he will make a statement.

Mr. Burt: The latest estimate of expenditure on rent allowances for the financial year 1992-93 is £2,903 million.

Notes: The source of this information is the 1993 Departmental report published in February 1993. A copy of the report has been placed in the Library.

Unemployment Benefit

Mr. Frank Field: To ask the Secretary of State for Social Security what would have been the cost of upgrading unemployment benefit to the same level as invalidity benefit, including increases for adult and child dependents, for each year since 1987; what would be the cost of doing so for the years up to 1995-96; and what would be the cost per year of paying unemployment benefit at such increased rate for the full duration of unemployment.

Mr. Burt *[holding answer 19 April 1993]:* Estimated costs for year prior to 1993-94 are not available and could be obtained only at disproportionate cost.

The estimated net cost, at 1993-94 prices, of upgrading unemployment benefit to invalidity benefit levels is £740 million in 1993-94 and 1994-95, and £730 million in 1995-96.

The estimated cost of extending the increased unemployment benefit to cover the full duration of unemployment is an additional £750 million per annum at 1993-94 prices. This estimate is less certain as the characteristics of those people who currently exhaust their entitlement to unemployment benefit are not available and broad assumptions based upon the characteristics of unemployed people not in receipt of unemployment benefit have been used.

The estimates do not take account of any behavioural changes associated with such upgrading of unemployment benefit.

Written Answers to Questions

Thursday 29 April 1993

LORD CHANCELLOR'S DEPARTMENT

Legal Aid

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department what inquiries he undertook to determine the ability of those who will have to pay higher contributions to their legal fees as a result of the changes to legal aid regulations announced in the last autumn statement to afford these contributions; and what plans he has to monitor the new regulations to ensure that applicants are in fact able to pay the new contributions.

Mr. John M. Taylor: Contributions to legal aid are one third of disposable income above the free limit after a generous range of allowances has been made against gross income. When an offer of legal aid with a contribution is made, it is for the individual concerned to assess his priorities and to decide whether or not to accept it. The operation of the new financial eligibility regulations will be closely monitored.

TRANSPORT

Railway Rolling Stock

Mr. Harvey: To ask the Secretary of State for Transport if he will make a statement on the current progress of the design and funding of the new class 323 electric multiple units designated for Greater Manchester Passenger Transport Authority; and when he expects them to enter service.

Mr. Freeman: I understand that 45 class 323 vehicles are on order for services sponsored by Greater Manchester passenger transport authority. These will be funded by British Rail and the cost recovered over time through S20 payments. In addition, the PTE has ordered, through British Rail, a further six vehicles for services to Manchester airport. The PTE is to fund 45 per cent. of the cost of these and British Rail the remainder. The PTE's contribution to the airport link project has been funded through capital allocations.

The manufacturers of these vehicles are making good progress in overcoming the technical problems that they have incurred. British Rail hopes to have the first vehicles in revenue-earning service, initially in the west midlands, at the end of September. Further vehicles will then enter service on a regular basis over the course of the following year.

A650, Keighley

Mr. Waller: To ask the Secretary of State for Transport when he expects to make a further announcement about the A650 Hard Ings road, Keighley, improvement scheme.

Mr. Kenneth Carlisle: The preferred route was announced for this scheme in March 1992. Design and related works are now being progressed with a view to publishing draft orders under the 1980 Highways Act during 1994.

M6 (Lane Closures)

Mr. Snape: To ask the Secretary of State for Transport if he will list the occasions on which lane closures have taken place at junction 8 (Ray Hall) of the M6 motorway and associated link roads since the M5-M6 link was completed; what was the reason for the closures and the subsequent work carried out; what were the dates and length of time of the closures; what is the total estimated cost to public funds of the works carried out at this junction; and if he will make a statement.

Mr. Kenneth Carlisle: It is not possible to list all the lane closures which have taken place on these sections of the midland links motorways since they opened to traffic in 1970. In addition to programmed major refurbishment works, there have been closures required for emergency works and for routine maintenance. Major refurbishment works in the period are as follows:

(i)) 1980 M6 Ray Hall—viaduct resurfacing and deckjoint repairs for six months.
(ii) 1981 M5 Eastern Arm—viaduct resurfacing and deckjoint repairs for three months.
(iii) 1982 M5 Western Arm—viaduct resurfacing and deckjoint repairs for three months.
(iv) 1991 M6 Ray Hall—viaduct deck repairs, waterproofing, drainage, carriageway strengthening and resurfacing, street lighting renewal for six months.
(v) 1993 M5 Eastern Arm—viaduct deck repairs, Waterproofing, drainage, carriageway strengthening and resurfacing, street lighting renewal for six months (contract commenced on 19 April)

By using temporary narrow lanes at times of peak traffic demand, the programmed closures have not materially restricted capacity below that otherwise available. At all other times, sufficient capacity has been maintained to accommodate the prevailing traffic flow with minimum delay.

The total estimated cost to public funds of all the works carried out at this junction cannot be separated from the costs of maintaining the midland links motorway network as a whole.

The midland links motorway network is subject to ongoing major and routine maintenance work and every effort will continue to be made to minimise disruption to traffic.

EDUCATION

Voluntary Aided Status

Sir Thomas Arnold: To ask the Secretary of State for Education how many recent applications for voluntary aided status have been received; and which were *(a)* accepted and *(b)* rejected.

Mr. Forth: Since January 1990 the Secretary of State has decided 15 applications for new voluntary aided schools; of these five were approved and 10 were rejected. Four of these approvals were for new primary schools, including a Roman Catholic, Church of England/ Methodist, interchurch and a Jewish school. The fifth approval was for a Jewish secondary school. The 10 unsuccessful applications included three RC, three C of E,

one Church of England/Methodist, two Jewish schools and one Muslim. The last decision is currently being reconsidered.

Higher Education Colleges

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Education what steps can be taken by students to appeal to an independent body against decisions of colleges of higher education in England.

Mr. Boswell: Arrangements for consideration of student appeals, including appeals to an independent body, are a matter for each college to determine individually.

ENVIRONMENT

Domestic Appliances

Dr. Spink: To ask the Secretary of State for the Environment what steps he is taking to promote the reduction of energy consumption of domestic appliances; and if he will make a statement.

Mr. Maclean: My Department encourages consumers to purchase energy-efficient appliances through information and advice campaigns such as "Helping the Earth Begins at Home". In collaboration with the regional electricity companies, the Energy Efficiency Office within my Department operates a voluntary labelling scheme for household refrigerators and freezers to show their relative energy efficiency on a scale from 1—least efficient—to 10—most efficient.

The Government strongly support the development by the European Commission of measures to improve the energy efficiency of traded goods including domestic appliances. A framework directive for the mandatory energy labelling of domestic appliances was adopted in September 1992 and delegated to the Commission the responsibility to prepare and adopt detailed application directives for specific appliances. The first such directive, for refrigerators and freezers, is expected to be adopted by the Commission in the next two months.

We will support the proposed development and adoption by the Commission of a directive setting minimum energy efficiency standards in Europe for household refrigerators and freezers; and are in favour of the extension of such requirements to other domestic appliances provided that it is clear that market forces or voluntary measures will not produce the desired result and that other member states agree that this is the best way forward.

"Agenda 21"

Sir David Steel: To ask the Secretary of State for the Environment what progress has been made in the implementation of "Agenda 21" and the biodiversity and climate changes conventions at local and national levels.

Mr. Maclean: We are committed to ratifying the climate change convention by the end of this year and to establishing the basis for ratification of the convention on biological diversity in the same timescale.

An extensive consultation exercise is currently taking place on the United Kingdom's national programme for limiting emissions of carbon dioxide. Two thirds of the programme is already in place. The complete programme will be incorporated in the national plan under the climate change convention to be published by the end of the year. Wide consultation across all sectors is also under way on our national action plan on biodiversity which will be published later this year. This will bring together the Government's policies and programmes for wildlife and will cover the conservation and sustainable use of our natural heritage.

We intend to present a report on the United Kingdom's national sustainability strategy to the UN Commission on Sustainable Development, the main institutional mechanism for following up Agenda 21, before the end of 1993. We are conducting a national debate so that everyone with a concern for the environment has the opportunity to express views on how we can balance the need for economic development with protection of the environment. The local authority associations with our support are developing a "Local Agenda 21" initiative for local government. We are also hosting "Partnerships for Change '93", an international NGO conference to be held in Manchester in September. This will enable all parts of the international NGO community to exchange experience on the implementation of Agenda 21.

Fiddler's Ferry Power Station

Mr. Hall: To ask the Secretary of State for the Environment what assessment has been made of whether the Fiddler's Ferry power station conforms to the Govenment's national plan's control on emissions of sulphur dioxide and oxides of nitrogen under the Environmental Protection Act 1990.

Mr. Maclean: The requirement of the national plan is that National Power and PowerGen, who are the operators of Fiddler's Ferry power station, should each keep within a specified company quota for SO2 and NOx emissions from existing large combustion plant. This has been met in 1991 and 1992. Authorisations issued by Her Majesty's inspectorate of pollution aim to ensure that the sum of allocations for SO2 and NOx for a particular company do not exceed its overall quota. However, there is flexibility within the plan for the distribution of a company's allocations to change provided that they do not in total exceed the quota or conflict with any other conditions of the authoritisation, such as those designed to ensure that best available techniques not entailing excessive cost are used to minimise harmful emissions.

Mr. Hall: To ask the Secretary of State for the Environment what were the sulphur dioxide emissions from Fiddler's Ferry power station for 1991; what are the 1993 estimated figures; and what assessment he has made of the reason for the difference between those two figures.

Mr. Maclean: Reported emissions of SO2 for 1991 were 171,018 tonnes. It is estimated that total emissions will be broadly the same in 1993.

Mr. Hall: To ask the Secretary of State for the Environment what is the estimated level of sulphur dioxide emissions from Fiddler's Ferry power station for 1993; what were the figures for 1987; and what effect the EC policy of securing a 50 per cent. reduction in emissions has had on reducing the level of emissions from that station.

Mr. Maclean: Estimated 1993 SO2 emissions from Fiddler's Ferry power station are 172,000 tonnes; 1987

figures are not held centrally. Current EC policy on reductions of SO2 emissions is primarily embodied in the large combustion plants directive of 1988. One of its requirements is that by the year 2003 total SO2 emissions from all power stations in the United Kingdom should be reduced by 60 per cent. from 1980 levels. The annual company quota for PowerGen, which operates the Fiddler's Ferry power station, reflects that requirement.

Sulphur Dioxide Emissions

Mr. Hall: To ask the Secretary of State for the Environment what consideration the Government have given to supporting the European Commission request that the deadline for the 50 per cent. reduction in sulphur dioxide emissions should be the year 2000.

Mr. Maclean: I am not aware of such a request, but the Government are already committed through the national plan to a 52 per cent. reduction, from 1980 levels, in SO2 emissions from existing large combustion plant by the year 2000.

Mr. Hall: To ask the Secretary of State for the Environment what steps he will take to reduce emissions and conform to the 50 per cent. reductions of sulphur dioxide and oxides of nitrogen laid down by the European Commission.

Mr. Maclean: The United Kingdom is committed to meeting current EC legislation on reductions of SO2 and NOx.

Housing

Dr. Wright: To ask the Secretary of State for the Environment how many new housing units were constructed by *(a)* the local authority and *(b)* housing associations in the Cannock Chase district council area and the Lichfield district council area in each year since 1979.

Mr. Baldry: Estimates of housebuilding completions by sector for each local authority area in England are shown in the publications "Local Housing Statistics" and "Housebuilding in England by Local Authority Areas 1980-1989" for some earlier years.

Figures for 1979 are in table 5 of the May 1980 edition, issue No. 53, of "Local Housing Statistics". Figures for 1980 to 1984 are in "Housebuilding in England by Local Authority Areas", tables 1.1 to 1.5. Figures for 1985 to 1991 are in tables 1(a) to 1(g) of the October 1992 edition, issue number 103, of "Local Housing Statistics". Figures for the first nine months of 1992 have been published in table 1 of issue No. 104 of "Local Housing Statistics".

Copies of these publications are in the Library.

South West Water

Mr. Harvey: To ask the Secretary of State for the Environment what progress he is making in the examination of South West Water prices announced by the Prime Minister on 11 March, *Official Report*, column *1105*.

Mr. Maclean: Responsibility for water charges rests with the Director General of Water Services. The Department is, however, now examining certain aspects of water authorities' overall programmes to see if there is any room for manoeuvre.

Open Spaces Society

Mr. Fatchett: To ask the Secretary of State for the Environment what was the grant from his Department for the Open Spaces Society for 1991-92, 1992-93, and 1993-94; and if he will make a statement.

Mr. Maclean: I refer the hon. Member to the answer I gave to the hon. Member for Islington, South and Finsbury (Mr. Smith) on Wednesday, 24 March, *Official Report*, column *628*.

Disused Mine Shafts

Mr. Alex Carlile: To ask the Secretary of State for the Environment what plans he has to make available resources to make safe disused mine shafts; and if he will make a statement.

Mr. Baldry: Resources to make safe disused mine shafts are available in England through derelict land grant and in Wales through the Welsh Development Agency's land reclamation programme. Normally these are provided where the treatment of the mineshaft forms part of the scheme for the reclamation of derelict land. However, resources are also available for the treatment of isolated mine shafts which threaten public safety or which endanger existing development.

Waste Management

Mr. Nigel Evans: To ask the Secretary of State for the Environment if he will make a statement on the latest position on the waste management licensing timetable.

Mr. Maclean: I am convinced that we must achieve our environmental objectives for waste management in a way which places the least possible burden on industry. In doing so, we have to take account of European Community measures dealing with waste management, as I explained in my announcement on 17 March.

Unfortunately further consideration of this important aspect and its impact on the relationship between waste management licensing under part II of the Environmental Protection Act 1990 and other controls has produced a number of technical problems that have not yet been finally resolved. It is very important to get the position right and for all regulating authorities and handlers of controlled waste to know what they have to do to comply with obligations deriving from Community measures.

Regrettably, therefore, we cannot now meet our target for waste management licensing of 1 June. As soon as I am in a position to give a revised date, I shall do so. I should stress that we fully intend to bring in the Environmental Protection Act waste management licensing system and the EC revised waste framework directive. Moreover, this delay in no way affects the present requirement under the Control of Pollution Act 1974 for facilities handling waste to have licences.

Local Authorities (Complaints)

Ms Mowlam: To ask the Secretary of State for the Environment what steps he is taking to ensure that local authorities are not prevented by terms in insurance policies from providing explanations or issuing apologies in response to complaints from members of the public.

Mr. Robin Squire: The terms included in these policies are a matter for negotiation between local authorities and their insurers.

Council Tax, Newbury

Mr. David Shaw: To ask the Secretary of State for the Environment what are the current council tax levels in Newbury for each band; and what these levels would be if there was no budgeted recourse to the council's resources.

Mr. Howard: Assuming that the council had made no use of its resources and had chosen to set the budget requirement at the level of budgeted net revenue expenditure, the council taxes for each band would have been as follows in each case:

	£
Current council tax levels	
Band A	352·30
Band B	410·90
Band C	469·60
Band D	528·30
Band E	645·70
Band F	763·10
Band G	880·50
Band H	1,056·60
Tax levels assuming no use of council's own resources	
Band A	423·08
Band B	493·59
Band C	564·11
Band D	634·62
Band E	775·65
Band F	916·67
Band G	1,057·70
Band H	1,269·24

NORTHERN IRELAND

Employment, Belfast

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland how many new firms have been established in the enterprise zone area of Belfast since the zone was first operational.

Mr. Atkins: The number of firms in the Belfast enterprise zone increased from 165 at designation on 21 October 1981 to 478 at expiry in October 1991, a net increase of 313 firms.

Schools (Expenditure)

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what has been the expenditure per pupil in *(a)* primary and *(b)* secondary schools for each of the last three years for which figures are available.

Mr. Hanley: The information is as follows:

Year	*Primary* £	*Secondary* £
1989-90	1,026·60	1,845·72
1990-91	1,130·84	1,976·45
1991-92	1,226·91	2,091·93

Students

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what was the flow of third-level education students out of and into Northern Ireland each year since 1981.

Mr. Hanley: The information is available from 1985-86 to 1991-92 and is as follows:

Year	*Northern Ireland domiciled students entering third level institutions outside Northern Ireland*	*Non-Northern Ireland domiciled students entering third level institutions in Northern Ireland*
1985-86	2,190	625
1986-87	2,486	699
1987-88	2,690	866
1988-89	2,879	968
1989-90	3,286	990
1990-91	3,582	1,161
1991-92	4,004	1,209

Note:
Figures relate to full-time undergraduate new entrants only.

Unemployment

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what plans he has to reduce long-term unemployment in the Province; and if he will make a statement.

Mr. Atkins: Reducing unemployment in Northern Ireland depends on the achievement of higher levels of economic growth and on Northern Ireland industry becoming internationally competitive. The Government's strategy to achieve this includes identifying and removing obstacles to growth; encouraging inward investment; promoting cross-border trade; building up management and work force skills; developing an enterprise culture; and supporting innovation and research and development.

Those who have been unemployed for long periods may need additional helpo to enable them to compete for the jobs that are available. The Training and Employment Agency provides practical help through the job training programme, Enterprise Uister, the Action for Community Employment scheme and the job clubs service. In addition guidance and counselling is available from each of the Training and Employment Agency's area offices and from the Social Security Agency through the Restart programme.

Non-fossil Fuel Obligation

Mr. Beggs: To ask the Secretary of State for Northern Ireland, pursuant to his oral answer of 21 January, *Official Report*, columns 488-89, when he now expects to announce the non-fossil fuel obligation quota for Northern Ireland; and if he will make a statement.

Mr. Atkins: Subject to approval by the European Commission, I expect to announce details of a non-fossil fuel obligation for Northern Ireland in the early summer.

Training and Employment Agency

Sir James Kilfedder: To ask the Secretary of State for Northern Ireland what targets have been set for the Training and Employment Agency for Northern Ireland for the period 1993 to 1996.

Mr. Atkins: The following targets have been set:

1. To increase the number of companies developing their management and workforce skills from 225 at April 1993 to 300 by March 1994 and 400 by March 1996.
2. To assess companies on the Company Development Programme against the national standard "Investor in People" with the aim of having 70 achieving recognition by March 1996.
3. To offer every company referred to the Agency by the Industrial Development Board relevant information, advice and customised training.
4. To increase the proportion of Youth Training Programme leavers who achieve a full qualification at National Vocational Qualifications level 2 or above from 13% at April 1993 to 45% by March 1996. This is in line with the National Education and Training Targets.
5. To increase the proportion of Job Training Programme leavers who achieve a full qualification at National Vocational Qualifications level 2 or above from 12% at April 1993 to 30% by March 1996.
6. In 1993/94 the Agency will seek to place 30,000 people into jobs.
7. To maintain the high levels of customer satisfaction and where possible increase them.
8. To reduce administration costs by more than 2% in 1993/94.
9. To meet, for the Agency, the national "Investors in People" standard by September 1995.

Electoral Areas

Mr. William Ross: To ask the Secretary of State for Northern Ireland (1) if he will publish a table to show for *(a)* each parliamentary constituency in Northern Ireland, *(b)* each council area in Northern Ireland, *(c)* each district electoral area in each council area and *(d)* each ward, the number of electors currently qualified to vote at the local elections;

(2) if he will publish a table to show the area of each *(a)* parliamentary constituency, *(b)* council area, *(c)* district electoral area and *(d)* ward, in Northern Ireland.

Mr. Hanley *[holding answer, 21 April 1993]:* The information is set out in the tables. The electorates represent the number of local government electors included on the electoral register for 1993-94 on 19 March 1993, the enumeration date for the purpose of the current review of parliamentary constituency boundaries. The areas are approximate and include areas of inland water.

Table 1: Parliamentary constituencies

Constituency	*Local electors*	*Area (hectares)*
Belfast East	53,217	2,896
Belfast North	55,161	3,414
Belfast South	52,317	2,460
Belfast West	55,415	2,935
East Antrim	64,651	43,077
East Londonderry	78,265	148,468
Fermanagh and South Tyrone	72,285	266,000
Foyle	77,167	60,385
Lagan Valley	74,853	45,498
Mid Ulster	70,486	255,641
Newry and Armagh	69,546	108,259
North Antrim	71,209	154,262
North Down	70,371	10,456
South Antrim	69,939	71,630
South Down	78,588	149,241
Strangford	70,827	43,206
Upper Bann	69,088	47,933
Total	1,153,385	1,415,761

Table 2
Districts, district electoral areas and wards

District/district electoral area and wards	*Local electors*	*Areas (hectares)*
DISTRICT OF ANTRIM	30,961	57,794
Antrim North West		
Cranfield	1,598	5,518
Drumanaway	1,507	2,359
Randalstown	1,549	2,307
Shilvodan	1,505	5,230
Toome	1,568	6,499
	7,727	21,913
Antrim South East		
Aldergrove	1,649	15,669
Ballycraigy	1,598	57
Clady	1,621	8,028
Crumlin	1,903	1,471
Farranshane	1,565	420
Parkgate	1,500	6,514
Templepatrick	1,749	2,028
	11,585	34,187
Antrim Town		
Balloo	1,501	514
Fountain Hill	1,752	87
Greystone	1,535	55
Massereene	1,730	523
Springfarm	1,882	417
Steeple	1,554	43
Stiles	1,695	55
	11,649	1,694
DISTRICT OF ARDS	49,716	38,052
Ards East		
Donaghadee North	2,372	1,692
Donaghadee South	2,198	189
Gregstown	2,407	272
Loughries	2,279	2,050
Millisle	2,112	1,518
Movilla	2,325	144
	13,693	5,865
Ards Peninsula		
Ballywalter	2,119	3,319
Carrowdore	1,989	5,052
Kircubbin	2,039	3,962
Portaferry	2,185	3,074
Portavogie	2,256	2,313
	10,588	17,720
Ards West		
Ballygowan	2,203	1,565
Comber East	2,126	454
Comber North	1,933	362
Comber West	2,314	655
Killinchy	2,012	4,158
Lisbane	2,020	3,817
	12,608	11,011
Newtownards		
Ballyrainey	2,066	1,017
Bradshaw's Brae	2,297	1,034
Central	2,149	255
Glen	2,100	460
Scrabo	1,827	423
Whitespots	2,388	267
	12,827	3,456

District/district electoral area and Wards	*Local electors*	*Areas (hectares)*
DISTRICT OF ARMAGH	36,705	67,130
Armagh City		
Abbey Park	1,425	348
Callan Bridge	1,682	136
Demesne	1,629	336
Downs	1,526	155
Observatory	1,801	413
The Mall	1,662	119
	9,725	1,507
Crossmore		
Carrigatuke	1,543	6,272
Derrynoose	1,551	6,996
Keady	1,670	103
Killylea	1,565	6,399
Milford	1,533	4,427
	7,862	24,197
Cusher		
Hamiltonsbawn	1,853	5,479
Killeen	1,707	1,515
Laurelvale	1,663	1,238
Markethill	1,726	3,181
Poyntz Pass	1,661	5,946
Tandragee	1,818	1,496
	10,428	23,855
The Orchard		
Ballymartrim	1,648	6,137

District/district electoral area and Wards	Local electors	Areas (hectares)
Charlemont	1,656	3,447
Hockley	1,785	4,200
Loughgall	1,742	3,279
Rich Hill	1,859	508
	8,690	17,571

District/district electoral area and wards	Local electors	Areas (hectares)
DISTRICT OF BALLYMENA	42,637	63,197
Ballymena East		
Ballykeel	1,668	109
Castle Demesne	1,731	115
Dunclug	1,744	69
Fair Green	1,731	66
Moat	1,581	45
Summerfield	1,844	159
	10,299	563
Ballymena North		
Broughshane	1,864	1,291
Craigywarren	1,748	5,957
Cullybackey	1,930	484
Dunminning	1,732	5,266
Glenravel	1,832	8,984
Slemish	1,624	13,594
	10,730	35,576
Ballymena South		
Ahoghill	1,981	1,122
Glenwhirry	1,815	11,576
Grange	1,833	6,035
Kells	1,954	2,180
Portglenone	1,843	3,946
	9,426	24,859
Ballymena West		
Academy	1,668	223
Ardeevin	1,893	347
Ballee	1,752	148
Ballyloughan	1,737	95
Galgorm	1,714	1,003
Harryville	1,710	287
Park	1,708	96
	12,182	2,199

District/district electoral area and wards	Local electors	Area (hectares)
DISTRICT OF BALLYMONEY	17,864	41,856
Ballymoney Town		
Carnany	1,189	86
Fairhill	1,180	224
Glebe	1,244	96
Newhill	1,101	64
Route	1,156	265
	5,870	735
Bann Valley		
Clogh Mills	1,130	2,427
Dunloy	1,120	2,235
Killoquin Lower	1,107	4,014
Killoquin Upper	1,050	2,429
Seacon	1,279	1,899
The Vow	1,048	3,490
	6,734	16,494

District/district electoral area and wards	Local electors	Area (hectares)
Bushvale		
Ballyhoe and Corkey	1,023	8,155
Benvardin	1,056	3,594
Dervock	1,086	3,886
Knockaholet	1,069	4,986
Stranocum	1,026	4,006
	5,260	24,627

District/district electoral area and wards	Local electors	Area (hectares)
DISTRICT OF BANBRIDGE	27,052	45,248
Banbridge Town		
Ballydown	1,692	795
Banbridge West	1,723	132
Edenderry	1,578	94
Fort	1,536	123
Seapatrick	1,503	389
The Cut	1,599	74
	9,631	1,607
Dromore		
Ballyward	1,561	8,654
Dromore North	1,597	348
Dromore South	1,583	1,206
Gransha	1,521	5,149
Quilly	1,564	4,853
	7,988	20,210
Knockiveagh		
Bannside	1,514	7,119
Gilford	1,516	1,546
Katesbridge	1,545	7,187
Lawrencetown	1,542	2,765
Loughbrickland	1,575	4,195
Rathfriland	1,741	619
	9,433	23,431

District/district electoral area and wards	Local electors	Area (hectares)
DISTRICT OF BELFAST	208,599	11,488
Balmoral		
Blackstaff	3,729	194
Finaghy	3,915	261
Malone	4,340	220
Musgrave	4,042	180
Upper Malone	3,785	434
Windsor	3,996	94
	23,807	1,383
Castle		
Bellevue	3,706	287
Castleview	3,899	146
Cavehill	3,987	339
Chichester Park	3,993	97
Duncairn	3,628	922
Fort William	3,768	103
	22,981	1,894
Court		
Crumlin	4,035	86
Glencairn	3,547	396
Highfield	3,868	264
Shankill	3,678	91
Woodvale	3,824	60
	18,952	897

District/district electoral area and wards	Local electors	Area (hectares)
Laganbank		
Ballynafeigh	3,994	65
Botanic	3,953	132
Rosetta	4,131	169
Shaftesbury	4,038	222
Stranmillis	4,002	245
	20,118	833
Lower Falls		
Beechmount	4,156	83
Clonard	4,119	66
Falls	4,012	116
Upper Springfield	3,985	257
Whiterock	3,874	77
	20,146	599
Oldpark		
Ardoyne	4,305	59
Ballysillan	4,354	112
Cliftonville	4,246	119
Legoniel	4,129	884
New Lodge	4,496	72
Water Works	4,594	127
	26,124	1,373
Pottinger		
Ballymacarrett	3,729	75
Bloomfield	4,201	77
Orangefield	4,196	141
Ravenhill	4,152	190
The Mount	4,127	74
Woodstock	4,046	56
	24,451	613
Upper Falls		
Andersonstown	4,444	102
Falls Park	4,506	237
Glencolin	4,271	950
Glen Road	4,466	159
Ladybrook	4,469	136
	22,156	1,584
Victoria		
Ballyhackmore	4,555	114
Belmont	4,467	179
Cherryvalley	4,332	199
Island	3,779	376
Knock	4,126	119
Stormont	4,604	706
Sydenham	4,001	619
	29,864	2,312

District/district electoral area and wards	Local electors	Areas (hectares)
DISTRICT OF CARRICKFERGUS	25,123	8,194
Carrick East		
Bluefield	1,525	113
Boneybefore	1,430	59
Love Lane	1,290	81
Milebush	1,498	40
Victoria	1,588	92
	7,331	385
Carrick Middle		
Blackhead	1,571	239
Eden	1,751	2,154
Gortalee	1,248	33
Greenisland	1,384	460
Knockagh	1,384	323
Whitehead	1,528	652
Woodburn	1,613	3,622
	10,479	7,483
Carrick West		
Burleigh Hill	1,836	115
Clipperstown	1,468	49
Killycrot	1,430	111
Northland	1,257	18
Sunnylands	1,322	33
	7,313	326

District/district electoral area and wards	Local electors	Areas (hectares)
DISTRICT OF CASTLEREAGH	47,994	8,501
Castlereagh Central		
Cregagh	1,802	31
Downshire	1,889	43
Lisnasharragh	1,887	96
Lower Braniel	2,011	87
Upper Braniel	1,948	283
Wynchurch	1,816	48
	11,353	588
Castlereagh East		
Ballyhanwood	2,468	1,056
Carroweagh	2,136	756
Dundonald	2,057	216
Enler	2,253	51
Gilnahirk	2,021	81
Graham's Bridge	2,302	89
Tullycarnet	2,131	50
	15,368	2,299
Castlereagh South		
Cairnshill	2,146	96
Carryduff East	2,311	407
Carryduff West	1,903	422
Knockbracken	1,842	105
Moneyreagh	2,455	3,625
	10,657	4,655
Castlereagh West		
Beechill	2,145	392
Galwally	1,901	102
Hillfoot	2,250	152
Minnowburn	2,108	144
Newtownbreda	2,212	169
	10,616	959

District/district electoral area and wards	Local electors	Area (hectares)
DISTRICT OF COLERAINE	37,322	48,557
Bann		
Agivey	1,567	6,716
Castlerock	1,798	2,913
Garvagh	1,781	5,337
Kilrea	1,597	2,647
Macosquin	1,634	7,310
Ringsend	1,533	10,724
	9,910	35,647

District/district electoral area and wards	Local electors	Area (hectares)
Coleraine East		
Ballysally	1,655	92
Cross Glebe	1,639	127
Dundooan	1,644	4,749
Dunluce	1,602	4,777
University	1,554	237
	8,094	9,982
Coleraine West		
Central	1,641	105
Churchland	1,756	125
Knocklynn	1,658	296
Mount Sandel	1,555	192
The Cuts	1,943	465
Waterside	1,841	238
	10,394	1,421
The Skerries		
Atlantic	1,855	457
Hopefield	1,843	212
Portstewart	1,767	86
Royal Portrush	1,788	420
Strand	1,671	332
	8,924	1,507

District/district electoral area and wards	Local electors	Area (hectares)
DISTRICT OF COOKSTOWN	21,863	62,169
Ballinderry		
Ardboe	1,475	6,181
Coagh	1,298	2,887
Killycolpy	1,440	9,437
Moneymore	1,330	2,198
Stewartstown	1,257	4,270
The Loop	1,488	6,099
	8,288	31,072
Cookstown Central		
Gortalowry	1,427	185
Killymoon	1,434	187
Newbuildings	1,402	81
Oldtown	1,361	217
Tullagh	1,525	110
	7,149	780
Drum Manor		
Dunnamore	1,323	9,822
Lissan	1,279	7,302
Oaklands	1,240	5,284
Pomeroy	1,320	3,895
Sandholes	1,264	4,014
	6,426	30,317

District/district electoral area and wards	Local electors	Areas (hectares)
DISTRICT OF CRAIGAVON	54,810	37,820
Central		
Bleary	2,250	1,747
Drumgask	2,153	287
Drumgor	2,139	305
Edenderry	2,350	174
Kernan	2,239	1,697
Killycomain	2,059	91
Taghnevan	2,078	111
	15,268	4,412
Loughside		
Aghagallon	2,282	9,918
Court	2,256	129
Derrytrasna	2,359	7,168
Drumnamoe	2,143	41
Woodville	2,334	139
	11,374	17,395
Lurgan		
Church	1,937	56
Donaghcloney	1,799	3,348
Knochnashane	2,152	199
Magheralin	2,177	1,789
Mourneview	1,919	71
Parklake	1,962	280
Waringstown	2,179	1,169
	14,125	6,912
Portadown		
Annagh	1,895	945
Ballybay	1,879	658
Ballyoran	1,910	976
Brownstown	2,400	743
Corcrain	1,989	110
Tavanagh	1,897	52
The Birches	2,073	5,617
	14,043	9,101

District/district electoral area and wards	Local electors	Area (hectares)
DISTRICT OF DERRY	64,197	38,738
Cityside		
Beechwood	2,018	41
Brandywell	1,967	66
Creggan Central	2,003	97
Creggan South	1,851	75
Westland	1,870	32
	9,709	311
Northland		
Crevagh	2,482	2,611
Foyle Springs	2,316	104
Pennyburn	2,400	215
Rosemount	2,155	41
Springtown	2,257	109
Strand	2,296	122
The Diamond	1,966	83
	15,872	3,285
Rural		
Banagher	1,911	12,114
Claudy	1,949	8,267
Eglinton	2,167	2,910
Enagh	2,262	3,114
Holly Mount	1,995	5,271
New Buildings	2,241	520
	12,525	32,196
Shantallow		
Ballymashalog	2,501	278
Carn Hill	2,144	93
Culmore	2,307	972
Shantallow East	2,060	41

District/district electoral area and wards	Local electors	Area (hectares)
Shantallow West	2,173	584
	11,185	1,968
Waterside		
Altnagelvin	2,341	318
Caw	2,000	125
Clondermot	1,985	119
Ebrington	2,041	156
Kilfennan	2,197	81
Lisnagelvin	2,308	80
Victoria	2,034	99
	14,906	978

District/district electoral area wards	Local electors	Area (hectares)
DISTICT OF DOWN	41,229	64,917
Ballynahinch		
Ballymaglave	1,836	522
Ballynahinch East	1,798	207
Drumaness	1,974	3,531
Dunmore	1,774	4,574
Seaforde	1,676	7,330
	9,058	16,164
Downpatrick		
Ardglass	1,820	3,503
Audleys Acre	1,700	183
Ballymote	1,703	365
Cathedral	1,832	557
Killough	1,762	5,871
Quoile	1,907	1,251
Strangford	1,725	6,072
	12,449	17,802
Newcastle		
Castlewellan	1,798	2,312
Donard	1,785	1,012
Dundrum	1,639	2,416
Murlough	1,694	1,214
Shimna	1,783	134
Tollymore	1,611	6,906
	10,310	13,994
Rowallane		
Crossgar	1,897	3,195
Derryboy	1,809	5,775
Killyleagh	1,846	538
Kilmore	2,018	6,059
Saintfield	1,842	1,390
	9,412	16,957

District/district electoral area and wards	Local electors	Area (hectares)
DISTRICT OF DUNGANNON	32,668	78,323
Blackwater		
Aughnacloy	1,463	7,018
Benburb	1,527	4,069
Caledon	1,520	8,069
Killyman	1,520	3,527
Moy	1,527	2,648
	7,557	25,331
Clogher Valley		
Augher	1,402	7,200
Ballygawley	1,516	5,721
Castlecaulfield	1,601	3,912
Clogher	1,410	10,442
Fivemiletown	1,419	7,798
	7,348	35,073
Dungannon Town		
Ballysaggart	1,617	259
Coolhill	1,446	229
Drumglass	1,340	469
Killymeal	1,441	609
Moygashel	1,355	609
Mullaghmore	1,366	409
	8,565	2,584
Torrent		
Altmore	1,506	6,044
Coalisland North	1,599	1,112
Coalisland South	1,514	412
Coalisland West and Newmills	1,509	917
Donaghmore	1,494	2,750
Washing Bay	1,576	4,100
	9,198	15,335

District/district electoral area and wards	Local electors	Area (hectares)
DISTRICT OF FERMANAGH	39,617	187,678
Enniskillen		
Castlecoole	1,989	684
Devenish	1,779	429
Erne	1,813	647
Lisbellaw	1,682	5,215
Portora	1,840	414
Rossorry	1,731	575
Tempo	1,627	9,075
	12,461	17,039
Erne East		
Brookeborough	1,670	12,397
Donagh	1,620	10,924
Lisnaskea	1,866	556
Maguires Bridge	1,687	8,872
Newtownbutler	1,767	9,090
Rosslea	1,654	9,544
	10,264	51,383
Erne North		
Ballinamallard	1,566	4,467
Belleek and Boa	1,632	17,306
Irvinestown	1,619	1,727
Kesh, Ederney and Lack	2,132	11,281
Lisnarrick	1,352	7,192
	8,301	41,973
Erne West		
Belcoo and Garrison	1,661	20,283
Boho, Cleenish and Letterbreen	1,808	13,986
Derrygonnelly	1764	16,058
Derrylin	1,600	10,567
Florence Court and Kinawley	1,758	16,389
	8,591	77,283

District/district electoral area and wards	Local electors	Area (hectares)
DISTRICT OF LARNE	22,603	33,647
Coast Road		
Ballyloran	1,442	29
Carncastle	1,550	908
Carnlough	1,478	5,828
Craigy Hill	1,451	28
Glenarm	1,343	10,719
	7,264	17,512
Larn Lough		
Antiville	1,429	61
Ballycarry	1,523	3,031
Glynn	1,376	3,284
Island Magee	1,539	2,658
Kilwaughter	1,623	6,587
	7,490	15,621
Larne Town		
Blackcave	1,512	91
Central	1,664	100
Gardenmore	1,640	121
Harbour	1,504	157
Town Parks	1,529	45
	7,849	514

District/district electoral area and wards	Local electors	Area (hectares)
DISTRICT OF LIMAVADY	19,699	58,633
Bellarena		
Aghanloo	1,196	7,613
Ballykelly	1,219	2,048
Glack	1,239	5,612
Gresteel	1,431	1,948
Magilligan	1,234	7,886
	6,319	25,107
Benbradagh		
Dungiven	1,351	238
Feeny	1,205	9,449
Forest	1,374	3,607
The Highlands	1,143	6,015
Upper Glenshane	1,218	13,816
	6,291	33,125
Limavady Town		
Coolessan	1,289	83
Enagh	1,725	74
Greystone	1,472	30
Rathbrady	1,408	80
Roeside	1,195	134
	7,089	401

District/district electoral area and wards	Local electors	Area (hectares)
DISTRICT OF LISBURN	70,665	44,669
Downshire		
Ballymacbrennan	2,367	6,994
Dromara	2,548	4,525
Drumbo	2,405	2,515
Hillsborough	2,549	2,991
Maze	2,533	1,581
	12,402	18,606
Dunmurry Cross		
Collin Glen	2,551	935
Derryaghy	2,315	512
Dunmurry	2,306	145
Kilwee	2,278	98
Poleglass	2,499	78
Seymour Hill	2,106	92
Twinbrook	2,216	58
	16,271	1,918
Killultagh		
Ballinderry	2,376	5,774
Glenavy	2,554	7,854
Knockmore	2,203	434
Maghaberry	2,288	3,921
Moira	2,499	1,739
	11,920	19,722
Lisburn Town North		
Ballymacash	2,375	190
Ballymacoss	2,610	1,408
Harmony Hill	2,360	93
Lambeg	2,162	416
Lisnagarvy	2,326	71
Magheralave	2,232	175
Wallace Park	2,279	172
	16,344	2,525
Lisburn Town South		
Blaris	2,421	880
Hilden	2,357	107
Hillhall	2,274	681
Lagan Valley	2,435	106
Old Warren	2,092	74
Tonagh	2,149	50
	13,728	1,898

District/district electoral area and wards	Local electors	Area (Hectares)
DISTRICT OF MAGHERAFELT	25,871	57,240
Magherafelt Town		
Ballymaguigan	1,538	4,087
Glebe	1,496	200
Lecumpher	1,461	6,609
Town Parks East	1,694	116
Town Parks West	1,649	163
	7,838	11,175
Moyola		
Bellaghy	1,615	2,817
Castledawson	1,679	1,469
Gulladuff	1,631	3,652
Knockloghrim	1,676	4,124
Upperlands	1,478	3,735
Valley	1,634	3,664
	9,713	19,461
Sperin		
Draperstown	1,628	5,266
Lower Glenshane	1,700	8,208
Maghera	1,719	196
Swatragh	1,787	6,888
Tobermore	1,486	6,046
	8,320	26,604

District/district electoral area and wards	Local electors	Area (hectares)
DISTRICT OF MOYLE	10,708	49,210
Ballycastle		
Bonamargy and Rathlin	791	1,438
Dalriada	834	83
Glentaisie	668	62
Kinbane	663	3,848
Knocklayd	719	165
	3,675	5,596
Giant's Causeway		
Ballylough	648	1,252
Bushmills	661	851
Carnmoon	637	3,088
Dunseverick	633	3,742
Moss-Side and Moyarget	611	3,988
	3,190	12,921
The Glens		
Armoy	653	2,796
Glenaan	891	1,594
Glenariff	852	5,302
Glendun	774	8,919
Glenshesk	673	12,082
	3,843	30,693

District/district electoral area and wards	Local electors	Areas (hectares)
DISTRICT OF NEWRY AND MOURNE	57,369	90,316
Crotlieve		
Burren and Kilbroney	1,822	4,652
Clonallan	2,217	264
Derryleckagh	2,063	1,491
Mayobridge	1,837	5,478
Rostrevor	1,992	3,234
Seaview	2,145	129
Spelga	1,769	7,903
	13,845	23,151
Newry Town		
Ballybot	1,845	136
Daisy Hill	1,920	151
Drumalane	1,967	202
Drumgullion	2,038	151
St Mary's	1,918	162
St Patrick's	2,168	199
Windsor Hill	1,992	157
	13,848	1,158
Slieve Gullion		
Creggan	1,700	6,001
Crossmaglen	1,772	1,834
Fathom	1,858	2,646
Forkhill	2,090	4,387
Silver Bridge	1,893	5,672
	9,313	20,540
The Fews		
Bessbrook	1,737	624
Camlough	1,766	3,842
Derrymore	1,843	739
Donaghmore	1,748	6,595
Newtownhamilton	1,691	7,732
Tullyhappy	1,749	6,494
	10,534	26,026
The Mournes		
Annalong	1,935	3,853
Binnian	1,749	6,561
Kilkeel Central	2,306	625
Kilkeel South	2,135	450
Lisnacree	1,704	7,952
	9,829	19,441

District/district electoral area and wards	Local electors	Area (hectares)
DISTRICT OF NEWTOWNABBEY	56,105	15,071
Antrim Line		
Ballyhenry	2,387	89
Burnthill	2,339	48
Collinbridge	2,153	448
Glebe	2,317	88
Glengormley	2,338	51
Hightown	2,092	57
Mallusk	2,372	2,364
	15,998	3,145
Ballyclare		
Ballyclare North	2,363	179
Ballyclare South	2,269	178
Ballynure	1,850	4,540
Ballyrobert	2,701	2,545
Doagh	2,100	2,706
	11,283	10,148
Macedon		
Abbey	2,335	188
Cloughfern	2,277	330
Coole	2,251	49
Dunanney	1,849	66
Valley	2,455	191
Whitehouse	2,126	72
	13,293	896
University		
Ballyduff	2,303	52
Carnmoney	2,280	86
Hawthorne	1,953	74
Jordanstown	2,400	188
Monkstown	2,243	145
Mossley	2,268	143
Rostulla	2,084	194
	15,531	882

District/district electoral area and wards	Local electors	Area (hectares)
DISTRICT OF NORTH DOWN	55,042	8,158
Abbey		
Bangor Castle	2,183	167
Bloomfield	2,323	145
Conlig	2,284	901
Harbour	2,146	72
Rathgael	2,056	51
Whitehill	2,149	44
	13,141	1,380
Ballyholme and Groomsport		
Ballycrochan	2,706	157
Ballyholme	2,009	79
Ballymaconnell	2,209	225
Ballymagee	2,204	75
Broadway	2,341	113
Churchill	2,336	81
Groomsport	2,231	731

District/district electoral area and wards	Local electors	Area (hectares)
	16,036	1,461
Bangor West		
Bryansburn	2,351	68
Clandeboye	2,255	667
Crawfordsburn	2,043	640
Dufferin	2,045	84
Princetown	2,216	156
Silverstream	2,101	54
Spring Hill	2,300	101
	15,311	1,770
Holywood		
Craigavad	2,082	1,928
Cultra	2,056	649
Holywood Demesne	2,232	180
Holywood Priory	2,023	451
Loughview	2,161	339
	10,554	3,547

District/district electoral area and wards	Local electors	Area (hectares)
DISTRICT OF OMAGH	31,414	112,990
Mid-Tyrone		
Beragh	1,477	6,095
Drumnakilly	1,584	7,339
Gortin	1,357	9,043
Killyclogher	1,434	218
Owenkillew	1,391	17,498
Sixmilecross	1,393	7,857
Termon	1,485	8,445
	10,121	56,495
Omagh Town		
Camowen	1,521	176
Coolnagard	1,683	223
Dergmoney	1,594	140
Drumragh	1,582	405
Gortrush	1,634	239
Lisanelly	1,533	1182
Strule	1,396	173
	10,943	1,538
West Tyrone		
Clanabogan	1,543	8,781
Dromore	1,458	4,027
Drumquin	1,436	13,318
Fairy Water	1,409	9,413
Fintona	1,523	3,871
Newtownsville	1,492	7,153
Trillick	1,498	8,394
	10,350	54,957

District/district electoral area and wards	Local electors	Area (hectares)
DISTRICT OF STRABANE	25,552	86,165
Derg		
Castlederg	1,566	544
Clare	1,726	8,965
Finn	1,552	3,812
Glenderg	1,665	17,094
Newtownstewart	1,580	4,755
Sion Mills	1,516	695
	9,605	35,865
Glenelly		
Antigarvan	1,573	4,681
Dunnamanagah	1,483	9,435
Plumbridge	1,447	20,502
Slievekirk	1,494	6,607
Victoria Bridge	1,530	8,154
	7,527	49,379
Mourne		
Ballycolman	1,568	57
East	1,687	86
North	1,673	479
South	1,798	168
West	1,694	131
	8,420	921
	1,153,385	1,415,761

TRANSPORT

Safe Seas

Ms Walley: To ask the Secretary of State for Transport what response he has made to the European Commission on its proposal for setting up a committee on safe seas contained in the communication from commissioners on a common policy on safe seas; and if he will make a statement.

Mr. Norris: The United Kingdom has warmly welcomed the Commission's communication "A Common Policy for Safe Seas", which closely mirrors the Government's views on the need for action to improve the level of maritime safety in Community waters. Along with other member states, we approve in principle the Commission's proposal for a Committee on Safe Seas, and are currently considering what its terms of reference should be.

A614

Mr. Tipping: To ask the Secretary of State for Transport what plans there are to make the A614 in Nottinghamshire dual carriageway.

Mr. Kenneth Carlisle: We do not have any proposals in the trunk road programme to upgrade the A614 in Nottinghamshire to dual carriageway standard.

Railway Rolling Stock

Mr. Alison: To ask the Secretary of State for Transport what conclusions he has reached following his Department's consultative exercise on the provision of rolling stock following the privatisation of British Rail.

Mr. Freeman: I intend to ask British Rail to establish rolling stock companies and to transfer its existing passenger rolling stock to these by 1 April 1994. Our provisional view is that there should be three rolling stock companies. Each should have a mixed portfolio of different types and ages of stock which they would lease to franchisees and BR's operating divisions pending franchising. Wherever reasonably practicable franchisees should have more than one potential source of supply for rolling stock in any particular market segment. More

detailed work is in hand to determine how the fleet should be divided between the companies; what role the companies should take in the maintenance of their stock; and, whether, for example, individual BR maintenance depots should be associated with each rolling stock.

The companies will initially be publicly owned and will invest as necessary to renew their fleets. Our intention is to transfer the companies to the private sector as soon as practicable.

During the course of the consultative exercise a number of ideas have been put forward for the early involvement of private sector expertise and capital. I expect to reach conclusions shortly on the role which the private sector might take in working with the public sector in developing an operating lease market. I will then be inviting those interested to bring forward specific proposals.

TRADE AND INDUSTRY

British Coal Pension Scheme

Mr. Hardy: To ask the President of the Board of Trade (1) when British Coal last made normal contributions to mineworkers' pension funds; and if members are continuing to make contributions;

(2) what sum British Coal now owes to the industry's pension funds to cover the cost of making pension payments to the staff made redundant and retiring early between April 1983 and April 1992.

Mr. Eggar: These are matters for British Coal and the trustees of the pension schemes.

Mr. Hardy: To ask the President of the Board of Trade what is the latest valuation of the assets of the British Coal staff superannuation scheme.

Mr. Eggar: This is a matter for British Coal and the trustees of the staff superannuation scheme.

Riot Control Units

Mr. Llew Smith: To ask the President of the Board of Trade how many export licences his Department has granted for armoured anti-riot units since 1979.

Mr. Heseltine: This would require examination of all export licences for military goods to all destinations since 1979 which could be done only at disproportionate expense.

Plutonium

Mr. Llew Smith: To ask the President of the Board of Trade what representation his Department's export control office had at the non-proliferation seminar on plutonium held at Rhodes House, Oxford, on 21 April.

Mr. Heseltine: Two officials from my Department's Export Control Organisation attended the seminar.

Nuclear Safety

Mr. Llew Smith: To ask the President of the Board of Trade what response he has made to the Greenpeace report, "Vessel Head Penetration Cracking in Nuclear Reactors", published in March 1993, a copy of which has been sent to him.

Mr. Eggar: I have not received a copy of this report.

Mr. Llew Smith: To ask the President of the Board of Trade what visits to the Trawsfynydd nuclear plant have been made by International Atomic Energy safety inspectors on OSART safety assessment missions since the plant opened; and if he will make a statement on the current safety status of the plant.

Mr. Eggar: There have been no International Atomic Energy Agency operational safety and review team—OSART—missions to Trawsfynydd. Both reactors remain shut down while the Health and Safety Executive's nuclear installations inspectorate completes its assessment of Nuclear Electric's safety case for restart.

Mr. Llew Smith: To ask the President of the Board of Trade what steps the chief nuclear inspector at Her Majesty's nuclear installations inspectorate is taking to consider measures to prevent vessel head penetration cracking in Sizewell B.

Mr. Eggar: I refer the hon. Member to the answer I gave to the hon. Member for Clydesdale (Mr. Hood) on 15 April 1993, *Official Report*, column *705*.

Assisted Area Status

Ms Janet Anderson: To ask the President of the Board of Trade when his proposals in respect of the assisted areas map were submitted to the European Commission; and if he will make a statement.

Mr. Sainsbury: After the review of the assisted areas map has been completed the Government's proposals will be put to the Commission for article 92 state aids clearance.

Dan-Air

Mr. David Nicholson: To ask the President of the Board of Trade what representations he has had regarding the competition implications of the takeover of Dan-Air by British Airways.

Mr. Neil Hamilton: All representations received are treated in confidence. All relevant considerations were taken into account in the advice of the Director General of Fair Trading to my right hon. Friend the President of the Board of Trade and in his decision not to refer the proposed acquisition to the Monopolies and Mergers Commission.

Sodium Hexacyanoferrate

Mr. Gapes: To ask the President of the Board of Trade what quantity of sodium hexacyanoferrate is *(a)* manufactured in the United Kingdom, *(b)* imported into the United Kingdom and *(c)* exported from the United Kingdom; and what are the locations where sodium hexacyanoferrate is produced in the United Kingdom.

Mr. Sainsbury: Sodium hexacyanoferrate is not separately identified in the United Kingdom statistical classifications; therefore, the information is not available.

Offshore Oil and Gas Industry

Mr. Butterfill: To ask the President of the Board of Trade how many obligations remain outstanding for drilling *(a)* firm and *(b)* contingent wells under the 11th and 12th United Kingdom offshore licensing rounds.

Mr. Eggar: There are 309 outstanding obligation wells from the 11th and 12th rounds of offshore licensing. Of these, 193 are firm obligations, and 116 conditional.

Shipbuilding Intervention Fund

Dr. Godman: To ask the President of the Board of Trade, pursuant to his answer to the hon. Member for Bury, South (Mr. Sumberg), of 21 April, *Official Report*, column *119*, about the change of rules governing the shipbuilding intervention fund, which took effect from 1 April, if the grant to be paid at the maximum permitted level refers to vessels under construction on 1 April as well as those to be constructed after 1 April; and if he will make a statement.

Mr. Sainsbury: The concession applies only to those vessels for which offers of grant were made on or after 1 April.

Explosion, Liverpool

Mr. Parry: To ask the President of the Board of Trade if he will make a statement on the recent explosion which occurred in Liverpool 8.

Mr. Eggar *[holding answer 20 April 1993]:* I assume that the hon. Member is referring to the gas explosion at 148 High Park street on 30 December 1992. This was dealt with by the police authorities and the Health and Safety Executive which, I understand, have decided to take no further action.

Economic Task Force

Mr. Cousins: To ask the President of the Board of Trade if he will create an economic task force for the industrial areas of Hertfordshire and Bedfordshire.

Mr. Sainsbury *[holding answer 27 April 1993]:* My right hon. Friend has no plans to do so.

HEALTH

Myelograms

Mr. Godsiff: To ask the Secretary of State for Health how many myelograms were conducted in the national health service in each year since 1989-90 and in the first six months of 1992-93.

Mr. Sackville: This information is not available centrally. The latest estimate of episodes involving myelogram procedures, held by the Department, for the year 1989-90 is 18,230. This figure includes radiculograms as well as myelograms.

Older Patients

Ms Lynne: To ask the Secretary of State for Health what plans she has to monitor the NHS purchasing arrangements to identify whether there is discrimination against older patients.

Mr. Sackville: We have set in place mechanisms for monitoring purchasers' performance and ensuring that they are accountable to Ministers and to the public they serve. Health authorities as purchasers are expected to develop contracting arrangements which accurately reflect the needs of all of their resident population.

Contact Lenses

Mr. Cohen: To ask the Secretary of State for Health what representations she has received questioning the safety of contact lenses; and if she will make a statement.

Dr. Mawhinney: The College of Ophthalmologists wrote to the Chief Medical Officer to bring to his attention the increase in contact lens-induced microbial keratitis. The Department has met the representatives of the four eye care professional bodies: College of Ophthalmologists, British College of Optometrists, Association of Optometrists, and the Association of British Dispensing Opticians.

The working group chaired by the Department has drafted guidance for the eye care professions including a leaflet for patients. The Department has consulted the industry on the content of these drafts and a further meeting of the working party, together with representatives of the industry, will be held on 27 May with the aim of finalising the documents.

The Department will fund the publication of the guidance.

Nurses

Mr. Harvey: To ask the Secretary of State for Health (1) what guidance has been issued to health authorities and trusts on providing newly qualified nurses with information about national vacancies;

(2) what guidance has been issued to health authorities and trusts on the provision of careers counselling services for nursing students;

(3) what plans she has to establish schemes to enable newly qualified nurses who are unemployed to consolidate their education.

Mr. Sackville: Health authorities and trusts are aware that the Employment Service has details of national vacancies and that the English National Board runs a Resource and Careers Service Department.

Regional health authorities have chosen to manage the position of newly qualified nurses themselves by adopting a variety of approaches such as expansion of flexible working patterns, job sharing, short-term contracts and clearing house schemes.

Mr. Cohen: To ask the Secretary of State for Health if he will make a statement on the current state of discussions within the Nursing and Midwifery Staffs Negotiating Council regarding outstanding clinical grading appeals.

Mr. Sackville: The management side of the council awaits a response from the staff side to an offer on 31 March about a number of procedural changes aimed at significantly speeding up the appeals process. The management side made the proposals in support of the initiative requiring regional health authorities to draw up plans to clear outstanding appeals by 31 October 1993.

NHS Trusts

Dr. Wright: To ask the Secretary of State for Health how many of the chairs and non-executive directors of NHS trusts had previous professional experience within the NHS before their appointment.

Dr. Mawhinney: This information is not available centrally.

Overseas Manufacturers (Inspection)

Mr. Gordon Prentice: To ask the Secretary of State for Health (1) what is the annual cost of providing teams to inspect plants overseas which manufacture products for use in the NHS;

(2) how many people are employed by her Department to inspect plants overseas which manufacture medical products for use in the national health service.

Dr. Mawhinney: The equivalent of 6·7 full-time inspectors from the Department of Health and the Medicines Control Agency together were employed in the inspection of medical device and licensed medicinal product manufacturers overseas in 1992-93. The estimated cost—staff, travel and subsistence expenses—of providing these services was £595,000.

Dentistry

Mrs. Wise: To ask the Secretary of State for Health (1) how many approvals were successfully processed by the Dental Estimates Board; and what was the value of that work approved for each month since April 1991;

(2) how many requests for prior approval were received by the Dental Estimates Board; and what was the value of that work which dentists wished to carry out, for each month since April 1991.

Dr. Mawhinney: The information in the table shows the number of applications for prior approval submitted by general dental practitioners in England and Wales to the Dental Practice Board for the period April 1991 to March 1993. We have no reason to believe that the DPB failed to process any applications made during this period. The value of the dental work for which these applications were made is not routinely collated by the DPB.

General dental services (England and Wales)
Number of applications for prior approval[1]
April 1991 to March 1993

	Number
1991	
April[2]	7,000
May[2]	7,000
June[2]	6,000
July	6,583
August	5,308
September	4,437
October	5,746
November	4,717
December	3,331
1992	
January	5,037
February	4,551
March	4,528
April	4,408
May	3,907
June	4,323
July[3]	6,378
August	10,624
September	17,765
October	24,609
November	24,069
December	23,591
1993	
January	26,113
February	27,959
March	34,073

[1]The small number of prior approval applications arising from investigation, Prior Approval Penalty and Targetting are excluded.

[2]The figures for April to June 1991 are estimates.

[3]The prior approval by value limit was reduced from £600 to £200 with effect from 8 July 1992.

Mrs. Wise: To ask the Secretary of State for Health what was the total sum paid out to the general dental practitioners working within the national health service for each month since April 1991.

Dr. Mawhinney: The information is shown in the table.

Payments to general dental practitioners—England

	1991-92 £ million	*1992-92 £ million*
April	90·582	116·408
May	91·807	116·576
June	94·140	111·830
July	100·276	114·106
August	104·808	113·243
September	92·334	101·281
October	99·553	98·397
November	108·703	101·686
December	111·130	102·551
January	100·896	105·225
February	115·203	99·171
March	114·359	94·849
Total	1,223·791	1,275·323

Source: Monthly expenditure returns submitted to the Department by family health services authorities and the Dental Practice Board.
Notes: Figures are the total of gross payments made to general dental practitioners in each month for all fees, allowances and directly reimbursed practice expenses, but exclude other General Dental Service costs such as payments to salaried dentists, emergency dental service fees, and employer's superannuation costs.

Respiratory Illness

Mr. Callaghan: To ask the Secretary of State for Health what evidence is available to her Department on the rate of hospital admissions of people suffering from respiratory illness in *(a)* the United Kingdom and *(b)* the north-west region.

Mr. Sackville: In 1989-90 the rate of hospital admissions of people suffering from respiratory illness in *(a)* England was 125 per 10,000 population and *(b)* in the north-west region was 153 per 10,000 population. Information relating to Wales, Scotland and Northern Ireland are matters for my right hon. Friends the Secretaries of State for Wales and for Scotland and my right hon. and learned Friend the Secretary of State for Northern Ireland.

Proposed Hospital Mergers

Mr. Simon Hughes: To ask the Secretary of State for Health what guidelines or instructions she has given to the Guy's and St. Thomas's hospital trust on the subject of the proposal for merger of Guy's and St. Thomas's hospitals.

Dr. Mawhinney: We have asked the trust to carry out a thorough appraisal of the site options and to bring forward clear recommendations on future service configuration and siting by the autumn.

West Midlands Regional Health Authority

Dr. Wright: To ask the Secretary of State for Health what were the special circumstances under paragraph 9(3) of schedule 5 to the National Health Service Act 1977

which led her to make a compensation payment to the former chairman of the West Midlands regional health authority on the termination of his appointment.

Dr. Mawhinney: The decision to offer a compensation payment took account of the fact that Sir James Ackers resigned from the position of chairman of the West Midlands regional health authority 18 months before his term of office was due to expire; and that in his 10 years of service considerable progress was made, particularly in carrying out many major hospital developments; waiting lists have fallen dramatically and a record number of patients are now being treated.

Special Health Authority

Ms Primarolo: To ask the Secretary of State for Health if she will list the revenue budget of each special health authority for 1992-93 and 1993-94; and what is the projected distribution of funds for those authorities for 1994-95.

Mr. Sackville: The revenue allocations for 1992-93 and 1993-94 are given in the table. Figures for 1994-95 cannot be projected at this early stage.

Special Health Authorities	*1992-93 £ million*	*1993-94 £ million*
Central Blood Laboratory Authority/ National Blood Authority (CBLA/ NBA)	3·718	6·152
NHS Supplies Authority	13·892	8·110
UK Transplant Special Services Authority (UKTSSA)	1·986	2·397
Bethlem Royal and Maudsley (BR&M)	33·896	35·825
Eastman Dental Hospital (EDH)	8·178	8·489
Hammersmith and Queen Charlotte's (and Acton) (HQC)	76·608	80·172
Moorfields Eye Hospital (MEH)	21·321	22·185
Hospitals for Sick Children (Gt. Ormond St. and Queen Elizabeth's) (HSC)	55·483	57·612
National Heart and Lung Hospitals (Brompton and London Chest) (NH&LH)	48·87	49·387
National Hospitals for Neurology and Neurosurgery (Queen Square, Maida Vale, Finchley and Chalfont) (NHNN)	30·116	31·113
Royal Marsden Hospital (Fulham and Sutton) (RMH)	35·685	37·234

Notes:

The figures for UKTSSA do not include money allocated for reimbursement of donor hospitals as the money does not contribute to the running costs of the organisation. The UKTSSA in effect manages the funds used to reimburse donor hospitals for maintaining cadavers prior to transplantation, for the Department.

The figures for 1992-93 are subject to validation by audit. The figures for 1993-94 are initial allocations, which will be added to by in-year adjustment, as appropriate.

The CBLA became the NBA with effect from 1 April 1993.

Junior Doctors (Working Hours)

Mr. Kevin Hughes: To ask the Secretary of State for Health if she will make a statement on progress towards reducing the hours worked by junior doctors.

Mr. Boyce: To ask the Secretary of State for Health what progress has been made in achieving a reduction in junior doctors' hours.

Dr. Mawhinney: I will make an announcement shortly.

Listeria

Mr. Duncan: To ask the Secretary of State for Health how many deaths in the United Kingdom were caused by listeria in the last year for which figures are available; what comparable figures he has for other EC member states; and if she will make a statement.

Mr. Sackville: In 1991, there were 10 certified deaths from listeriosis in the United Kingdom. There are no comparable figures available for other EC member states.

Medical Practitioners

Mr. Alex Carlile: To ask the Secretary of State for Health what assessment she has made of the implications of the European medical directive for the ability of British registered medical practitioners to practise elsewhere in the European Community; and if she will make a statement.

Dr. Mawhinney: Last year the European Commission expressed concern that the system in place in the United Kingdom for the mutual recognition of specialist qualifications might not comply with the 1975 European medical directives. A working group was established to review United Kingdom arrangements for specialist medical training in the light of these directives. The group has produced comprehensive recommendations and its report will be issued shortly for a period of consultation.

NHS Trusts

Mr. Fatchett: To ask the Secretary of State for Health, pursuant to her answer of 9 March, *Official Report*, column *497*, if she will place in the Library a copy of her Department's instructions on the valuation of assets for transfer to NHS trusts.

Mr. Sackville: This information is contained in the "Capital Charges and Trust Equivalent Manual", a copy of which will be placed in the Library.

St. Bartholomew's Hospital

Mr. Sedgemore: To ask the Secretary of State for Health (1) if she will consult the Lord Mayor of London and the City of London corporation about the future of the accident and emergency department at St. Bartholomew's hospital;

(2) If she will withdraw her proposal to close the accident and emergency department at St. Bartholomew's hospital following the bomb explosion in the City of London; and if she will make a statement.

Dr. Mawhinney: North East Thames regional health authority has issued a consultation document on proposals for the closure of the accident and emergency department at St Bartholomew's hospital. The consultation process will proceed in the normal way and the North East Thames RHA would welcome comments on the proposals it contains.

Sight Tests

Mr. Blunkett: To ask the Secretary of State for Health what regulations govern access to free NHS sight tests for people who are deaf or hard of hearing.

Dr. Mawhinney: The same rules of entitlement to free national health service sight tests, as set out in section 38 of the NHS Act 1977, apply to people who are deaf or hard of hearing as to all other people.

EMPLOYMENT

Employment Training

Mr. Dobson: To ask the Secretary of State for Employment, pursuant to her answer of 3 March, *Official Report*, column 209, if she will give a breakdown of the cost per trainee of employment training.

Mr. McLoughlin *[holding answer 22 April 1993]:* The breakdown is provided in the following table;

Breakdown of employment training unit costs £

Unit Cost elements	*1989-90*	*1990-91*	*1991-92*
Fees	2,576	2,399	2,929
Allowances	2,601	2,662	2,807
Head Office Costs	227	323	278
Total	5,404	5,384	6,014

Note: No comparable breakdown is available for the 1988-89 total.

DEFENCE

Absence Without Leave

Mr. Hutton: To ask the Secretary of State for Defence how many serving members of *(a)* the Royal Navy, *(b)* the RAF and *(c)* the Army were discharged from the services, having gone absent without leave, in each year since 1986.

Mr. Archie Hamilton: Personnel are not usually discharged from the services for going absent without leave. Records of any such discharges are not maintained centrally and could be provided only at disproportionate cost. Details of personnel dismissed following court martial or summary proceedings for offences involving absence without leave, however, are as follows:

Service	*Year*					
	1986	*1987*	*1988*	*1989*	*1990*	*1991*
Royal Navy/Royal Marines	18	18	21	16	20	14
Army	90	71	73	99	120	112
Royal Air Force	8	2	3	3	3	1

Notes:
1. More than one offence may have been committed in some cases and the sentence of dismissal may have been given because of the more serious offence; or perhaps as a result of numerous convictions at a trial, i.e., a totalling effect.
2. Figures for 1992 are not expected to be available until mid-June. My noble Friend the Under-Secretary of State for Defence will write to the hon. Member when the information is available.

Mr. Hutton: To ask the Secretary of State for Defence how many serving members of *(a)* the Royal Navy, *(b)* the Royal Air Force and *(c)* the Army went absent without leave in each year since 1986.

Mr. Archie Hamilton: Information in respect of reported cases of absence without leave is as follows:

Service	*Year*							
	1986	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*
Royal Navy/Royal Marines	28	64	77	90	71	74	76	14
Army	1,962	1,997	2,190	2,477	2,999	2,808	2,650	597
Royal Air Force	236	219	154	190	155	131	103	29

Notes:
1. The figures show the number of reported cases of absence without leave, which are not necessarily the same as the number of individuals who have gone absent without leave as some individuals may have gone absent more than once.
2. Figures for the Royal Navy/Royal Marines and Army show cases of personnel reported as absent for a period of seven days or more and for whom warrants for arrest have been issued.
3. Figures for the Royal Air Force show cases of personnel reported as absent for one day or more and may include instances where warrants for arrest have not yet been issued.
4. Figures for 1993 cover the period 1 January 1993 to 1 April 1993.

Yugoslavia

Mr. Llew Smith: To ask the Secretary of State for Defence if he will make it his policy to ascertain the current location and deployment of military equipment and armaments exported under licence from the United Kingdom to the former republic of Yugoslavia since 1979.

Mr. Archie Hamilton: It is already United Kingdom policy to do so.

Nuclear Proliferation

Mr. Llew Smith: To ask the Secretary of State for Defence what representation his Department had at the seminar on nuclear proliferation held at Rhodes House, Oxford on 21 April.

Mr. Archie Hamilton: My Department was represented at official level at the seminar "The plutonium legacy: nuclear proliferation out of control?" held in Oxford on 21 April 1993.

Aer Lingus Crash

Mr. Wigley: To ask the Secretary of State for Defence what discussions he has had with representatives of the Irish Government concerning further information on the cause of the crash of the Aer Lingus Viscount in the Irish sea on 24 March 1968; and if he will make a statement.

Mr. Archie Hamilton: None.

Chemical and Biological Defence Establishment

Mr. Michael Brown: To ask the Secretary of State for Defence what key performance targets have been set for 1993-94 for the chief executive of the Chemical and Biological Defence Establishment.

Mr. Aitken: The chief executive of the Chemical and Biological Defence Establishment at Porton Down is responsible for research to ensure that the United Kingdom armed forces are provided with effective protective measures against the threat that chemical and biological weapons may be used against them. He has been set the following challenging key performance targets for 1993-94:

Improved delivery of the programme

1. In 1993-94 to achieve, within agreed timescales, 88 per cent. of the programme milestones agreed with customers.
2. In 1993-94 to complete 82 per cent. of the agreed programme assignments required by customers within the specified cost and to keep within CBDE's overall budget.
3. To sustain the CB research programme and the capability of CBDE to respond effectively to operational emergencies by maintaining scientific and technical staff to at least 70 per cent. of the total planned manpower.

More efficient use of resources

4. To increase the overall efficiency of CBDE by at least 2·5 per cent. of the net budget less capital works over the financial year 1993-94 with emphasis on improving output efficiency.
5. To continue the agreed Market Testing programme identified by the Feasibility/Scoping Study, including the preparation of the specification in 1993-94, to produce an in-house bid and to complete the process by 31 March 1995.
6. In 1993-94 to increase the percentage of CBDE cash expenditure (less captial works) attributed to direct costs by 5 per cent. to 60 per cent. using the database established in 1992-93.

Development of management systems

7. To extend the improved resource allocation and cost attribution system to provide project costs on a full cost basis by March 1994.

PRIME MINISTER

Gibraltar

Q9. **Sir Teddy Taylor:** To ask the Prime Minister if he will raise at the next meeting of the European Council the status of Gibraltar in the EC.

The Prime Minister: I have no plans to do so.

Local Authority Powers, Scotland

Mrs. Fyfe: To ask the Prime Minister (1) how many representations he has received proposing that some existing local authority powers be transferred away from Scottish local authorities to the Scottish Office;

(2) how many representations he has received to establish joint boards or non-elected bodies in Scotland to take over functions from directly elected Scottish local authorities.

The Prime Minister: I have received a number of representations on local government issues. I understand that my right hon. Friend the Secretary of State for Scotland has received some comments, in response to his consultation exercise on local government reform in Scotland, which advocate either the transfer of particular local authority functions to central Government, or the establishment of joint boards, or both.

Former Yugoslavia

Mr. Madden: To ask the Prime Minister how much food has been contributed by the United Kingdom to relieve humanitarian suffering in the former Yugoslavia; what proportion of food held in intervention under EC rules in the United Kingdom has been supplied; what action he is taking to persuade EC Heads of Government to ensure proper supplies of food to the former Yugoslavia are made; and if he will make a statement.

The Prime Minister: The United Kingdom has provided £92·5 million for humanitarian relief in the former Yugoslavia. Of this some £48 million is our share of EC expenditure, the bulk of which has been spent on food aid. This is provided in cash to UN agencies and NGOs, which then purchase supplies that meet their operational requirements. Some EC intervention stocks have been used in the past, but none from the UK.

The UK has also contributed some £44·5 million in direct bilateral action, focusing on the supply of transport, equipment and expertise to central Bosnia where needs are greatest. We were the first country to respond to the United Nations inter-agency appeal of 25 March, donating a further £15 million, of which £8·5 million was in immediate cash contributions. We maintain a regular dialogue with other EC member states and have urged them to follow suit.

Former Soviet Union

Mr. Shersby: To ask the Prime Minister what is the policy of Her Majesty's Government towards securing international action to decommission nuclear power stations in the former Soviet Union where it is judged that their continued operation poses a hazard to the lives of the peoples of both eastern and western europe; and if he will make a statement.

The Prime Minister: At the Munich summit last July, the G7 countries gave their support to a multilateral programme of action designed to improve the safety of Soviet-designed reactors in the former Soviet Union and central and eastern Europe. The programme, subsequently endorsed by the G24 countries, included measures to bring about urgent operational and near-term technical improvements to the highest risk plants. The Government are playing a full part in supporting and implementing the programme both bilaterally and through the European Community's technical assistance programmes. We have contributed £8·25 million to the nuclear safety account recently set up at the European bank for reconstruction and development to finance urgent safety not covered by bilateral assistance programmes.

The longer-term future of the plants concerned is a matter for the Governments of the states concerned. However, the G7 programme also provided a basis for consideration of the future of these plants, within the framework of market-oriented energy strategies, by setting in train energy studies covering replacement sources of energy and their cost implications. The World bank, with the International Energy Agency, is in the process of completing these studies, in discussion with the countries concerned. The forthcoming Tokyo summit will review progress on the action programme as a whole, including how best to take forward the conclusions of these studies.

Water Charges

Mr. Tyler: To ask the Prime Minister, further to his statement in the House on 11 March, *Official Report*, column 1105, to the hon. Member for Truro (Mr. Taylor), what is the timetable for the review of water charges in the south-west; and if he will make a statement.

The Prime Minister: Responsibility for water charges rests with the Director General of Water Services. My right honourable and learned Friend the Secretary of State for the Environment is now examining certain aspects of overall programmes to see if there is any room for manoeuvre. This requires analysis and it would be premature to say more at this stage.

Water Privatisation

Mr. McLeish: To ask the Prime Minister what implications the decision to abandon the privatisation of water in Northern Ireland has for the future of the water and sewerage services in Scotland; and if he will make a statement.

The Prime Minister: None. The position in Northern Ireland is quite separate from that in Scotland. A decision for Scotland will be taken in the light of circumstances that apply to Scotland.

I refer the honourable Member to the reply I gave to the honourable Member for Dumbarton (Mr. McFall) on 27 April at column 848.

HOUSE OF COMMONS

Television

Mr. Peter Bottomley: To ask the Chairman of the Administration Committee if he will make provision for separate viewing facilities for right hon. and hon. Members to view Channel 4 and satellite television news.

Mr. Michael J. Martin: I shall arrange for this matter to be considered by the Administration Committee.

FOREIGN AND COMMONWEALTH AFFAIRS

Malawi

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the Government have made under their good governance programme for the reform of Malawi's Bill of Rights, and the establishment of an independent judiciary and a fair judicial review process in Malawi.

Mr. Lennox-Boyd: I refer the hon. Member to the reply I gave him on 27 April at column *370* regarding the representations we have repeatedly made on human rights grounds. These included proposals to introduce habeas corpus legislation as well as urging a review of the powers of Malawi's traditional courts.

Somalia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the outcome of the recent conference held in Addis Ababa to discuss the future of Somalia; and if he will make available a full account of the proceedings of the conference.

Mr. Lennox-Boyd: The conference held in Addis Ababa on 15 to 27 March resulted in an agreement among the main Somali factions on the formation of a transitional Government. The factions also affirmed earlier agreements on a ceasefire and disarmament. We have not seen a full record of the proceedings, but I have placed in the Library of the House a copy of the text of the 27 March agreement signed by 15 faction representatives.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has about the systematic abuse of women in Somalia.

Mr. Lennox-Boyd: We have no information on any systematic abuse of women in Somalia. We received reports of the stoning to death of five women in Hargeisa, northern Somalia in January. My right hon. and noble friend Baroness Chalker of Wallasey, during a visit to Hargeisa on 7 February 1993, raised the issue with the authorities there, and was assured that action was being taken to arrest those responsible.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what visits have been made to Somalia in the last 12 months by representatives of the British Government; and if he will list the parts of Somalia visited.

Mr. Lennox-Boyd: I refer the hon. Member to the answer I gave the hon. Member for Cardiff, South and Penarth (Mr. Michael) on 14 December 1992 at column *22*. Since then, an FCO official visited Mogadishu, 16-17 January; an FCO official and an ODA official visited Mogadishu and Baidoa, 29-30 Janaury; my right hon. and noble friend Baroness Chalker of Wallasey visited Baidoa, Mogadishu and Hargeisa, 6-7 February; the British ambassador to Addis Ababa visited Hargeisa, 6-7 February; an FCO official and a member of the British high commission, Nairobi visited Mogadishu, Belet Huen and Baidoa, 2-4 March; and a member of the British high commission, Nairobi visited Mogadishu, 17-18 April.

China

Mr. Fatchett: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list *(a)* the total number and *(b)* the refusals for applications for entry clearance as students, in each of the last five years, from nationals of the People's Republic of China.

Mr. Lennox-Boyd: The total number of private student applications and the number of private student refusals, in each of the last five years, for nationals of the People's Republic of China is as follows:

	Applications	*Refused*	*Appeals Received*
1988	454	152	8
1989	1,357	466	136
1990	2,607	1,479	525
1991	2,894	2,346	760
1992	1,308	1,015	264

South Africa

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what aid has been given to each organisation directed to helping human rights groups in South Africa in each of the past three years.

Mr. Lennox-Boyd: *[holding answer 22 April 1993]:* The information is as follows.

Organisation	*Amount* £
1990	
National Institute for Crime Prevention and Rehabilitation of Offenders	8,069
Black Sash Advice Office	3,000
Butterworth Legal Resources Centre	2,000
Lawyers for Human Rights	3,128
1991	
Advice Centres Association	10,800
Twilight Children	4,367
Social Development Centre	3,062
Kimberley Advice Office	1,089
National Institute for Crime Prevention and Rehabilitation of Offenders	2,570
Rwetelayakwanga Advice Office	1,233
National Institute for Crime Prevention and Rehabilitation of Offenders	11,685
Moletsane Advice Office	2,718
1992	
Family Institute (child abuse and marital problems)	2,254
Phahameng Advice Office	3,900
Herschel Advice Office	1,440
National Institute for Crime Prevention and Rehabilitation of Offenders	38,000

In addition, Britain has supplied experts to support Mr. Justice Goldstone's investigations into incidents of violence and we are providing £50,000 for a human rights colloquium to be held in South Africa in September to look at the role of the judiciary in upholding human rights and ensuring government under law. Our entire aid programme in South Africa of over £10 million in 1992-93 is aimed at assisting the country's non-white citizens to play their rightful role in the economy and future government of the country.

Cambodia

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has about the number of mine-clearing units operating under the UN mandate in Cambodia; and how many mines have been lifted as a result of those operations.

Mr. Goodlad *[pursuant to his reply 22 April 1993]:* We have received further information from our mission in Phnom Penh.

UNTAC has now redeployed its resources. As of 17 April, there were three international training teams and 20 supervisory teams operating in Cambodia. A total of 2,184 Khmer deminers, 51 Khmer supervisors, and 21 Khmer instructors had been trained. A further 32 deminers, 24 supervisors and 27 instructors were still undergoing training. Twenty-six platoons of trained Khmer deminers were operating under UN supervisory teams in Cambodia, while another six were operating under NGO auspices.

We continue to stress to UNTAC the importance of its mine clearance training activities to which we have contributed personnel.

NATIONAL FINANCE

Incomes

Ms Corston: To ask the Chancellor of the Exchequer if he will give Gini coefficients for the distribution of income at each stage of the tax benefit system 1977 to 1990, in the equivalised form adopted in *Economic Trends* No. 471, page 187 for *(a)* households with children only, *(b)* other households and *(c)* all households.

Mr. Nelson: The figures are given in the table.

Gini coefficients for the distribution of income at each stage of the tax-benefit system, 1977-1990
Households with and households without children

Gini coefficients (per cent.)	*1977*	*1978*	*1979*	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*	*1988*	*1989*	*1990*[1]
Equivalised original income														
Households with children	29	n/a	29	31	33	36	36	37	39	41	42	41	41	42
Households without children	50	n/a	51	51	52	53	54	54	54	55	55	55	53	55
All households	43	n/a	44	44	46	47	48	49	49	50	51	51	50	52
Equivalised gross income														
Households with children	24	n/a	24	25	26	28	27	27	29	30	31	33	32	34
Households without children	32	n/a	32	33	34	33	34	33	34	35	37	38	37	40
All households	29	n/a	30	31	31	31	32	31	32	34	36	37	36	38
Equivalised disposal income														
Households with children	23	n/a	22	24	25	26	25	24	26	28	29	31	31	32
Households without children	29	n/a	29	30	30	29	30	29	30	32	34	36	35	38
All households	27	n/a	27	28	28	28	28	28	29	31	33	35	34	36
Equivalised post-tax income														
Households with children	26	n/a	25	27	28	30	28	27	29	32	33	35	35	37
Households without children	30	n/a	30	32	32	31	33	32	33	36	38	40	38	42
All households	29	n/a	29	30	31	31	31	30	32	35	36	38	37	40

[1]Includes Company car benefit.

Council Tax

Mr. Clifton-Brown: To ask the Chancellor of the Exchequer if he will list for each district council in Gloucestershire the number of appeals to the valuation officer by property owners against council tax banding; and how long he expects it to take for these appeals to be determined.

Mr. Nelson: As at 22 April, 6,125 proposals had been received by the listing officer responsible for district

council areas in Gloucestershire. The division of this figure into individual district council areas is not yet available. As the number of appeals which will be made in Gloucestershire cannot yet be predicted it is not possible to determine the length of time it will take to deal with them.

Charities

Ms Harman: To ask the Chancellor of the Exchequer what is his estimate of the amount in real terms that charities will gain from the changes announced in the Budget regarding payroll giving and gift aid in the years 1993-94, 1994-95 and 1995-96.

Mr. Dorrell: The revenue cost of these measures will depend on take-up. But the cost of the Gift Aid change is estimated at £20 million in 1993-94, £30 million in 1994-95 and £30 million in 1995-96. The cost of the payroll giving change is estimated at £1 million each year.

Married Couples Allowances

Ms Harman: To ask the Chancellor of the Exchequer what was the additional revenue, at 1993 prices, resulting from leaving the married couples allowances unchanged in the financial years 1991-92 and 1992-93; and what estimate he has made of the additional revenue which will be generated in the financial years 1993-94, 1994-95 and 1995-96.

Mr. Dorrel: The estimated direct revenue yield for each year compared with tax regimes in which the married couple's allowances had been increased in line with the statutory rules for indexation since 1990-91 are as follows:

Yield in a full year at 1993-94 prices

	£ million
1991-92	450
1992-93	600
1993-94	750

Equivalent estimates for 1994-95 and 1995-96 would depend on income levels, changes in the retail prices index, and other aspects of the tax regime for the future years.

European Bank for Reconstruction and Development

Mr. Llew Smith: To ask the Chancellor of the Exchequer if he will make a statement on the ways in which United Kingdom contributions to the European Bank for Reconstruction and Development have been spent to date.

Mr. Lennox-Boyd: I have been asked to reply.

I refer the hon. Gentleman to my reply to the hon. Member for Dunfermline, East (Mr. Brown) on 19 April, *Official Report*, c. *249-50*.

VAT (Fuel)

Ms Harman: To ask the Chancellor of the Exchequer what estimate he has made of the revenue from value added tax paid by charities on domestic fuel and power in real terms at 1993 prices, in the years 1994-95 and 1995-96.

Sir John Cope: In 1993 prices, we estimate that applying VAT to charities' non-business use of fuel and power will raise around £10 million in 1994-95 and around £25 million in 1995-96.

Ms Harman: To ask the Chancellor of the Exchequer what representations he has received favouring his proposal to charge value added tax on supplies of fuel and power for domestic, residential and charity non-business use.

Sir John Cope *[holding answer 26 April 1993]:* My right hon. Friend has received a number of such representations. Among other things these support the need to use the tax system to help fulfil our Rio commitment, support the need to raise revenue to tackle the deficit and support the policy of doing this through indirect taxation rather than income tax.

Mr. Alfred Morris: To ask the Chancellor of the Exchequer, pursuant to his answer of 22 April, *Official Report*, column *180*, what is his estimate of the annual revenue for value added tax on pensioners' payments of standing charges for gas and electricity when the rate is *(a)* 8 per cent. and *(b)* 17·5 per cent.

Sir John Cope *[holding answer 27 April 1993]:* Table 4.1 of the FSBR provides estimates of the total revenue effect of applying VAT to domestic fuel and power. Applying VAT to pensioners' payments of standing charges is estimated to raise around 3 per cent. of this total, or around £30 million in 1994-95 and £70 million in 1995-96. As my right hon. Friend the Chancellor made clear in his Budget speech, extra help will be given through benefits to those pensioners and others on low incomes who are dependent on income-related benefits.

HOME DEPARTMENT

Fire Services

Mr. Tipping: To ask the Secretary of State for the Home Department if he will list by each fire service actual expenditure for 1992-93 against standard spending assessments 1992-93 and planned spending for 1993-94 against standard spending assessments 1993-94.

Mr. Peter Lloyd: Neither outturn expenditure for 1992-93 nor local authority service budgets for 1993-94 are yet available centrally. English authorities' latest budget estimates for fire and civil defence in 1992-93, and the fire and civil defence components of their standard spending assessments for that year, are given in the table.

£ million

	1992-93 Fire and civil defence budget estimate	*1992-93 Fire and civil defence SSA*
Avon	20·698	19·494
Bedfordshire	10·939	10·907
Berkshire	14·766	16·458
Buckinghamshire	11·389	12·171
Cambridgeshire	11·688	11·471
Cheshire	19·720	19·077
Cleveland	17·993	18·669
Cornwall	9·512	7·250
Cumbria	10·947	8·377
Derbyshire	16·587	16·758
Devon	20·634	19·089
Dorset	12·342	11·753
Durham	12·968	12·491
West Sussex	15·492	14·330
Essex	32·019	31·108
Gloucestershire	9·857	9·069
Hampshire	25·990	30·448

	1992-93 Fire and civil defence budget estimate	1992-93 Fire and civil defence SSA
Hereford and Worcester	12·254	11·831
Hertfordshire	18·805	20·378
Humberside	22·644	20·217
Isle of Wight	3·078	2·280
Kent	33·841	30·328
Lancashire	30·844	30·361
Leicestershire	14·308	16·548
Lincolnshire	9·969	9·309
Norfolk	13·906	12·399
Northamptonshire	10·560	10·905
Northumberland	8·592	5·706
North Yorkshire	13·975	11·706
Nottinghamshire	19·435	20·482
Oxfordshire	10·639	10·848
Shropshire	7·717	7·626
Somerset	8·625	7·316
Staffordshire	18·548	18·640
Suffolk	11·936	10·691
Surrey	23·374	21·756
Warwickshire	11·186	8·618
West Sussex	13·977	14·430
Wiltshire	9·500	9·610
London	237·550	238·252
Greater Manchester	66·386	67·242
Merseyside	45·292	44·904
South Yorkshire	30·966	27·310
Tyne and Wear	32·012	32·915
West Midlands	63·239	66·216
West Yorkshire	51·035	47·388
Isles of Scilly	0·101	0·067

Nuclear Materials

Mr. Llew Smith: To ask the Secretary of State for the Home Department what powers are available to the police to apprehend and arrest individuals attempting unlawfully to sell nuclear materials in the United Kingdom.

Mr. Charles Wardle: The police have the power to arrest without warrant in relation to an offence of dealing with nuclear material in contravention of subsection (2) of section 2 of the Nuclear Material (Offences) Act 1983. In certain circumstances, they may also be able to arrest for offences under the Theft Act 1968.

Crime, Greater Manchester

Mr. Callaghan: To ask the Secretary of State for the Home Department how many arrests there were in the Greater Manchester area during the past year for *(a)* burglaries and *(b)* crimes of violence.

Mr. Jack: The information is not collected centrally.

Police National Network

Mr. Haselhurst: To ask the Secretary of State for the Home Department, pursuant to his answer of 21 April, *Official Report*, column *109*, what contract award procedures applied in the case of the short-listing for the police national network.

Mr. Charles Wardle: The procurement of the police national network follows the negotiated procedures set out in article 11(2)(c) of the EC services directive, which comes into force on 1 July.

Wheel Clamping

Mr. Callaghan: To ask the Secretary of State for the Home Department how many complaints he has received about wheel clamping in *(a)* the United Kingdom and *(b)* the Greater Manchester area.

Mr. Jack: Since 1 April 1992, the Home Office has received 258 written complaints about wheel clamping on private land, both directly from members of the public and from hon. Members on behalf of constituents. Of this total, 15 can be identified as originating from the Greater Manchester area.

In the same period, the Home Office has received 20 written complaints about wheel clamping on the public highway, which currently takes place only in London. We are not aware of any complaints from the Greater Manchester area on this issue.

The Home Office issued a consultation document on wheel clamping on private land on 23 February. Comments should reach the Home Office by 30 May.

Primates

Mr. Nigel Griffiths: To ask the Secretary of State for the Home Department what progress has been made in establishing a register of primates kept in member states in order to minimise the importation of primates for research from outside the Community.

Mr. Charles Wardle: I refer to the answer I gave to the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) on 16 March at col. *176*.

HMP Blakenhurst

Mr. Blair: To ask the Secretary of State for the Home Department what inquiries into the antecedents of Mr. T. Don Hutto were made before awarding the contract to manage Her Majesty's prison Blakenhurst to UKDS; in what way the present departmental inquiry into Mr. Hutto differs; and if the results of the inquiries will be made public.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Ian Dunbar to Mr. Tony Blair, dated April 1993:

In the temporary absence of Mr. Lewis, the Director General, from the office the Home Secretary has asked me to reply to your recent Question about Mr. Hutto.

As is standard practice before awarding any prison managment contracts, a range of enquiries was made about the Corrections Corporation of America and to a limited extent about individuals within it; (those who are to be running a prision are subject to separate, more detailed checks). The purpose of the present inquiry is to look into specific allegations which have been made against Mr. Hutto and the conclusions of the exercise will be announced.

Police Statistics

Mr. Sweeney: To ask the Secretary of State for the Home Department if he will list all the national and regional police bodies in England and Wales giving *(a)* the purpose of the body, *(b)* the date established, *(c)* the

headquarters' location, *(d)* the name and rank of chief officer, *(e)* the body to whom the chief officer reports or is accountable, *(f)* the number of police officers employed, *(g)* the number of civilian staff employed and *(h)* the cost of the body in the latest year for which figures are available.

Mr. Charles Wardle: I will write to my hon. Friend.

HMP Manchester

Mr. Blair: To ask the Secretary of State for the Home Department if he will detail the procedures for firms to re-bid on cost, after all the original bids have been received, for the contract to manage Her Majesty's prison Manchester.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Ian Dunbar to Mr. Tony Blair, dated April 1993:

In the temporary absence of Mr. Lewis, the Director General, from the office the Home Secretary has asked me to write to you in reply to your recent Parliamentary Question about the procedures for firms to re-bid on costs.

There are at present no such procedures in place; in the event that a re-tender is required, tenderers will be advised accordingly, and the procedures detailed.

Any unsolicited re-tenders received after the return date will be considered as late tenders, and may not be included in the evaluation.

Bogus Marriages

Mr. Shersby: To ask the Secretary of State for the Home Department what is his most recent estimate of the number of bogus marriages solemnised in the United Kingdom during the most recent 12-month period for which figures are available.

Mr. Charles Wardle: The number of bogus marriages identified in the course of enforcing the immigration law is not collected centrally. More generally, the incidence of bogus marriages is a matter for my right hon. Friend the Secretary of State for Health.

Crime Statistics

Mr. Michael: To ask the Secretary of State for the Home Department if he will now place in the Library full information arising from the 1992 British crime survey.

Mr. Jack: Analysis of the 1992 British crime survey is still in progress. Full results will be presented in a series of reports. The first two will be published in the summer and will cover: crime levels, the reporting of crime and the risks of crime; and contacts with and attitudes to the police. Copies will be placed in the Library in the usual way.

Young Offenders Centre, Feltham

Mr. Keen: To ask the Secretary of State for the Home Department if he will list the organisations which have placed a bid to run the educational service at Her Majesty's young offenders and remand centre, Feltham; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Ian Dunbar to Mr. Alan Keen, dated 29 April 1993:

In the temporary absence of Mr. Lewis, the Director General, from the office, the Home Secretary has asked me to reply to your recent Question about those bidding to provide future education services at Her Majesty's Young Offender Institution and Remand Centre, Feltham.

I would refer you to the reply given to the hon. Member for Sherwood, Mr. Tipping, on 14 January, col 798, a copy of which is enclosed. The London Borough of Hounslow and Hounslow Borough College have agreed to continue to provide education services at HM Young Offender Institution and Remand Centre, Feltham until 31 August 1993. Following the recent judgment of Mr. Justice Ogden in the case of Kenny and Woodroffe *v* South Manchester College, the Prison Service expects to reach a decision shortly on how to proceed with tendering for those prison establishments, for which contracts for the future provision of education services have not yet been placed.

Mr. Keen: To ask the Secretary of State for the Home Department what consideration he has given to the report into Her Majesty's young offenders and remand centre, Feltham, carried out by Anthony Scrivener QC and his team on behalf of the Howard League; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Ian Dunbar to Mr Alan Keen, dated 29 April 1993:

In the temporary absence of Mr. Lewis, the Director General, the Home Secretary has asked me to reply to your recent Question about the Howard League report on Feltham Remand Centre and Young Offender Institution.

The report covers a wide range of matters and makes many recommendations. The Howard League have identified several areas of concern and steps have already been taken to improve conditions at Feltham and to reduce the risk of suicide by the young offenders held there.

The Governor of Feltham is studying the Howard League's report in detail, along with other members of the Prison Service Working Group on Feltham. Its terms of reference are to support and facilitate the enhancement of the regime at Feltham Remand Centre; to consider the plan for its long-term future; and to make recommendations.

There will be a full response to the Howard League recommendations when the Feltham Working Group publishes its report later this year.

DUCHY OF LANCASTER

Public Bodies

Mr. Shersby: To ask the Chancellor of the Duchy of Lancaster what progress has been made with the invitation contained in the guide issued jointly by the Office of Public Service and Science and Her Majesty's Treasury to consider making the interests of members of non-departmental public bodies a matter of public record; and if he will list all declarations already made.

Mr. Waldegrave: Such action is at the discretion of Departments, and information on declarations made is not collected centrally.

NATIONAL HERITAGE

Indemnity Undertakings

Mr. Temple-Morris: To ask the Secretary of State for National Heritage how many indemnity undertakings were given by Departments under section 16 of the National Heritage Act 1980 for the six months ending 31 March; and what was the value of contingent liabilities in respect of such undertakings given at any time and which remain outstanding as at 31 March.

Mr. Brooke: The information requested is as follows:

In the six months to 31 March 1993 the following undertakings to indemnify were given by the relevant departments for items on loan to national and non-national institutions:

	Number
Department of National Heritage	501
Scottish Office Education Department	45
Welsh Office Education Department	26
Department of Education for Northern Ireland	9

The value of contingent liabilities in respect of such undertakings given at any time and outstanding at 31 March 1993 are:

	£
Department of National Heritage	1,187,879,848
Scottish Office Education Department	133,108,056
Welsh Office Education Department	32,937,662
Department of Education for Northern Ireland	2,994,719

Windsor Castle

Mr. Trend: To ask the Secretary of State for National Heritage what progress has been made in deciding the reconstruction strategy for Windsor castle.

Mr. Brooke: A thorough examination has now been carried out of the area damaged by the fire on 20 November, which extends to nine principal rooms and 103 additional rooms. A large expanse of roof has been destroyed. However, almost all the walls, the structure of the windows, and much of the floors of the principal rooms are still sound. And damage to the interiors varies greatly from room to room. Some have been almost totally destroyed; others have suffered only limited damage to the interior decoration of the walls and ceilings. Virtually all the furniture and paintings were in store at the time of the fire and can be returned to the rooms, some of which were specifically designed to house them.

The reconstruction strategy must clearly take account of the extent of the damage in the various state apartments. In those rooms where significant internal decoration remains, it would not be right to complete the work of the fire by destroying what remains: restoration to the condition before the fire is clearly appropriate. But, where little or nothing of the former interior has survived, there is much more scope for considering modern redesign, for putting a late 20th century stamp in this area of the castle of which we and future generations can be proud.

It has therefore been agreed by Her Majesty that some rooms—the grand reception room, for example, and the crimson and green drawing rooms—will be restored to their former glory. Modern techniques may be used where they will not impinge on the visual impact of the rooms; and, where practicable, damaged elements will be repaired and significant fragments that have been saved will be reused. Throughout, we will be seeking to combine faithful restoration with value for money.

In other rooms, such as the private chapel where the fire began and the state dining room, there will be the opportunity to start anew and give expression to the best of modern design.

In arriving at this broad approach, the Government and the royal household have had the benefit of consultations with the chairman of the Royal Fine Art Commission, the president of the RIBA, and the chairman of English Heritage in their personal capacities. I am indebted to them for their assistance.

Her Majesty is very conscious of the potential cost to the taxpayer of that work. She has decided to open, to the public, parts of Buckingham palace, housing important items of the royal collection in August and September, starting this summer. The income from charges for entry, together with the proceeds from charges to be raised for entry to the precincts of Windsor castle from next year, will be devoted to the reconstruction of the fire-damaged areas.

Some decisions regarding design have yet to be taken and detailed specifications are still to be drawn up. And any recommendations in the report on fire prevention strategy which will be presented to me by Sir Alan Bailey next month will need to be considered. However, early estimates suggest that the reconstruction of the fire-damaged areas will cost £30 to £40 million over a five-year period. Some 70 per cent. of that cost is expected to be met by proceeds from visitor charges at Buckingham palace and Windsor. The remainder will be found from within the present level of funding provided by grant-in-aid from the Department of National Heritage to the royal household. The contribution from the Exchequer, therefore, is expected to average £2 to £2½ million annually at current prices over the five years.

The royal household will now proceed to prepare a detailed programme of work. Full consultation with relevant bodies will be carried out on the proposals once they have been worked up.

What is proposed represents an approach to the reconstruction of Windsor castle that blends restoration with redesign. The burden on the taxpayer is significantly reduced, due to Her Majesty's proposals to allow greater public access to Buckingham palace and to devote the proceeds from admission charges at Buckingham palace and Windsor to the reconstruction work.

I am in no doubt that this will be widely welcomed, both in this House and beyond. I believe the way now to be clear for that work to proceed with support throughout the nation.

Angling

Mr. Pendry: To ask the Secretary of State for National Heritage what assessment his Department had made of the total number of anglers in Great Britain.

Mr. Brooke *[holding answer 27 April 1993]:* The 1990 general household survey found that 6 per cent. of those

surveyed in Great Britain, aged 16 or over, participated in angling in the 12 months before interview. This suggests that there are about 2,670,000 anglers.

WALES

Labour Statistics

Mr. Rowlands: To ask the Secretary of State for Wales if he will publish the latest estimates of the number of *(a)* full-time and *(b)* part-time (i) males and (ii) females in employment in (1) manufacturing, (2) metal goods, engineering and vehicles, (3) other manufacturing, (4) construction, (5) distribution, (6) transport and communications, (7) banking and financial and (8) other services, in 1991, 1989, 1987 and 1983 within the areas covered by the valleys initiative; and what percentage changes in each category level occurred in 1991 as compared with 1989, 1987 and 1983.

Mr. David Hunt: The information requested on employees in employment within the areas covered by the valleys initiative is given in the following tables:

Thousands

Division description	*September 1984*	*September 1987*	*September 1989*	*September 1991*
Male full-time				
Manufacturing	36·4	39·7	42·8	37·7
Metal goods/vehicle industries, etc.	18·1	19·7	21·0	17·1
Other manufacturing[1]	18·3	20·0	21·8	20·6
Construction	8·1	7·0	6·7	6·7
Distribution[2]	5·8	6·3	6·1	6·6
Transport/communication	5·1	4·8	5·6	4·4
Banking, finance, insurance, leasing, etc.	3·5	2·9	3·4	3·8
Other services[3]	16·1	19·0	15·4	15·7
Male part-time				
Manufacturing	0·3	0·3	0·4	0·4
Metal goods/vehicle industries, etc.	0·1	0·1	0·2	0·2
Other manufacturing[1]	0·2	0·2	0·2	0·2
Construction	0·2	0·3	0·1	0·1
Distribution[2]	0·5	0·7	1·2	1·2
Transport/communication	0·3	0·3	0·3	0·4
Banking, finance, insurance, leasing, etc.	0·1	0·2	0·2	0·2
Other services[3]	2·6	4·6	2·4	2·6
Female full-time				
Manufacturing	17·0	19·5	20·0	16·8
Metal goods/vehicle industries, etc.	7·8	8·0	8·3	6·3
Other manufacturing[1]	9·2	11·6	11·7	10·5
Construction	0·5	0·5	0·5	0·4
Distribution[2]	4·1	4·0	4·4	4·1
Transport/communication	0·5	0·7	0·8	0·9
Banking, finance, insurance, leasing, etc.	2·8	2·7	3·1	4·3
Other services[3]	16·4	18·0	17·5	19·3
Female part-time				
Manufacturing	1·9	2·7	3·0	2·6
Metal goods/vehicle industries, etc.	0·6	0·8	0·8	0·7
Other manufacturing[1]	1·3	1·9	2·1	1·8
Construction	0·6	0·5	0·5	0·5
Distribution[2]	5·4	5·7	7·8	8·2
Transport/communication	0·3	0·6	0·6	0·6
Banking, finance, insurance, leasing, etc.	1·0	1·0	1·3	1·9
Other services[3]	18·7	20·5	25·9	27·8

Division Description	*1984-91*	*1987-91*	*1989-91*
Percentage change in Male full-time			
Manufacturing	3·4	−5·1	−12·0
Metal goods/vehicle industries, etc.	−5·6	−13·2	−18·6
Other manufacturing[1]	12·3	2·8	−5·6
Construction	−16·5	−3·4	0·9
Distribution[2]	12·8	3·9	7·1
Transport/communication	−13·7	−9·7	−22·6
Banking, finance, insurance, leasing, etc.	8·9	32·1	12·4
Other services[3]	−2·6	−17·8	1·7
Percentage change in Male part-time			
Manufacturing	31·8	24·1	−8·6
Metal goods/vehicle industries, etc.	140·0	140·0	−4·5
Other manufacturing[1]	−5·4	−12·7	−11·9

Division Description	*1984-91*	*1987-91*	*1989-91*
Construction	−29·3	−61·3	39·1
Distribution[2]	161·8	65·4	2·0
Transport/communication	18·3	37·9	18·3
Banking, finance, insurance, leasing, etc.	97·5	9·8	51·6
Other services[3]	2·5	−43·3	7·5
Change in Female full-time			
Manufacturing	−1·6	−14·2	−16·2
Metal goods/vehicle industries, etc.	−19·9	−21·2	−24·3
Other manufacturing[1]	13·9	−9·3	−10·4
Construction	−17·1	−19·1	−17·1
Distribution[2]	−0·2	1·3	−7·3
Transport/communication	71·4	24·0	7·0
Banking, finance, insurance, leasing, etc.	53·2	58·3	38·7
Other services[3]	17·6	7·4	10·1

Division Description	1984-91	1987-91	1989-91
Change in Female part-time			
Manufacturing	34·7	−5·7	−13·9
Metal goods/vehicle industries, etc.	33·4	−10·6	−11·2
Other manufacturing[1]	35·3	−3·4	−14·9
Construction	−21·9	−7·5	−0·9
Distribution[2]	52·3	44·1	5·3
Transport/communication	73·3	0·5	−8·3
Banking, finance, insurance, leasing, etc.	82·2	95·6	47·0
Other services[3]	48·8	35·8	7·2

Source: Employment Department.
[1] Divisions 2 and 4, Standard Industrial Classification (Revised 1980).
[2] Classes 61-65, Standard Industrial Classification (Revised 1980).
[3] Classes 66-67 and division 9, Standard Industrial Classification (Revised 1980).

Home Improvements

Mr. Rowlands: To ask the Secretary of State for Wales, pursuant to his oral statement on 1 April, *Official Report*, column 513, how many homes have been improved through enveloping and repairs in each of the last five years, and at what public cost within the area covered by the valleys initiative; and how many homes, and what public expenditure he estimates will be spent during each of the next five years.

Mr. Gwilym Jones: The numbers and cost of homes improved through enveloping and block/group repairs over the last five years are set out in the following table:

Year	Numbers	Cost £ million
1988-89	2,656	14·343
1989-90	2,749	12·716
1990-91	1,622	14·117
1991-92	367	3·943
1992-93	478	4·788
Totals	7,872	49·907

For 1993-94 I have made almost £3·3 million available specifically for area renewal schemes in the valleys area. Activity beyond 1993-94 will depend on the priority which local authorities give to area based renewal within the resources available to them.

The figures shown are exclusive of mandatory home renovation grant activity for individual homes.

Pharmacies

Mr. Gareth Wardell: To ask the Secretary of State for Wales what is the total number of pharmacies in Wales; and how many dispense fewer than 2,000 prescriptions per year.

Mr. Gwilym Jones: In each month on average, for the 12 months ending 28 February 1993, there were 708 pharmacies in Wales, of which 124 dispensed fewer than 2,000 prescriptions.

Urban Programme

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 20 October 1992, *Official Report*, columns *283-84*, what progress he had made in allocating the £2·5 million under the urban programme; what allocations have been announced and on what the money has been spent; and what proposals he has for the expenditure of the residual amount.

Mr. David Hunt: Local authorities were informed in January of the successful projects receiving assistance from the urban programme in 1992-93 under the special allocation of £2·5 million to help promote the development of the areas affected by the colliery review. A further £700,000 has also been made available in 1993-94 to continue the developments started in 1992-93.

Details of the individual local authorities benefiting and amounts approved from the special allocation are as follows:

Local Authority	Approval 1992-93 £	Approval 1993-94 £
Clwyd CC	100,000	—
Delyn BC	80,000	—
Rhuddlan BC	425,000	160,000
Dyfed CC	20,000	—
Llanelli BC	331,300	150,000
Dinefwr BC	565,000	150,000
Cynon Valley BC	260,000	100,000
Merthyr Tydfil BC	363,000	140,000
Rhymney Valley DC	161,000	—
West Glamorgan CC	126,000	—
Lliw Valley	64,000	—
Total	2,495,300	700,000

Details of the individual projects approved are as follows:

Authority and Project	Approved £ 1992-93	Approved £ 1993-94
Projects approved for areas around Betws colliery		
Dyfed		
Garnant Initiative Programme Provision of 15 small workshops and retail facilities skills training for business in the tourism, craft and leisure industry also provided	20,000	—
Llanelli		
Cross Hands Business Park—12 Workshops—Complementing existing provision	166,300	150,000
Cross Hands Business Park—7 Workshops—Complementing existing provision	165,000	—
Dinefwr		
Capel Hendre Business Park provision of major serviced Industrial site	250,000	50,000
Cwmaman River Corrider Improvements		
Development of Site for recreational purposes	235,000	100,000
Block B Capel Hendre Business Park Servicing of three-acre site	80,000	—
Lliw Valley		
Nursery Units at Pontardawe—provision of 10 units	64,000	—
West Glamorgan		
Training and Activity Centre Cwmllynfell	82,000	—

Authority and Project	Approved £ 1992-93	1993-94
Purchase and conversion of garage—24 training places		
Amman Valley Enterprise	24,000	—
Improvement of facilities for Community Businesses and IT Training		
Cwmllynfell Miners' Welfare Hall	20,000	—
Redevelopment of Hall		
Total	1,106,300	300,000

Authority and Project	Approved £ 1992-93	1993-94
Projects approved for areas around point of Ayr colliery		
Clwyd CC		
Managed Workshops Space, Morfa	100,000	—
Provision of 5 units totalling 118m²		
Delyn BC		
Afonwen Woolen Mill—Grosvenor	80,000	—
Charter—Conversion of 900m² of floor space for commercial use		
Ruddlan BC		
Ffrith Beach Development Prestatyn	90,000	—
Tourism development—15 acres of derelict land improved		
Extension to Tai Tywyn Business	30,000	—
Centre		
Land acquisition for industrial development		
Extension to Parc Industrial Estate	130,000	—
Land acquisition for industrial development		
Coach Interchange, West Rhyl	65,000	160,000
Provision of alternative and improved facility for coaches		
Gateway Project, Rhyl Railway Station	110,000	—
Provision of 10 units—Refurbishment of an old station building into Business Centre		
Total	605,000	160,000

Authority and Project	Approved £ 1992-93	1993-94
Projects approved for areas around Taff Merthyr colliery		
Cynon Valley		
Cwm Cynon Enterprise Centre	100,000	100,000
Provision of 20 units and offices		
River/Sewer Diversion, Mountain Ash	130,000	—
Cwm Cynon Development Programme		
Technology Centre, Aberaman Part of	30,000	—
Cwm Cynon Development Programme —Training Centre in high technology skills. Grant to help meet additional costs		
Merthyr Tydfil		
Goat Mill Road, Dowlais Reclamation	250,000	—
of 3.8ha of land, clear derelict buildings		
Repairs and Renewal to Treharris Boys	53,000	—
Club		
Increase Community uses of Club.	60,000	140,000
Cyfarthfa Park		
Phase III of Tourism development		
Programme for Merthyr		
Rhymney Valley		
Caerphilly Business Park	61,000	—
Provision of medium sized units	100,000	—
Infrastructure Works at Duffryn		
Industrial Estate part of Local authority's Economic Strategy		
Total	784,000	240,000

Ambulance Services

Mr. Richards: To ask the Secretary of State for Wales how many ambulances have been operated by each health authority in Wales in each year since 1979.

Mr. Gwilym Jones: The information is not available centrally.

Mr. Richards: To ask the Secretary of State for Wales what percentage of emergency calls to the ambulance service in each country in Wales in each year since 1987 was answered within *(a)* eight minutes and *(b)* 14 minutes.

Mr. Gwilym Jones: Until 31 March 1991 standard ambulance response times in Wales were 50 per cent. in eight minutes and 95 per cent. in 20 minutes. Revised classifications of ambulance service—tied to density of population served—came into effect on 1 April 1991:

	50 per cent.	*95 per cent.*	
Urban	7 mins	14 mins	South Glamorgan
Rural	8 mins	18 mins	Clwyd, Gwent, Mid and West Glamorgan
Sparsely populated	8 mins	21 mins	East Dyfed, Gwynedd, Pembrokeshire and Powys

The information given in the tables relates to the relevant standards for each service:

	Year ended 31 March 1988	1989	1990	1991	1992
Percentage of ambulances arriving within 50 per cent. target					
Clwyd	62	n/a	63	59	60
East Dyfed	54	55	56	54	55
Gwent	61	73	53	50	52
Gwynedd	54	54	55	54	55
Mid Glamorgan	48	45	50	47	53
Pembrokeshire	33	44	40	37	36
Powys	46	44	44	44	44
South Glamorgan	66	66	58	56	42
West Glamorgan	55	n/a	62	64	61
Percentage of ambulances arriving within 95 per cent. target					
Clwyd	99	n/a	100	96	97
East Dyfed	91	92	92	92	94
Gwent	98	99	98	100	93

	Year ended 31 March				
	1988	1989	1990	1991	1992
	Percentage of ambulances arriving within 50 per cent. target				
Gwynedd	95	95	93	94	94
Mid Glamorgan	98	95	98	82	96
Pembrokeshire	68	86	86	92	84
Powys	86	83	83	82	83
South Glamorgan	99	99	98	95	84
West Glamorgan	94	n/a	97	97	96

Note: n/a = not available.

Welsh Development Agency

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 20 October 1992, *Official Report*, columns *283-84*, what progress he has made in allocating to the Welsh Development Agency *(a)* £16 million for land reclamation and urban property development, *(b)* £5 million for business support services and *(c)* £10 million for urban renewal joint venture schemes; how much expenditure under each of these heads has been announced and for what purposes; and what proposals he has for the expenditure of the residue.

Mr. David Hunt: Provision for the Welsh Development Agency's 18-month programme in the coal review areas announced last October has been made within the overall budget totals set for the agency, the 1993-94 figures for which I announced on 10 December. The programme embraces a wide range of projects. I understand that the agency has made good progress in implementation of the programme and expects to achieve the target outturn by the end of the current financial year.

Local Government

Mr. Win Griffiths: To ask the Secretary of State for Wales what assessment he had made of the effect on the populations of Coychurch Lower, Ewenny, Saint Bride's Major and Wick of a transfer of those communities into the South Glamorgan health authority in respect of access to the Princess of Wales hospital in Bridgend.

Mr. David Hunt: The function of health authorities is to purchase health care from providers on behalf of their resident populations. These providers need not necessarily be within the boundaries of the health authority, and often are outside those boundaries.

As a provider of health care, Bridgend and district NHS trust is well placed to offer services to a number of health authority purchasers, as well as fund-holding general practitioners. Purchasing decisions will be informed by GP, community health council and patient preference rather than administrative boundaries.

Mr. Win Griffiths: To ask the Secretary of State for Wales what are the distances between *(a)* Wick, *(b)* Saint Bride's Major, *(c)* Ewenny and *(d)* Coychurch and (i) Bridgend and (ii) Barry using the shortest route by A and/or B roads.

Mr. David Hunt: The approximate distances are as follows:

	Miles	
	Bridgend	Barry
Wick to	6·0	13·6
St. Bride's Major to	3·4	16·2
Ewenny to	2·1	17·0
Coychurch Lower to	2·4	17·9

Mr. Win Griffiths: To ask the Secretary of State for Wales what assessment he has made of the effect on children living and attending primary schools in Coychurch Lower, Ewenny, Saint Bride's Major and Wick of a transfer of those communities to the Vale of Glamorgan unitary authority in respect of access to comprehensive schools in the proposed Bridgend unitary authority.

Mr. David Hunt: Responsibility for the admission of pupils to local education authority maintained schools rests with local authorities, and that responsibility will be unchanged under any proposals for the reorganisation of local government. Admission authorities are required not to discriminate against pupils living outside their areas in implementing their admissions policies.

Mr. Win Griffiths: To ask the Secretary of State for Wales if he will list the distances, by A and/or B roads, from the place, closest by road, in *(a)* the community of Wick, *(b)* the community of Saint Bride's Major, *(c)* the community of Ewenny and *(d)* the community of Coychurch Lower to (i) Bridgend and (ii) Barry.

Mr. David Hunt: The approximate distances are as follows:

	Miles	
	Bridgend	Barry
The community of Wick to	5·1	13·3
The community of St. Bride's Major to	2·3	15·3
The community of Ewenny to	1·0	15·4
The community of Coychurch Lower to	1·3	16·2

Mr. Win Griffiths: To ask the Secretary of State for Wales what specific criteria he used to determine that the communities of Coychurch Lower, Ewenny, Saint Bride's Major and Wick should be transferred from the borough of Ogwr to the Vale of Glamorgan under his plans for unitary authorities.

Mr. David Hunt: In considering the boundaries of the proposed unitary authorities I took account of the principles set out in the consultation paper, "The Structure of Local Government in Wales" which I published in June 1991 and, in particular:

i. local authority boundaries should, as far as possible, reflect and strengthen existing community loyalties; and

ii. local public services should be of high quality, and delivered efficiently, economically and effectively.

Mr. Win Griffiths: To ask the Secretary of State for Wales what assessment he has made of the effect on the communities of Coychurch Lower, Ewenny, Saint Bride's Major and Wick of a transfer of those communities into the Vale of Glamorgan in respect of access to the library facilities in the town of Bridgend.

Mr. David Hunt: The education, leisure and culture sub-group of the structures group of the WCCLG considered the provision of library services under a structure of unitary authorities.

A copy of their report has been placed in the Library of the House.

Mr. Win Griffiths: To ask the Secretary of State for Wales what assessment he has made of the length of time it takes for a resident of the communities of *(a)* Coychurch Lower, *(b)* Ewenny, *(c)* Saint Bride's Major and *(d)* Wick to travel by public transport to (i) Bridgend and (ii) Barry.

Mr. David Hunt: These are matters which were put to me when I visited the area last Friday.

Farmers (EC Aid)

Mr. Morgan: To ask the Secretary of State for Wales what provision he is making to improve the service to farmers requiring maps in order to make applications for European Community financial assistance before the 14 May deadline; and if he will make a statement.

Mr. David Hunt: Farmers may obtain advice and maps from the Ordnance Survey and their agents. In addition, to ease congestion at these outlets, I have made special arrangements for farmers to have access to maps held by my Department to help them complete their applications. I have asked local authorities and other bodies to provide access to maps they hold. Special arrangements have also been made with the Ordnance Survey so that the Welsh Office and ADAS can sell maps to farmers.

In the past week I have also informed livestock producers that if accurate details of forage areas cannot be established accurately by 15 May they should submit this year an estimate in hectares on a field-by-field basis. Provided that estimate proves to be either accurate or an under-statement of the area, they will not be penalised subsequently. I have therefore recommended that they estimate conservatively should they need to do so.

Mr. Morgan: To ask the Secretary of State for Wales what provision he has made to meet farmers and farming organisations to discuss the revised guidelines for European Community assistance, and to set up explanatory seminars with *(a)* a ministerial presence and *(b)* official presence only.

Mr. David Hunt: My Department has gone to considerable lengths to inform the farming industry of the changes to the various premium schemes, including the introduction of the integrated administration and control system (IACS), arising from the reforms of the common agricultural policy. Between January and March senior officials ran 10 seminars throughout Wales to explain the new rules and grant application procedures. They have also, upon invitation, addressed meetings of both local and national organisations with an interest in the industry.

Special additional arrangements have been made to advise farmers about the completion of their IACS returns. I have established free-phone helplines in the divisional offices of my Agricultural Department which have received over 10,000 calls. I also commissioned ADAS to undertake an awareness campaign and provide on the spot training at markets and places where farmers gather throughout Wales. By Friday 23 April, in conjunction with my officials they had held some 150 such events, attended by approximately 6,500 farmers. These will continue right up to the deadline of 15 May and concentrate more on form filling in working groups and clinics. I have participated in several of these clinics in various parts of Wales. I shall also be meeting representatives of farming unions next week.

SOCIAL SECURITY

Pensions

Mr. Dewar: To ask the Secretary of State for Social Security (1) what estimates he has made, on the basis of assumptions used in "Options for Equality in State Pension Age", assuming a unified pension age of 60 years, of the rate of increase in pension above price inflation which would be consistent with the combined national insurance contribution rate in 2035 being 19·4 per cent., and of the equivalent rate of single pension;

(2) what estimates he has made, on the basis of assumptions used in "Options for Equality in State Pension Age", assuming a unified state pension age of 65 years, of the rate of increase in pension above price inflation which would be consistent with the combined national insurance contribution rate 2035 being 19·4 per cent. and of the equivalent rate of single pension;

(3) what estimates he has made, on the basis of assumptions used in "Options for Equality in State Pension Age", assuming a unified pension age of 63 years, of the rate of increase in pension above price inflation which would be consistent with the combined national insurance contribution rate in 2035 being 19·4 per cent., and of the equivalent rate of single pension;

(4) what estimates he has made, on the basis of assumptions used in "Options for Equality in State Pension Age", assuming that current state pension ages are maintained, of the rate of increase in pension above price inflation which would be consistent with the combined national insurance contribution rate in 2035 being 19·4 per cent., and of the equivalent rate of single pension.

Miss Widdecombe: The information is in the table.

Pension Age	*Rate of Basic Pension in 2035 consistent with a combined Class 1 NI contribution rate of 19·4 per cent. (1993-94 benefit rates)* £	*Required rate of annual increase in pension above price inflation* *Percentage*
Current pension ages	61·10	0·2
Unified age of 60	52·90	−0·1
Unified age of 63	61·10	0·2
Unified age of 65	68·15	0·5

Mr. Dewar: To ask the Secretary of State for Social Security if he will publish estimates, on the basis of assumptions used in "Options for Equality in State Pension Age", on the effect on national insurance contribution rates in 2015, 2025, 2035 and 2045 of equalising state pension age at *(a)* 60 years, *(b)* 63 years and *(c)* 65 years, giving figures separately for (i) earnings-uprating of pensions and national insurance thresholds and (ii) price-uprating.

Miss Widdecombe: Available information is given in the tables. Figures for 2015 and 2045 are not available.

(i) Earnings-uprating
Effect measured in percentage points

	2025	2035
Age 60	+ 3·0	+ 2·5
Age 63	negligible	negligible
Age 65	− 2·0	− 1·5

(ii) Price-uprating
Effect measured in percentage points

	2025	2035
Age 60	+ 2·0	+ 1·5
Age 63	− 0·25	negligible
Age 65	− 1·5	− 1·0

Invalidity Benefit

Mrs. Anne Campbell: To ask the Secretary of State for Social Security in what ways the procedures have been changed for people who were receiving invalidity benefit and are found to be no longer eligible.

Mr. Scott: No changes have been made to the entitlement conditions or to the procedures which follow an adjudication officer's decision that someone is no longer entitled to invalidity benefit.

Voluntary Work

Mr. Rowe: To ask the Secretary of State for Social Security if he will make a statement on the effect of voluntary work undertaken in excess of 24 hours a week by an unemployed person who can demonstrate that he or she is looking for work on the person's benefit entitlement.

Mr. Burt: There is no legislation limiting the amount of voluntary work an unemployed person may undertake. An unemployed person who is engaged in unpaid voluntary work may continue to receive benefits provided he continues to satisfy the conditions of entitlement. These are that a person must be available for work, and must actively seek work each week.

Current legislation allows volunteers 24 hours' notice in which to make the necessary arrangements to give up or rearrange voluntary responsibilities before taking up an offer of employment. In recognition of the value the Government place on voluntary work the Secretary of State announced on 28 April a proposal to extend this period of notice to 48 hours.

Fuel Bills

Mr. Parry: To ask the Secretary of State for Social Security what further proposals he has to lessen the effect on people on low incomes of the imposition of value added tax on gas and electricity bills.

Mr. Denham: To ask the Secretary of State for Social Security what measures he is taking to ensure that those who are chronically ill receive additional payments to cover the cost of value added tax on fuel.

Mr. Burt: In his Budget statement the Chancellor said that there would be extra help for poorer pensioners and those on low incomes. My right hon. Friend the Secretary of State will be announcing the details of this extra help in the autumn.

Claimants Abroad

Mr. Harry Greenway: To ask the Secretary of State for Social Security what information he has as to the payment of social security benefits to individuals who died in the Waco fire; and if he will make a statement.

Mr. Burt: The administration of benefits is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to my hon. Friend with such information as is available and a copy will be placed in the Library.

Letter from Michael Bichard to Mr. Harry Greenway, dated 28 April 1993:

As Chief Executive of the Benefits Agency, it is my responsibility to answer questions about relevant operational matters. I am therefore replying to your recent Parliamentary Question to the Secretary of State asking what information he has as to the payment of social security benefits to individuals who died in the Waco fire.

A check of the Departmental Central Index has shown that five people had current or recent claims to benefit whilst in the Waco Compound of the Davidian Cult. Of those five people four are feared to have died in the fire and the benefits involved were Income Support, Child Benefit and Retirement Pension.

The above information has emerged from our preliminary enquiries. I can assure you, however, that the individual circumstances of each case will be fully investigated to establish the correct entitlement in each case and we are reviewing procedures to prevent payment to those living abroad who do not qualify for benefit. I would also like to say that the payments of benefit to persons overseas are not made by girocheque or order book and that legitimate payments to such persons would be made by the Agency's Overseas Branch Directorate by payable order through a bank account or by automated credit transfer.

I hope that you find this reply helpful. A copy will appear in the Official Report and a copy will also be placed in the Library.

Mr. Dewar: To ask the Secretary of State for Social Security (1) how long those in the Waco compound who were receiving social security benefits had been out of the United Kingdom;

(2) how many people in the Waco compound were in receipt of benefits from his Department; and what benefits they were receiving.

Mr. Burt: The administration of benefits is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available and a copy will be placed in the Library.

Letter from Michael Bichard to Mr. Donald Dewar, dated 28 April 1993:

As Chief Executive of the Benefits Agency it is my responsibility to answer questions about relevant operational matters. I am therefore replying to your recent Parliamentary Questions to the Secretary of State for Social Security asking (i) how many people in the Waco compound were in receipt of benefits from his Department; and what benefits they were receiving and (ii) how long those in the Waco compound who were receiving Social Security benefits had been out of the United Kingdom.

A check of the Departmental Central Index has shown that five people had current or recent claims to benefit whilst in the Waco Compound of the Davidian Cult. The benefits involved were Income Support, Child Benefit, Invalidity Benefit, Disability Living Allowance, Industrial Injuries Benefit and Retirement Pension.

I am unable, until my investigations are complete, to say how long each individual had been outside the United Kingdom as none of the absences from this country had been reported to the Department's Overseas Benefits Directorate (OBD), who are responsible for considering benefit entitlement for most people who leave the United Kingdom. I can, however, say that of the five people mentioned, one ceased to receive benefit in February 1993 and another ceased to receive benefit in March 1993. I can also say that the payments of benefit to persons overseas are not made by girocheque or order book and that legitimate payments to such persons would be made by OBD by payable order through a bank account, or by automated credit transfer.

The above information has emerged from our preliminary enquiries. I can assure you, however, that the individual circumstances of each case will be fully investigated to establish the correct entitlement in each case and we are reviewing procedures to prevent payment to those living abroad who do not qualify for benefit.

I hope you find this reply helpful. A copy will appear in the Official Report and a copy will also be placed in the Library.

Visually Impaired Claimants

Mr. Alfred Morris: To ask the Secretary of State for Social Security what action he has taken, or will be taking, to improve access to the benefits system for people who are visually impaired by providing more official information in large print, Braille, or on tape; and if he will make a statement.

Mr. Scott: The provision of benefit information is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member and a copy will be placed in the Library.

Letter from Michael Bichard to Mr. Alfred Morris, dated 28 April 1993:

As Chief Executive of the Benefits Agency, it is my responsibility to answer questions about relevant operational matters. I am therefore replying to the points raised in your recent Parliamentary Question to the Secretary of State for Social Security regarding the provision of benefit information in large print, Braille, or on tape.

The Benefits Agency has a contract with RNIB to provide information for visually impaired people in Braille. Last year 28 different leaflets were translated, and 450 eye hospitals were mailed with the Braille version of *FB19 Social Security benefits—A guide for blind and partially sighted people*. This year we are working to extend the distribution of material further and translate yet more leaflets.

The Agency also produces the publication FB19 in both large print and as an audio tape. In the year 1992-93, 80,000 booklets and 40,000 tapes of this publication were mailed to visually impaired people. A similar level of activity is planned for this current year.

A number of services are available from the Benefit Enquiry Line for visually impaired customers. These include a forms completion service in Braille and large print.

I hope you find this reply helpful. A copy of this letter will be placed in the *Official Report*. A copy will also be placed in the Library.

Sickness and Invalidity Benefit

Ms Mowlam: To ask the Secretary of State for Social Security how many individuals are currently claiming invalidity benefit in *(a)* the county of Cleveland and *(b)* in the boroughs of Middlesbrough, Stockton, Hartlepool and Langbaurgh.

Mr. Scott: The administration of invalidity benefit is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available and a copy will be placed in the Library.

Letter from Michael Bichard to Ms Marjorie Mowlam, dated 28 April 1993:

As Chief Executive of the Benefits Agency it is my responsibility to answer questions about relevant operational matters. I am therefore replying to your recent Parliamentary Question to the Secretary of State for Social Security asking how many individuals are currently claiming Invalidity Benefit in *(a)* the County of Cleveland and *(b)* in the Boroughs of Middlesbrough, Stockton, Hartlepool and Langbaurgh.

The information requested is not readily available and can be obtained only at disproportinate cost. However, the latest statistics available from the Agency's North Tees District and South Tees District Offices, which include the areas concerned in the question, show a total of 27,777 customers in receipt of Invalidity Benefit. As Agency District boundaries do not correspond with county or borough boundaries this figure includes some customers living in areas other than those listed in the question.

Listed below are the figures available for each Office within the North Tees District and South Tees District.

Number of recipients currently in receipt of Invalidity Benefit

	Number
North Tees District	
Stockton-on-Tees District Office	7,545
Hartlepool Branch Office	5,368
South Tees District	
Middlesbrough District Office (including Tees South Branch Office)	7,108
Easton Branch Office	3,355
Redcar Branch Office	4,401

I hope you find this reply helpful. A copy will appear in the Official Report and a copy will also be placed in the Library.

Correspondence

Mr. Winnick: To ask the Secretary of State for Social Security when the hon. Member for Walsall, North will receive a reply to his letter of 15 March to the Minister of State regarding retirement age for receiving invalidity benefit.

Mr. Scott: My noble Friend Lord Henley wrote to the hon. Member on 26 April. He apologised for the delay.

Benefits

Mr. Frank Field: To ask the Secretary of State for Social Security if he will publish the data used in the construction of figure 7 in the 1993 Social Security departmental report on percentages of different types of benefits paid in the broad groups of beneficiaries in 1992-93; and what were the equivalent figures for each year since 1976.

Mr. Scott: The information requested is in the table.

Different types of benefit paid to broad groups of beneficiaries in cash terms

£ million

	1976-77	1977-78	1978-79	1979-80	1980-81	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88	1988-89	1989-90	1990-91	1991-92	1992-93
Elderly:																	
Contributory	5,662	6,697	7,639	8,903	10,615	12,216	13,640	14,705	15,361	16,678	17,876	18,842	19,337	20,795	22,798	25,688	26,955
Non-contributory	36	36	42	41	43	45	46	47	45	48	45	46	45	44	45	47	48
Income-related	716	809	1,063	1,186	1,481	2,070	2,436	2,909	3,381	3,709	3,969	4,165	4,275	4,842	5,741	5,688	7,481
Short-term sick:																	
Contributory	559	652	696	655	654	680	554	765	787	821	936	1,033	1,090	1,153	1,157	973	1,025
Non-contributory	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Income-related	16	17	29	25	28	29	28	29	28	28	29	35	45	74	66	107	134
Long-term sick:																	
Contributory	732	909	1,070	1,253	1,446	1,701	1,952	2,257	2,540	2,772	3,128	3,435	3,826	4,325	4,444	5,362	6,116
Non-contributory	353	424	523	628	791	970	1,149	1,353	1,554	1,788	2,090	2,386	2,590	2,912	3,938	4,902	5,944
Income-related	166	177	176	218	262	289	408	523	619	726	948	845	1,050	1,320	1,842	2,291	2,799
Family:																	
Contributory	58	76	105	125	149	158	152	141	161	164	168	244	277	316	348	376	398
Non-contributory	559	889	1,814	2,846	3,021	3,464	3,767	4,112	4,414	4,619	4,675	4,761	4,694	4,736	4,820	5,438	6,044
Income-related	470	569	654	669	809	1,097	1,479	1,751	1,936	2,265	2,617	3,129	3,712	4,130	4,741	5,538	6 483
Unemployed:																	
Contributory	559	629	632	653	1,280	1,702	1,500	1,497	1,578	1,589	1,734	1,468	1,107	733	870	1,604	1,838
Non-contributory	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Income-related	545	761	742	817	1,250	2,320	3,511	4,204	4,741	5,374	5,574	5,179	4,128	3,576	4,203	5,943	7,452
Widows and others:																	
Contributory	481	512	555	617	698	757	795	844	859	877	906	899	910	912	891	1,013	1,032
Non-contributory	88	96	105	116	131	148	156	162	169	180	183	186	189	199	281	291	291
Income-related	18	15	26	27	21	45	45	34	59	59	39	46	55	34	51	76	94

Note: Expenditure in this table includes grants to local authorities, rent rebate subsidy payments and local authority expenditure not met by specific Government grants.

OVERSEAS DEVELOPMENT

Commonwealth Development Corporation

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs in which year the additional resources for the Commonwealth Development Corporation announced in November 1992 will be made available; whether the money will be drawn on the existing Overseas Development Administration's budget; and whether it will be classified as official development assistance.

Mr. Lennox-Boyd: In November 1992 we announced that certain changes in the financing arrangements for CDC would result in up to £50 million of additional resources being made available to the overseas aid effort as a whole. Part of this arises from the decision to waive interest due on outstanding aid loans from 1 April 1994, which would otherwise accrue to the Consolidated Fund. This will increase the amount of self-generated funds retained within CDC.

We also agreed that CDC should seek to borrow from funds available for some Caribbean basin initiative countries, known as "936" funds, provided the borrowing terms meet the Government's normal criteria.

Decisions about the level of new loans from the aid budget for the CDC are made annually. CDC loans to borrowers overseas are not sufficiently concessional to qualify as offical development assistance. Equity investments in developing countries under existing definitions do count as official development assistance.

Aid

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of British aid was spent on primary health care, nutrition, basic education, family planning, safe water and sanitation in 1990, 1991 and 1992; and how much in cash terms would need to have been spent in those years in order to increase the amount spent on those basic needs to 20 per cent. of official development assistance.

Mr. Lennox-Boyd: The information for 1990 and 1991 is in the table. Figures for 1992 are not yet available. More detailed information on spending within individual sectors is not readily available. Individual projects may be targeted at more than one sector and area. Equally, projects not covered in the sectors listed may have an impact on basic needs.

Sector	*1990 £000*	*1991 £000*
Education	103,098	114,141
Health and Population (including Nutrition and family planning)	39,066	45,319
Water and Sanitation	22,099	24,966
Total	164,263	184,426
As percentage of bilateral aid allocable by sector[1]	29	30

[1] Bilateral aid which is not allocable by sector includes programme aid, debt relief, humanitarian assistance, and loans to the Commonwealth Development Corporation.

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of its official development assistance the United Kingdom spent in Sub-Saharan Africa in 1990; and what was the increase each year in percentage terms, giving the figures for *(a)* bilateral aid, *(b)* multilateral aid and *(c)* in total.

Mr. Lennox-Boyd: The information requested for 1990 and 1991 is set out in the tables. Figures for 1992 are not yet available.

	(i) Total Net oda	(ii) Allocable Bilateral oda to Sub-Sahara Africa	(ii) as a per cent. of (i)	(iii) Multilateral Aid to [1] Africa	(iii) as a per cent. of (i)	(ii) plus (iii) as a per cent. of (i)
	£ million	£ million	Per cent.	£ million	Per cent.	Per cent.
1990	1,503	301	20·0	366	24·4	44·4
1991	1,814	428	23·6	n/a	—	—

n/a = Not yet available.

[1] The figures given are estimated by ODA Statistics Department using data provided by the Development Assistance Committee of the OECD on the spending patterns of multilateral agencies, and United Kingdom contributions to multilateral organisations. They refer to all Africa; it is not possible to dis-aggregate Sub-Saharan Africa.

Allocable net bilateral oda to Sub-Saharan Africa increased by over 42 per cent. between 1990 and 1991. As a percentage of total net oda the figure for allocable bilateral oda to Sub-Saharan Africa for 1991 represented an incrase of some 18 per cent. over that for 1990.

Somalia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what British assistance is being given to the formation of police forces in Somalia.

Mr. Lennox-Boyd: We have informed the UN, EC and other bilateral donors that we are ready to help in the re-establishment of an indigenous police force in Somalia. The UN is currently developing a plan. As soon as it is available we shall consider what form our assistance might take. Meanwhile, we have appointed a consultant to undertake an assessment of emergency rehabilitation needs in the north-west, including the requirements for the development of police forces in the region.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what efforts have been made to involve women's groups in the reconstruction of Somalia.

Mr. Lennox-Boyd: My right hon. and noble Friend Baroness Chalker of Wallasey met representatives of women's groups when she visited Somalia last September and again in February. She encouraged them to play a full role in Somalia's rehabilitation and reconstruction. Since, then, women's groups have played an active role in the political reconciliation process. The Addis reconciliation conference of 12 to 27 March 1993 agreed that women should be represented on the proposed interim national council. The UN's relief and rehabilitation plan for 1993 gives priority to activities designed to involve and assist women.

Sudan

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what specific assistance has been given by *(a)* the Government and *(b)* the EC to Sudan since January 1992.

Mr. Lennox-Boyd: Since January 1992, we have committed over £13 million in bilateral humanitarian assistance to Sudan. In the same period, we have provided almost £0.8 million in residual payments following the termination of the bilateral development aid programme in January 1991. In addition, since April 1991, almost £0.7 million has been disbursed through the joint funding scheme to support the work of British NGOs in Sudan.

Since January 1992, the EC has committed over £61 million—United Kingdom share about £10 million—in food and other emergency assistance to Sudan. Figures are not available for EC disbursement on development projects, but no new development projects have been approved since 1990.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment the Government have made of the adequacy of medical supplies to Sudan; and what obstacles there are to the adequacy of supplies to that country.

Mr. Lennox-Boyd: Our bilateral development assistance programme to Sudan was terminated in 1991. We are not therefore now involved in considering the regular provision of medical supplies to the Government of Sudan and we have made no assessment of the national availability of such supplies.

Since January 1992, we have committed about £563,000 in humanitarian assistance funds and, in 1992-93, almost £52,000 from the joint funding scheme, in support of health care activities run by British NGOs in Sudan.

Least-developed Countries

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs whether Her Majesty's Government have signed the Paris declaration and the United Nations programme of action for the least-developed countries; and what is the Government's policy towards recommendations on the amounts donors should spend on aid to the least-developed countries.

Mr. Lennox-Boyd: The Government joined the international consensus in adopting the Paris declaration and the United Nations programme of action for the least developed countries. There are a number of different aid targets set out in the programme of action. We reaffirmed our commitment to the target of 0·15 per cent. of GNP for aid to the least developed, but we did not subscribe to any timetable for reaching it.

Forestry Aid

Mr. Barnes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will undertake a review of the United Kingdom's assistance to forestry aid projects in developing countries.

Mr. Lennox-Boyd: We routinely monitor and review all our projects. We have recently completed an evaluation of six forestry projects, the lessons from which are being applied to our current programmes.

AGRICULTURE, FISHERIES AND FOOD

Potato Marketing Board

4. **Mr. Pickthall:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received from potato growers in Lancashire about the effects of the abolition of the Potato Marketing Board.

Mr. Curry: We have received representations through three hon. Members expressing support for the continuation of the PMB and one directly from a potato grower who favours abolition.

Agricultural Wages Board

6. **Mr. McFall:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the future of the Agricultural Wages Board.

Mr. Gummer: The board is due to be reviewed this year as part of the periodic review of all non-departmental public bodies.

Surplus Food

16. **Mr. Williams O'Brien:** To ask the Minister of Agriculture, Fisheries and Food what changes he has considered to the distribution of surplus EC food; and if he will make a statement.

Mr. Curry: I am reviewing all aspects of the scheme and will make an announcement soon.

Hill Farms

19. **Mr. Jon Owen Jones:** To ask the Minister of Agriculture, Fisheries and Food what percentage of hill farms generated a net farm income below the annual average for industrial earnings in 1991-92.

Mr. Curry: Net farm income is not a measure of farmers' cash earnings and is not comparable with the average earnings of industrial workers.

Set-aside

20. **Mr. Gallie:** To ask the Minister of Agriculture, Fisheries and Food if he will give a progress report on non-rotational set-aside.

Mr. Gummer: We are pressing the European Commission for Proposals.

In the meantime, we are consulting on our proposals for national management rules for non-rotational set-aside.

Farmland (Public Access)

21. **Ms Quin:** To ask the Minister of Agriculture, Fisheries and Food what recent representations he has received from farmers in the northern region about public access to farmed land.

Mr. Curry: None.

Common Agricultural Policy

22. **Mr. Purchase:** To ask the Minister for Agriculture, Fisheries and Food what plans he has to make representations to the EC in order to reduce United Kingdom net contribution to the common agricultural policy.

Mr. Gummer: As a result of the reform of the common agriculture policy agreed last year, UK receipts under the CAP are likely to increase from 7 per cent. to around 9 per cent. of total expenditure.

Integrated Administration and Control System

23. **Mr. Olner:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received on an extension of the 15 May deadline for the return of details appertaining to the integrated administration and control system.

Mr. Gummer: We have received a number of representations suggesting an extension of the 15 May deadline.

25. **Mr. Sykes:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the integrated administration control scheme.

Mr. Gummer: The integrated administration and control system is an important and necessary measure to make sure that taxpayers' money is properly accounted for in every part of the Community.

27. **Mr. Wilson:** To ask the Minister of Agriculture, Fisheries and Food what representations he has had on the complexity of IACS questionnaires.

Mr. Gummer: We have received a number of representations about IACS documents.

Fishing Organisations

24. **Mr. Enright:** To ask the Minister of Agriculture, Fisheries and Food what recent consultations he has held with fishing organisations; and if he will make a statement.

Mr. Curry: The industry and the Fisheries Departments began a major review of fisheries conservation three days ago. On 8 May I expect to attend the annual general meeting of the NFFO.

French Agriculture Minister

26. **Mr. Brazier:** To ask the Minister of Agriculture, Fisheries and Food when he last met the French Minister for Agriculture to discuss implementation of CAP reforms; and if he will make a statement.

28. **Mr. Carrington:** To ask the Minister of Agriculture, Fisheries and Food when he last met his French opposite number to discuss the export of British farm produce; and if he will make a statement.

Mr. Gummer: I refer my hon. Friend to the answer I gave earlier today to my hon. Friend the Member for Hendon, South (Mr. Marshall).

Set-aside Land

Dame Peggy Fenner: To ask the Minister of Agriculture, Fisheries and Food what plans he has to seek a review of the criteria for rotational set-aside in the EC.

Mr. Curry: We are continuing to discuss various detailed aspects of the rotational set-aside arrangements with our Community partners. We have no plans to seek a fundamental review of the arable area payments scheme at this stage.

Clenbuterol

Mr. Beggs: To ask the Minister of Agriculture, Fisheries and Food what information he has as to which countries in the European Community have incorporated into their domestic legislation a ban on the use of clenbuterol as a growth promoting substance.

Mr. Soames: I am not aware of any member state which has introduced a specific ban on the use of Clenbuterol as a growth-promoting substance. It is, however, contrary to EC legislation for a veterinary medicinal product to be used for a purpose other than that for which it is licensed, unless under the direction and authority of a veterinary practitioner. No member state has licensed the use of Clenbuterol other than for therapeutic purposes.

Mr. Beggs: To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the health risk to citizens of the United Kingdom from beef produced in countries which have ineffective controls over the misuse of clenbuterol.

Mr. Soames: All member states are required to submit to the Commission annually details of their national plans for the examination for residues, including clenbuterol, in live animals and fresh meat. Similar arrangements apply in respect of third countries importing meat into the Community.

Ongoing surveillance in the UK for clenbuterol in imported meat is carried out under a scheme, co-ordinated by the working party on veterinary residues in animal products, which is directed at retail and wholesale premises and extends to both imported and domestic supplies. Because of the evidence of abuse of clenbuterol outside Great Britain, surveillance is being increased this year. A new sampling programme for imported meat will also commence shortly under which samples of imported bovine tissues will be collected and analysed for clenbuterol residues.

The consumption of meat containing excessive residues of clenbuterol can result in increased pulse rate and palpitations. There is no evidence of any such cases of illness arising in the United Kingdom.

Departmental Staff

Mr. Conway: To ask the Minister of Agriculture, Fisheries and Food if he will list the occasions on which his Department authorised the establishment of an additional personal secretary post responsible to the marketing development manager—principal grade—since January 1986.

Mr. Curry: No personal secretary posts have been appointed to report to principal grade officers.

Cashmere

Sir David Steel: To ask the Minister of Agriculture, Fisheries and Food what plans he has for placing cashmere production on an equitable base with other supported livestock enterprises in the United Kingdom.

Mr Curry: I have no plans to introduce support measures for cashmere production.

Vegetables

Mr. Faulds: To ask the Minister of Agriculture, Fisheries and Food if he will list all those vegetables of which he is aware which contain alkaloids; if he will indicate in each case the number of cases of harm to humans which have been recorded in the United Kingdom as a result of the consumption of those vegetables; if he will indicate in each case whether sales of products made from those vegetables have been banned; and if he will make a statement.

Mr. Soames: Potatoes, aubergines, green and red peppers and green tomatoes contain glyco alkaloids. Figures are not collected centrally in the form requested. Local authorities have powers under the Food Safety Act 1990 to ensure that foodstuffs containing unacceptable levels of alkaloids do not enter the food supply.

Comfrey Products

Mr. Faulds: To ask the Minister of Agriculture, Fisheries and Food what recent representations he has received from the Action Group for the Promotion of Nutritional Therapy about the decision to ban the sale of comfrey products; what reply he has given; and if he will make a statement.

Mr. Soames: I have received representations from both groups about the recent decision to seek the withdrawal from sale of certain comfrey products containing the highest level of toxic alkaloids. In reply, I have reiterated that this action was taken on the basis of clear and unequivocal recommendations from the independent expert scientific committees that advise Ministers on food safety issues.

Farm Woodland Premium Scheme

Mr. Maclennan: To ask the Minister of Agriculture, Fisheries and Food what plans he has to suspend payment of the farm woodland premium scheme in England; and if he will make a statement.

Mr. Curry: None.

Fishery Protection Vessels

Mr. Devlin: To ask the Minister of Agriculture, Fisheries and Food what recent successes have been achieved by the fishery protection vessels operated on behalf of his Department.

Mr. Curry: From 1 January to 15 April this year the Royal Navy fisheries protection vessels have carried out 465 inspections at sea; serious infringements of fisheries rules have been identified on 27 vessels.

Agricultural Training Board

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food what decisions have been taken about the future status, funding and operation of the Agricultural Training Board following the consultation exercise that took place last month.

Mr. Gummer *[pursuant to his reply, Official Report, 1 April, col. 329]:* The Government can now confirm their intention to replace the Agricultural Training Board with a non-statutory independent organisation. The target date for completing the change is 1 April next year.

The new arrangements will free the successor body to the board from the constraints that statutory control imposes and allow it to expand commercially, so that it can offer training services on a fully commercial basis to a wider range of land-based and rural businesses. The new body will work closely with the other agencies and organisations operating in rural areas, particularly the Rural Development Commission and training and enterprise councils in England and Wales and the local enterprise companies in Scotland. The successor body will

continue to service the agricultural and horticultural industries, but this change will also allow it to develop and provide services to organisations operating in areas such as the countryside and environmental management.

As I have already announced, the Government will continue to make a substantial contribution to the new organisation's finances, through a contract with the ATB successor body for the provision of specific services, initially covering the period to March 1996. Government objectives will be reviewed before the end of this first contract period and any changes will be reflected in any succeeding contract. Subsequent changes to funding levels will also have regard to the commercial revenue generated by the successor body.

I have asked Mr. Andy Stewart, the ATB's current chairman, to lead the development of the successor body. He will be supported by a group of senior industry representatives from Scotland, England and Wales who have agreed to act as directors of the successor bodyy and to work closely with the existing board members during the changeover period.

I have every confidence in the ATB successor body's ability to make the most of the opportunities that this new freedom presents to respond to the needs of the industries that it will serve.

Veterinary Surgeons

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many qualified veterinary surgeons were employed by the Central Veterinary Laboratory on 1 January 1991, 1 January 1992 and 1 January 1993, respectively.

Mr. Gummer: Responsibility for this matter is delegated to the Central Veterinary Laboratory and I have asked the chief executive to write to the hon. Gentleman direct.

Letter from T. W. A. Little to Mr. Gavin Strang, dated 29 April 1993.

As you know the Minister has asked that I write to you direct with the answer to your question. The information requested is as follows:

	Veterinary surgeons employed
1 January 1991	44
1 January 1992	46
1 January 1993	38

These figures include veterinary surgeons employed at the Laboratory's Lasswade laboratory near Edinburgh.

Bovine Somatotropin

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food on what dates the Veterinary Products Committee considered the paper "Bovine Somatotropin and Animal Health: The effect of recombinant BST on somatic cell counts", by E. J. Brunner, E. P. Millstone, I. R. White, R. J. Barrell and O. N. N. Al-Muderis.

Mr. Gummer: The Veterinary Products Committee considered a pre-publication copy of this paper at its meeting on 23 July 1992.

SCOTLAND

Bail Appeals

Mr. McFall: To ask the Secretary of State for Scotland (1) how many appeals against refusal of bail were granted in each of the past five years on legal aid; and what proportion of the total these appeals constituted;

(2) how many appeals against refusal of bail in each of the past five years in *(a)* district court and *(b)* sheriff court were forwarded to the High Court; and how many were granted;

(3) what was the total cost to his Department in dealing with appeals against refusal of bail for each of the past five years.

Lord James Douglas-Hamilton: The information requested is not available. Records do not distinguish between appeals against grant or refusal of bail, nor between appeals from the district and sheriff courts. Bail appeals are not recorded as a separate category of grants of legal aid.

The total number of appeals against grant or refusal of bail considered by the High Court over the past five years is as follows:

Year	*Number*
1988	2,679
1989	2,820
1990	3,031
1991	3,301
1992	4,149

The estimated average court costs of hearing a bail appeal, including judicial, staff and accommodation costs, are £10·80 at 1992 prices.

Ferry Piers

Mrs. Ray Michie: To ask the Secretary of State for Scotland what is the cost of adapting the piers at Kennacraig, Port Ellen and Port Askaig to accommodate the Caledonian MacBrayne ferry, Isle of Arran; and which agencies are responsible for funding the project.

Lord James Douglas-Hamilton: The total cost of adapting the piers at Kennacraig, Port Ellen and Port Askaig including dredging and other associated works to accommodate MV Isle of Arran is estimated to be in the region of £700,000. The project is being funded by Caledonian MacBrayne, the Scottish Office and the European regional development fund.

National Epilepsy Centre

Mrs. Fyfe: To ask the Secretary of State for Scotland what plans he has concerning the future of the National Epilepsy Centre.

Mr. Stewart: Decisions on the future of residents of the national epilespy centre are matters for Quarrier's Homes, which runs the centre in conjunction with those local authorities and health boards which have responsibility for the residents. Proposals for the future should be set out in the relevant local authority and health board community care plans.

Junior Doctors

Mrs. Fyfe: To ask the Secretary of State for Scotland how many actual hours are currently worked by junior doctors in each hospital.

Mr. Stewart: Information on actual hours worked by junior doctors is not held centrally. Junior doctors contract for a standard working week of 40 hours and such further agreed additional duty hours to be spent on-call or on shift work as are required to meet the needs of the service. As at 30 September 1992—the latest available figures—the average number of contracted hours for junior doctors was 79 per week. Provisional half-yearly returns from health authorities indicate that as at 31 March 1993 only 130 junior doctors, 3·9 per cent., were contracted for more than 83 hours of duty per week.

Huntington's Disease

Mrs. Fyfe: To ask the Secretary of State for Scotland what financial contribution will be required from sufferers from Huntington's disease or other long-term illness living in private sector homes.

Mr. Stewart: None.

Sufferers from long-term illnesses, living in private sector nursing homes, who require medical or other treatment are not required to contribute towards the cost of that treatment provided it is available under the NHS and is prescribed or recommended by their general practitioners.

Mrs. Fyfe: To ask the Secretary of State for Scotland what provision there is within the national health service for long-term care for sufferers of Huntington's disease.

Mr. Stewart: The level of provision for sufferers of Huntington's disease will vary for each patient. In all cases the aim will be to secure the most effective package of care to meet the needs of the patients and carers alike. This can range from community health service care and support for those able to live at home to long-term hospital care.

Care in the Community

Mrs. Fyfe: To ask the Secretary of State for Scotland what assessment he has made of whether appropriate residential care will be available, for all who require it, under the care in the community legislation.

Mr. Stewart: Since April 1992, all social work authorities have been required to produce community care plans for their areas based on a local assessment of need. These plans have been examined by the Scottish Office community care implementation unit which then discusses the plans with the local authority and the health board jointly. All plans include information about the availability of residential care.

Acute Beds

Mrs. Fyfe: To ask the Secretary of State for Scotland what information he has on the impact of deprivation on the demand for acute beds in each health board area.

Mr. Stewart: There is no conclusive information available on the impact of deprivation on the demand for acute beds in Scotland.

Ambulances

Mrs. Fyfe: To ask the Secretary of State for Scotland what progress has been made on speeding up response of emergency ambulances.

Mr. Stewart: In 1991-92, 49 per cent. of emergency calls were responded to within eight minutes and 95 per cent. within 20 minutes. In 1992-93 the percentage of calls responded to within eight minutes increased to 51 per cent. and the performance within 20 minutes was maintained. This was achieved despite a 6·9 per cent. increase in the number of calls received.

Residential Care

Mrs. Fyfe: To ask the Secretary of State for Scotland whether elderly home owners who enter residential care are expected to sell their property to pay part of their care costs.

Mr. Stewart: All client groups who require public support are expected to contribute towards the cost of residential care they receive. The National Assistance (Assessment of Resources) Regulations 1992 require that the value of a permanent resident's former dwelling should be taken into account in assessing ability to pay unless it is occupied by the resident's spouse, or a relative who is aged 60 or over, or who is incapacitated. Local authorities do, however, have discretion to disregard property from the financial assessment in other circumstances where they consider it reasonable to do so.

Women Consultants

Mrs. Fyfe: To ask the Secretary of State for Scotland what action he is taking to increase the number of women medical graduates who take specialist training to become consultants.

Mr. Stewart: On 2 April the NHS in Scotland management executive announced the introduction in 1993-94 of a national scheme for part-time training and working at registrar and senior registrar level which will be available to men and women doctors and dentists. We have allocated additional funding of £350,000 to meet the cost of 25 part-time registrar and 10 part-time senior registrar posts. The scheme will be run by the Scottish Council for Postgraduate Medical and Dental Education.

NHS Employees

Mrs. Fyfe: To ask the Secretary of State for Scotland what action has been taken concerning NHS employees' continuity of employment with local authority-run community care services.

Mr. Stewart: Consideration is presently being given to responses received as a result of a consultation exercise on draft care staff transfer enabling regulations.

Crossroad Schemes

Mrs. Fyfe: To ask the Secretary of State for Scotland how many crossroad schemes funded by his Department have reported that they expect to run out of funds by 31 December.

Mr. Stewart: My Department does not fund local crossroads schemes directly and I have had no reports of

any that expect to run out of funds by 31 December. Local schemes, of which there are about 50 in Scotland, are eligible for grants from local authorities and health boards. It is for these authorities to decide whether to fund crossroads schemes or make other provision for care attendant schemes.

Unemployment

Mr. David Marshall: To ask the Secretary of State for Scotland what plans he has to reduce long-term unemployment in Glasgow; and if he will make a statement.

Mr. Stewart: The key to increased employment is a prosperous and productive economy. The Government are firmly committed to removing the barriers to economic growth and to the stimulation of economic development, through various measures including the activities of Scottish Enterprise and its network of local enterprise companies, among which is the Glasgow Development Agency.

In relation to long-term unemployed individuals, we have introduced the most comprehensive range of measures there has ever been in this country to help people back to work. The Employment Service already provides a wide range of services which contribute to two thirds of people who become unemployed leaving unemployment within six months. From the summer it will also provide community action, a new programme of voluntary work for people unemployed for more than a year. The new training for work programme operated by local enterprise companies, which began on 1 April, has the principal purpose of helping unemployed people to get jobs and is targeted on those unemployed for six months or more. This programme will be delivered in Glasgow by the Glasgow Development Agency, along with further measures announced on 16 March by my right hon. Friend the Chancellor of the Exchequer which will give long-term unemployed people a new way to gain qualifications and provide more opportunities for those seeking to start their own business.

The rate of increase in long-term unemployment in Glasgow between January 1992 and January 1993 was less than a third of that for Great Britain as a whole. The measures which I have described will further improve performance in responding to the needs of the unemployed.

Young Chronically Sick

Mrs. Fyfe: To ask the Secretary of State for Scotland what plans he has to build a hospital unit for the young chronic sick.

Mr. Stewart: None. It is for health boards as purchasers of health care to determine how best to provide for the health needs of all residents in their area.

Accident Waiting Times

Mrs. Fyfe: To ask the Secretary of State for Scotland what was the average length of waiting time at accident and emergency departments within each health board area for the latest available period.

Mr. Stewart: This information is not held centrally.

Forestry Commission

Mr. McFall: To ask the Secretary of State for Scotland, pursuant to his answer of 30 March, *Official Report*, column *150*, when he expects the inter-departmental committee of civil servants to report on the future organisation, management and ownership of the Forestry Commission.

Sir Hector Monro: I refer the hon. Member to the reply that I gave to the hon. Member for Islington, South and Finsbury (Mr. Smith) on 20 April 1993, column *89*.

Farm Woodland Premium Scheme

Mr. Maclennan: To ask the Secretary of State for Scotland what reasons underlie his decision to suspend payment of the farm woodland premium scheme in Scotland until October; and if he will make a statement.

Sir Hector Monro: The farm woodland premium scheme has been highly successful in Scotland in its first full year of operation. Although there have been more planting proposals submitted than originally expected, my Department is continuing to process new applications and the resulting payments in the normal way.

Central European Time

Mr. Maclennan: To ask the Secretary of State for Scotland what plans he has to hold consultations with people resident in the north of Scotland about the possibility of Britain moving into the central European time zone.

Lord James Douglas-Hamilton: The Government have no proposals at present for changing the existing arrangements for summertime. No changes will be made without fully taking into account the views of the public and sectoral opinion throughout Scotland.

Breast Screening

Mr. Raymond S. Robertson: To ask the Secretary of State for Scotland if he will publish a progress report on the Scottish breast screening programme; and if he will make a statement.

Mr. Lang: I have today approved the publication of a report covering the background, introduction and structure of the Scottish breast screening programme together with the 1991-92 results and a copy has been placed in the Library of the House. The report shows that:

The Scottish Breast Screening Programme is based on 3 key issues: quality, patient acceptability and continual monitoring and evaluation of the programme;

The primary target of the Programme is to reduce mortality in the screened population in Scotland by 30 per cent. overall;

Each year in Scotland approximately 2,600 new cases of breast cancer are diagnosed and a total of 1,300 women of all ages die from the disease;

Mammographic screening is but one strategy in the fight to defeat breast cancer and, by the year 2000, the Screening Programme is expected to result in about 1,650 extra years of life gained annually in Scotland; on average, each of the women in whom death from breast cancer is prevented will have an additional 15 years of life;

In 1991-92, 126,867 Scottish women were invited for screening;

The United Kingdom target for uptake of invitation is 70 per cent. and Scotland is above this with an average uptake of 72 per cent. of all women invited for screening;

0·9 per cent. of all women screened went on to have a biopsy, and 72 per cent. of these women were diagnosed with cancer; this level of diagnosis is well above the 50 per cent. target set by the United Kingdom standards;

In 1991-92, 578 cancers were detected, equalling 6·3 per 1,000 women screened; this again is well above the United Kingdom detection standard of 5 per 1,000 women screened.

The Scottish breast screening programme is an example of the increased emphasis on improving health structures set out as a goal in the patients charter. It also accords with the patients charter in seeking to provide a high-quality service and stanrdards and value for money.

Junior Doctors

Mr. Home Robertson: To ask the Secretary of State for Scotland what are the average and maximum weekly number of hours on duty and on call of junior hospital doctors in Scotland.

Mr. Stewart *[holding answer 27 April 1993]:* Information on actual hours worked by junior doctors is not held centrally. As at 30 September 1992, the latest available figures, the average number of contracted hours for junior doctors and the maximum hours contracted by any doctor were as shown in the table:

Junior hospital doctors: contracted average weekly hours of work; as at 30 September 1992[1]

Type of contract	*Number of doctors*	*Average hours contracted*			*Maximum hours contracted total*
		Basic	*Additional duty*	*Total*	
Whole time:					
Full shift	142	40	21	61	108
Partial shift	138	40	30	70	78
Rota (on call)	2,631	40	40	80	116
All whole time contracts	2,911	40	39	[3]79	116
Part time:					
Rota (on call)	28	20	26	46	n/a
Others	91	37	—	37	n/a

Notes:
Doctors contracted for full or partial shift patterns of working are not contracted for on call work.
[1] Data are provisional.
Excludes staff with honorary contracts and staff in dental specialities.
Excludes data for the Dundee Teaching Hospitals NHS Trust.
Grades included in the table are: senior registrar; registrar; senior house officer; and house officer.
[3] Includes both shift and on call additional duty hours.

Provisional information collected for the half-year to 31 March 1993 shows that only 130 junior doctors—3.9 per cent.—were contracted for more than 83 hours of duty per week.

Violence

Mr. David Marshall: To ask the Secretary of State for Scotland what plans he has to increase the levels of resources provided towards the reduction of murder and violence in Scotland; and if he will make a statement.

Lord James Douglas-Hamilton *[holding answer 26 April 1993]:* My right hon. Friend has a number of bids for additional resources under consideration.

Written Answers to Questions

Friday 30 April 1993

LORD CHANCELLOR'S DEPARTMENT

Legal Aid

Mr. Sheerman: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the extent to which the proposed changes in the legal aid system will affect disabled people on low income.

Mr. John M. Taylor: No separate assessment has been made of the effect of the changes on disabled people. The financial eligibility of any applicant for legal aid depends on his or her income and the expenses which may be allowed against it. Following the changes, disability living allowance, attendance allowance and constant attendance allowance paid as an increase to a disablement pension are disregarded when calculating disposable income for legal advice and assistance, as they are for legal aid. Applicants who are in receipt of disability working allowance qualify automatically for free advice and assistance and criminal legal aid.

Crown Courts

Mr. Sweeney: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will give, in table form, for each Crown court in England and Wales in 1971, 1981 and 1991 *(a)* the number of defendants tried *(b)* the number of defendants found guilty, *(c)* the number of defendants acquitted and *(d)* the number of defendants discharged after the trial has been halted on the orders of the judge.

Mr. John M. Taylor: Figures for individual Crown court centres are not held prior to 1986. The only figures available are those set out in tables 1 to 4. Tables 1 to 3 provide the information by circuit for the years 1976, 1981 and 1991 respectively, and table 4 for each Crown court centre in 1991.

Table 1: Crown court: Defendants dealt with by trial during 1976 by circuit

Circuit	Plea of Not Guilty to all counts			Plea of Not Guilty to some counts			
	Total	Acquitted	Convicted	Total	Acquitted	Convicted	Acquittal directed by judge
Midland and Oxford	3,257	1,481	1,776	543	210	333	428
North Eastern	3,029	1,495	1,534	236	83	153	336
Northern	3,319	1,825	1,494	248	100	148	401
South Eastern:							
London	7,065	3,341	3,724	1,014	374	640	881
Provinces	4,401	1,988	2,413	604	155	449	519
Wales and Chester	1,755	931	824	222	119	103	210
Western	2,224	1,084	1,140	655	204	451	298
England and Wales	25,050	12,145	12,905	3,522	1,245	2,227	3,073

Table 2: Crown court: Defendants dealt with by trial during 1981 by circuit

Circuit	Plea of Not Guilty to all counts			Plea of Not Guilty to some counts			
	Total	Acquitted	Convicted	Total	Acquitted	Convicted	Acquittal directed by judge
Midland and Oxford	3,750	1,607	2,143	448	170	278	413
North Eastern	2,742	1,376	1,366	193	89	104	297
Northern	3,183	1,865	1,318	283	208	75	518
South Eastern:							
London	10,439	5,477	4,962	1,352	293	1,059	1,137
Provinces	5,940	2,890	3,050	716	174	542	606
Wales and Chester	1,399	724	675	50	13	37	153
Western	2,132	866	1,266	334	68	266	208
England and Wales	29,585	14,805	14,780	3,376	1,015	2,361	3,332

Table 3: Crown court: Defendants dealt with by trial during 1991 by circuit

Circuit	Plea of Not Guilty to all counts			Plea of Not Guilty to some counts			
	Total	Acquitted	Convicted	Total	Acquitted	Convicted	Acquittal directed by judge
Midland and Oxford	4,054	2,449	1,605	607	354	253	583
North Eastern	2,743	1,480	1,263	357	183	174	397
Northern	3,134	1,841	1,293	417	58	359	419
South Eastern:							
London	8,748	5,353	3,395	641	310	331	904
Provinces	7,106	4,047	3,059	1,366	257	1,109	821
Wales and Chester	2,032	952	1,080	173	42	131	141
Western	2,716	1,638	1,078	524	75	249	444

Circuit	Plea of Not Guilty to all counts Total	Acquitted	Convicted	Plea of Not Guilty to some counts Total	Acquitted	Convicted	Acquittal directed by judge
England and Wales	30,533	17,760	12,773	4,085	1,479	2,606	3,709

Table 4: Crown court: Defendants dealt with by trial during 1991 by court and circuit

Court/Circuit	Plea of not guilty to all counts Total	Acquitted	Convicted	Plea of not guilty to some counts Total	Acquitted	Convicted	Acquittal directed by judge
MIDLAND AND OXFORD	4,054	2,449	1,605	607	354	253	583
Birmingham	732	458	274	164	128	36	186
Coventry	95	59	36	30	11	19	18
Northampton	307	153	154	46	21	25	26
Oxford	166	100	66	66	32	34	36
Peterborough	162	102	60	73	65	8	87
Warwick	192	98	94	44	36	8	38
Derby	338	218	120	10	5	5	30
Grimsby	72	33	39	30	24	6	21
Leicester	187	120	67	16	5	11	28
Lincoln	137	100	37	1	1	0	6
Nottingham	452	331	121	42	10	32	24
Dudley/Wolverhampton	494	251	243	13	2	11	27
Shrewsbury	119	58	61	15	4	11	9
Stafford	262	167	95	16	1	15	26
Stoke-on-Trent	188	120	68	13	6	7	15
Worcester	151	81	70	28	3	25	6
NORTH EASTERN	2,743	1,480	1,263	357	183	174	397
Leeds	880	386	494	44	15	29	78
Wakefield	116	83	33	9	5	4	14
Huddersfield	117	74	43	6	2	4	15
Durham	107	67	40	23	4	19	15
Newcastle	404	199	205	213	142	71	154
Teesside	328	164	164	19	7	12	36
Beverley/Kingston-upon-Hull	148	96	52	3	2	1	15
Doncaster	116	66	50	6	2	4	21
Sheffield	357	218	139	25	3	22	30
York	170	127	43	9	1	8	19
NORTHERN CIRCUIT	3,134	1,841	1,293	417	58	359	419
Liverpool	1,085	548	537	72	1	71	101
Bolton	371	224	147	6	1	5	27
Manchester	973	579	394	286	40	246	174
Burnley	123	96	27	35	13	22	20
Carlisle	149	103	46	5	1	4	21
Preston	433	291	142	13	2	11	76
SOUTH EASTERN (London)	8,748	5,353	3,395	641	310	331	904
Harrow/Acton	612	412	200	15	9	6	55
C.C.C.	974	505	469	86	34	52	98
I.L.S.H.	1,580	1,020	560	118	59	59	136
Knightsbridge	1,155	633	522	50	19	31	92
Middlesex Guildhall	812	511	301	47	16	31	68
Snaresbrook	1,888	1,116	772	163	76	87	182
Southwark	1,020	691	329	91	61	30	169
Wood Green	707	465	242	71	36	35	104
SOUTH EASTERN (Provinces)	7,106	4,047	3,059	1,366	257	1,109	821
Cambridge	113	51	62	23	4	19	13
Chelmsford	604	352	252	46	10	36	60
Ipswich	237	151	86	40	15	25	19
St. Albans	501	241	260	67	13	54	28
Luton	120	55	65	11	2	9	11
Norwich	300	191	109	27	14	13	41
Aylesbury	260	116	144	136	0	136	22
Guildford	283	174	109	89	17	72	43
Isleworth	893	520	373	298	0	298	112
Kingston-upon-Thames	779	410	369	108	2	106	38
Reading	366	212	154	224	0	224	36
Canterbury	241	136	105	33	20	13	38
Chichester	205	131	74	58	39	19	41
Croydon	1,055	643	421	82	51	31	135

Court/Circuit	Plea of not guilty to all counts: Total	Acquitted	Convicted	Plea of not guilty to some counts: Total	Acquitted	Convicted	Acquittal directed by judge
Lewes	379	240	139	63	44	19	82
Maidstone	770	424	346	61	26	35	102
WALES AND CHESTER	2,032	952	1,080	173	42	131	141
Cardiff	505	276	229	34	5	29	25
Carmarthen	50	21	29	5	1	4	4
Haverfordwest	15	10	5	1	1	0	1
Merthyr Tydfil	173	109	64	10	10	0	24
Newport	208	113	95	6	0	6	18
Swansea	508	195	313	34	15	19	25
Caernarvon	67	33	34	20	0	20	5
Chester	188	70	118	28	7	21	10
Dolgellau	7	4	3	0	0	0	1
Knutsford	54	14	40	9	0	9	1
Mold	162	61	101	13	1	12	19
Warrington	75	35	40	11	1	10	6
Welshpool	20	11	9	2	1	1	2
WESTERN	2,716	1,638	1,078	524	275	249	444
Bristol	550	307	243	133	46	87	90
Gloucester	123	71	52	2	1	1	11
Swindon	165	91	74	63	16	47	22
Barnstaple	38	20	18	10	5	5	6
Truro	91	65	26	12	10	2	13
Exeter	234	163	71	120	88	32	77
Plymouth	151	104	47	22	16	6	23
Taunton	125	77	48	17	7	10	21
Bournemouth	173	89	84	26	7	19	21
Dorchester	53	24	29	7	2	5	3
Newport (Isle of Wight)	72	52	20	10	9	1	20
Portsmouth	316	190	126	17	4	13	27
Salisbury	44	32	12	6	3	3	4
Southampton	298	170	128	8	4	4	37
Winchester	283	183	100	71	57	14	69
ENGLAND AND WALES	30,533	17,760	12,773	4,085	1,479	2,606	3,709

Mr. Sweeney: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will give for each Crown court in England and Wales in 1971, 1981 and 1991, the average time and number of court appearances for defendants sent for trial from charge to completion of proceedings.

Mr. John M. Taylor: Information on waiting times for individual Crown court centres is not available prior to 1986. The only data available are set out in tables 1 and 2. Table 1 shows, by circuit, the average waiting time in weeks between committal to the Crown court for trial and start of hearing for the years 1972, 1981 and 1991. Table 2 shows the equivalent figures for each Crown court centre in 1991. Information on the number of court appearances is not collected.

Table 1: Crown Court: Defendants committed for trial average waiting times (weeks)

Circuit	1972	1981	1991
ENGLAND AND WALES	11·2	15·7	12·6
Midland and Oxford	6·3	10·1	9·2
North Eastern	8·3	8·3	13·5
Northern	7·3	13·9	11·1
South Eastern:			
London	22·7	25·6	15·9
Provinces	8·3	20·8	14·3
Wales and Chester	9·6	10·1	8·1
Western	6·8	10·2	13·7

Table 2
Crown court: Defendants committed for trial—1991
Average waiting times (weeks)—Committals for trial

	Weeks
Midland and Oxford Circuit	9·24
Birmingham	9·78
Coventry	10·48
Northampton	9·64
Oxford	10·76
Peterborough	5·15
Warwick	6·82
Derby	9·86
Grimsby	11·11
Leicester	8·87
Lincoln	9·83
Nottingham	11·52
Dudley/Wolverhampton	7·07
Shrewsbury	11·56
Stafford	6·73
Stoke-on-Trent	8·78
Worcester	10·89
North Eastern Circuit	13·54
Leeds	15·85
Wakefield	11·69
Huddersfield	12·12
Durham	8·20
Newcastle	13·27
Teesside	12·91
Beverley/Kingston-upon-Hull	11·93
Doncaster	11·61
Sheffield	15·89
York	13·20
Northern Circuit	11·12
Liverpool	10·32

	Weeks
Bolton	13·53
Manchester	11·91
Burnley	11·43
Carlisle	14·98
Preston	9·13
South East Circuit (London)	16·05
Harrow/Acton	16·07
C.C.C.	15·47
I.L.S.H.	13·57
Knightsbridge	12·66
Middlesex Guildhall	17·60
Snaresbrook	17·56
Southwark	16·70
Wood Green	21·33
South East Circuit (Province)	14·30
Cambridge	11·34
Chelmsford	17·08
Ipswich	18·32
St. Albans	13·20
Luton	14·47
Norwich	17·34
Aylesbury	11·83
Guildford	19·09
Isleworth	9·59
Kingston-upon-Thames	12·13
Reading	12·33
Canterbury	9·90
Chichester	11·67
Croydon	15·26
Lewes	17·03
Maidstone	14·77
Wales and Chester Circuit	8·07
Cardiff	5·52
Carmarthen	8·80
Haverfordwest	6·89
Merthry Tydfil	11·60
Newport	10·63
Swansea	6·65
Caernarvon	10·37
Chester	7·99
Dolgellau	11·75
Knutsford	8·35
Mold	8·79
Warrington	11·11
Welshpool	12·06
Western Circuit	13·63
Bristol	15·26
Gloucester	13·12
Swindon	9·75
Barnstaple	11·02
Truro	9·57
Exeter	13·12
Plymouth	9·21
Taunton	11·77
Bournemouth	13·78
Dorchester	13·97
Newport (Isle of Wight)	12·66
Portsmouth	10·79
Salisbury	18·26
Southampton	16·46
Winchester	20·96
ENGLAND AND WALES	12·56

HEALTH

Older People (Health)

Ms. Lynne: To ask the Secretary of State for Health what research her Department funds into the various aspects of health and well-being in the third age.

Mr. Yeo: The Department funds a wide range of research relating to the health and social welfare of older people. In the current year, about £450,000 will be committed from the centrally commissioned programme. "Community Care—Findings from Department of Health Funded Research 1988-1992" and "Department of Health Listings of Research and Development 1991" are available in the Library.

NHS Supplies Authority

Mr. Willetts: To ask the Secretary of State for Health if she will require the National Health Service Supplies Authority to set out in its annual report covering 1992 full information on its revenues, cost structures and operating margins.

Dr. Mawhinney: The National Health Service Supplies Authority was not fully operational until October 1992 when the process of transferring staff and assets from the 14 regional supplies organisations was completed. Some operations will therefore have been covered in regional health authority accounts.

NHS supplies will publish as much financial information as possible in its annual review in June.

Mr. Willetts: To ask the Secretary of State for Health if she will make a statement on the work of the National Health Service Supplies Authority since its inception.

Mr. Boyce: To ask the Secretary of State for Health if she will make a statement on the work of the NHS Supplies Authority.

Dr. Mawhinney: The National Health Service Supplies Authority was set up to make sure the NHS gets best value for money in the goods and services it needs, and has already achieved savings in purchasing of £25 million.

NHS Supplies will publish its annual review at the end of June setting out its work and achievements since its inception.

Exempt Prescriptions

Ms Primarolo: To ask the Secretary of State for Health what was the total number of prescriptions in each of the last five years which were exempt by reason of being for *(a)* women aged 60 years or over, *(b)* men aged 65 years or over and *(c)* a pregnant woman or a woman in the first year after birth of a child.

Dr. Mawhinney: Not all the information is available centrally. Available data are in the table.

Numbers [millions] of prescribed items dispensed by community pharmacists and appliance contractors to men aged 65 and over and women aged 60 and over, and to people holding exemption certificates issued by family health services authorities in each year 1988 to 1992.

Year	Men aged 65 and over and women aged 60 and over	FHSA exempt
1988	142·6	21·0
1989	147·3	22·4
1990	153·5	23·5
1991	159·7	24·4
1992	167·8	25·5

Notes:
1. The analysis is based on a 1 in 20 sample of all prescriptions submitted to the PPA by community pharmacists and appliance contractors. Dispensing doctor and personal administration prescriptions are not analysed into exempt, charge remitted and charge paid categories.
2. 1987 to 1990 data are based on number of dispensing fees. From 1991, data are based on numbers of items.
3. People covered by FHSA exemption certificates are pregnant women, women in the first year after the birth of a child and men and women with one or more of the medical conditions which confer entitlement to free prescriptions.

Sodium Hexacyanoferrate

Mr. Gapes: To ask the Secretary of State for Health what assessment she has made of the toxicity of sodium hexacyanoferrate; and what regulations govern its use.

Mr. Sackville: The use of sodium hexacyanoferrate as a food additive is permitted under the Miscellaneous Additives in Food Regulations 1980 (as amended). It is used as an anti-caking agent in table salt. The Government are advised on the safety-in-use of food additives by the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment. It reviewed the food additive use of sodium hexacyanoferrate in 1988. The committee confirmed that sodium hexacyanoferrate was provisionally acceptable for use in food but requested that data be provided from further specified studies. These studies will be reviewed by the committee as soon as all data are submitted.

Care Homes

Mr. Kevin Hughes: To ask the Secretary of State for Health what financial arrangements have been put in place by Her Department to purchase alternative provision for elderly clients with reserved rights in care homes which cease trading.

Mr. Yeo: People with reserved rights continue to be eligible for income support after a care home in which they are living ceases trading.

Supraregional Services Advisory Group

Mr. Terry Davis: To ask the Secretary of State for Health whether she will list the members of the supraregional services advisory group.

Mr. Sackville: The members of the supraregional services advisory group are:

Chairman
Sir Michael Carlisle, RHA chairman, Trent RHA

Dr. W. J. Appleyard, consultant paediatrician (representative of the joint consultative committee)
Professor N. Browse, president, Royal College of Surgeons
Dr. M. Green, director, British Postgraduate Medical Federation (representing the special health authorities)
Professor J. B. L. Howell, district health authority chairman, Southampton and South West Hampshire health authority
Dr. N. F. Jones, joint consultants committee and the Royal College of Physicians
Dr. W. E. Kearns, chief medical officer, North East Thames RHA
Mr. P. Kemp, director of resources, East Anglian RHA
Mrs. H. Kent, regional nursing officer, Northern RHA
Mr. A. P. J. Ross, chairman of the joint consultants committee
Professor D. A. Shaw, CBE, formerly dean of medicine, Newcastle-upon-Tyne (representing medical academic interests)
Mr. C. Spry, regional general manager, South West Thames RHA
Mr. L. Wright, director of finance, Yorkshire RHA

Wessex RHA

Mr. Denham: To ask the Secretary of State for Health, what reports were submitted to her Department by Department of Health auditors, by auditors appointed by the Department, by the district auditor or by auditors appointed by the Audit Commission, regarding Wessex regional health authority, in each year since 1984; and, in each case, what was the subject of the report, the date received, and whether it was a public or confidential report.

Mr. Sackville *[pursuant to his reply 30 March 1993, columns 185-88]:* I regret that there was an error in my previous reply.

The report by the Department of Health statutory auditor entitled "Report in Confidence to the Secretary of State on the audit of the accounts of Wessex regional health authority for the year ended 31 March 1988" was sent to the Department on 2 November 1988, and not in November 1987.

Research and Development

Mr. Blunkett: To ask the Secretary of State for Health what were the total running costs of her Department's research and development division for each of the past five years.

Dr. Mawhinney *[holding answer 23 April 1993]:* The estimated costs, at 1992-93 pay and price levels, were:

Research and development division total running costs—Manpower and Non-Manpower

	£ million
1988-89	1·14
1989-90	1·19
1990-91	1·21
1991-92	1·75
1992-93	2·10

EDUCATION

National Curriculum Testing

Dr. Spink: To ask the Secretary of State for Education what action he is taking to ensure that the programme of testing at all stages, seven, 11 and 14 years and in all subjects, will be implemented; and if he will make a statement.

Mr. Forth: My right hon. Friend has made it clear that the test for seven-year-olds and for 14-year-olds will be going ahead this year as planned. It is the statutory duty of head teachers to implement them and the contractual duty of school teachers to carry them out.

In response to the genuine concerns of some teachers, my right hon. Friend has asked Sir Ron Dearing to review the national curriculum and assessment framework with the aim of simplifying it while retaining the key features of clear teaching objectives and regular tests. Early results from that review will inform the arrangements for testing in 1994. I look to all teachers to carry out the tests this year for the benefit of their pupils and in order to provide evidence for the review which Sir Ron Dearing is conducting.

Mr. Wigley: To ask the Secretary of State for Education what plans he has to meet the National Association of Schoolmasters/Union of Women Teachers to discuss proposals for national curriculum testing and assessment arrangements.

Mr. Forth: None. The NASUWT should make its views known to Sir Ron Dearing, the chairman designate of the School Curriculum and Assessment Authority, who is conducting a review of the national curriculum and assessment.

School Places

Sir Thomas Arnold: To ask the Secretary of State for Education if he will list the number of surplus school places for each borough in *(a)* Greater Manchester and *(b)* London.

Mr. Forth: The following figures derive from a survey of school capacity carried out by the Department in 1991. They were calculated by comparing the capacity derived from the more open enrolment formula with the number of pupils on roll at each school.

	Primary Surplus places	*Secondary Surplus places*
Greater Manchester		
Bolton	1,602	1,612
Bury	0	1,013
Manchester	7,617	13,350
Oldham	1,319	1,692
Rochdale	3,029	[1]—
Salford	4,185	3,711
Stockport	3,357	3,474
Tameside	968	1,854
Trafford	1,878	2,955
Wigan	7,811	4,025
Inner London		
City	21	[2]—
Camden	972	1,148
Greenwich	3,026	3,756
Hackney	3,019	[1]—
Hammersmith	2,981	3,925
Islington	4,436	1,715
Kensington	1,090	1,046
Lambeth	4,479	3,852
Lewisham	1,609	3,223
Southwark	7,484	3,837
Tower Hamlets	2,864	1,051
Wandsworth	9,228	3,908
Westminster	886	578
Outer London		
Barking	1,368	717
Barnet	1,463	983
Bexley	2,914	3,436
Brent	6,832	4,480
Bromley	2,259	1,309
Croydon	3,389	3,149
Ealing	3,016	3,533
Enfield	765	3,976
Haringey	[1]—	[1]—
Harrow	888	466
Havering	1,971	3,229
Hillingdon	3,635	3,693
Hounslow	1,226	2,598
Kingston	485	1,117
Merton	1,637	2,311
Newham	4,587	3,899
Redbridge	796	695
Richmond	1,845	643
Sutton	1,386	513
Waltham Forest	1,445	2,706

[1] Data not provided
[2] No Secondary schools

Rising and shifting populations and changes in school capacity mean that the surplus place levels in individual LEAs may have changed since the survey was done. We are currently consulting LEAs on the scope for surplus place removal in their areas. In the case of some LEAs the 1991 figures are subject to revision in the light of amendments subsequently provided by the LEA.

Mr. Mills: To ask the Secretary of State for Education what assessment he has made of the effect of the Greenwich judgment on the limitation of places for pupils from Marston Green who wish to study in the Heart of England school at Balsall Common, in Solihull, caused by pressure from pupils living in Birmingham and Coventry.

Mr. Forth: The effect of the Greenwich judgment is to enhance parental choice by removing restrictions on school admissions based on LEA administrative boundaries. The Government have no plans to introduce legislation to reverse the judgment.

New Universities

Mr. Don Foster: To ask the Secretary of State for Education what are the numbers of postgraduate students *(a)* studying for taught courses and *(b)* studying for research degrees in each of the new universities.

Mr. Boswell: The table shows the numbers of post-graduate students studying for doctorates, masters degrees and other postgraduate qualifications in each of the new universities.

	Student Numbers		*1991*
	Doctorates	*Masters*	*OTH PG*
London Guildhall University	27	381	122
University of Greenwich	60	553	835
University of North London	90	352	156
South Bank University	158	1,489	632
University of Westminster	48	894	1,196
University of East London	—	856	392
Middlesex University	42	1,017	300
Thames Valley University	—	379	974
Kingston University	84	891	592
University of Central England Birmingham	29	805	879
Coventry University	151	445	64
University of Wolverhampton	49	621	594
Liverpool John Moores University	109	165	369

	Student Numbers Doctorates	Masters	1991 OTH PG
Manchester Metropolitan University	129	823	1,390
Sheffield Hallam University	62	1,230	937
University of Huddersfield	29	329	266
Leeds Metropolitan University	21	731	606
University of Northumbria at Newcastle	12	511	498
University of Sunderland	40	412	185
University of West of England Bristol	107	684	894
University of Teesside	25	330	240
University of Derby	5	168	501
University of Plymouth	—	424	525
Bournemouth University	18	159	312
University of Brighton	8	367	385
Anglia Polytechnic University	—	204	267
University of Portsmouth	75	693	146
University of Hertfordshire	93	592	528
University of Humberside	19	113	294
University of Central Lancashire	23	269	256
De Montfort University	141	484	367
Nottingham Trent University	49	484	285
Oxford Brookes University	—	511	822
Staffordshire University	52	243	531
Total	1,706	18,125	17,105

Teachers' Pensions Agency

Mr. Pawsey: To ask the Secretary of State for Education what key performance targets he has set the Teachers' Pensions Agency for 1993-94.

Mr. Patten: I have set the following key performance targets for the Teachers' Pensions Agency for 1993-94 which cover its main activities and focus on the principles of improving the quality of public services:

(a) To take the necessary steps to enable the agency to publish audited, commercial-style accounts for 1993-94;
(b) To achieve an improvement in efficiency in the use of running costs resources directly administered by the agency of at least 2 per cent.;
(c) To review the existing systems for verification of contributions received from employers and to produce an action plan for implementing improved arrangements;
(d) To provide a substantive answer to 95 per cent. of written enquiries within 15 working days;
(e) To process 96 per cent. of the applications for retirement awards by the payable date or, if later, then within 30 days of receipt of the application; and
(f) To meet agreed accuracy targets for pensions-related calculations.

ENVIRONMENT

Urban Development Corporations

Mr. Barry Field: To ask the Secretary of State for the Environment what is the 1993-94 budget for urban development corporations; and if he will make a statement.

Mr. Squire: The 1993-94 budget for UDCs has now been finalised at £291·8 million. The table shows the allocation between UDCs.

UDC 1993-94 Budgets	Budget 1993-94 £ million
London Docklands	96·40
Merseyside	21·50
Black Country	[1]50·55
Birmingham Heartlands	5·00
Trafford park	30·60
Teeside	36·00
Tyne and Wear	37·50
Leeds	4·00
Sheffield	12·00
Central Manchester	6·50
Bristol	9·30
Plymouth	[2]7·00

[1] Includes £19·55 million from DOT
[2] Includes £5 million from MOD
In addition Birmingham Heartlands are to receive £4 million for the acquisition of 42 acres of land at the Leyland DAF site.

Carbon Dioxide Programme

Lady Olga Maitland: To ask the Secretary of State for the Environment how he has updated the discussion document on the United Kingdom's carbon dioxide programme, in the light of recent announcements made in the Budget.

Mr. Howard: I have today placed copies in the Library of an addendum summarising developments relevant to the carbon dioxide programme since the publication of the discussion document in December 1992.

TRANSPORT

Bus Services

Mr. Peter Bottomley: To ask the Secretary of State for Transport what procedure he will follow to consult passengers' representatives on bus services after privatisation and deregulation.

Mr. Norris: Current procedures for consulting the London regional passengers' committee (LRPC) will continue after the privatisation of the subsidiaries of London Buses Ltd. and until bus services in London are deregulated. Deregulation will enable bus operators to respond more flexibly to meet passengers' requirements, with competition safeguarding passengers' interests. It is therefore intended that on deregulation LRPC's statutory involvement with bus services in London will cease, in line with the position of other transport consumer groups outside London.

London Taxis

Mr. Bendall: To ask the Secretary of State for Transport if he will make a statement outlining the meaning of two-tier licensing for London's taxis as referred to in the oral statement by the Parliamentary Under-Secretary of State, the hon. Member for Epping Forest (Mr. Norris), on 26 March, *Official Report*, column *1410*.

Mr. Norris: By "two-tier licensing" (*Official Report*, 26 March, column *1410*) was meant the system which currently exists outside London whereby hackney carriage vehicles and drivers are licensed to ply for hire in the streets

and at ranks; and private hire vehicles, drivers and operators are licensed to undertake pre-booked hirings only.

Executive Agencies

Mrs. Gillan: To ask the Secretary of State for Transport what targets he has set for the executive agencies in his Department.

Mr. Kenneth Carlisle: My right hon. Friend has set the following key targets for 1993-94 for the six Department of Transport executive agencies. Management objectives and performance indicators, where appropriate to the agency's business, are contained in the agencies' business plans; copies of which will be placed in the Library, with the following exceptions: the vehicle inspectorate (whose plan has been held over during work on the future status of the inspectorate, but which will be available shortly); DVOIT, and the Transport Research Laboratory, both of whose plans are commercial in confidence and will not be published.

The Driver and Vehicle Licensing Agency's key targets are to meet, or better, an overall efficiency improvement of 2·5 per cent.; deliver 95 per cent. of ordinary driver licence cases to customers within 13 working days of receipt, not to exceed 15 working days in any month, and deliver medical cases within 25 working days of receipt; deliver 95 per cent. of vocational licence cases within 11 working days of receipt, not to exceed 13 working days in any month, and deliver medical cases within 35 working days of receipt; deliver 95 per cent. of first provisional licence cases within 12 working days of receipt, not to exceed 14 working days in any month; deliver 95 per cent. of changes to vehicle registration documents to customers within 13 working days of receipt, not to exceed 15 working days in any month; deliver 95 per cent. of registration documents for new vehicles to customers within 15 working days of receipt, not to exceed 20 working days in any month; answer 80 per cent. of telephone inquiries within 30 seconds; deliver answers to 90 per cent. of written inquiries within eight working days of receipt; complete successfully 445,000 VED enforcement cases by imposition of penalties.

The Driving Standards Agency's key targets are to achieve, or better, unit costs of £24·06 for car tests; £56·01 for bus, coach and lorry tests; and £37·40 for overall approved driving instructor register activities; cover full costs with income from customers; achieve a national average waiting time of no more than six weeks for car tests and no more than four weeks for motorcycle, bus, coach and lorry tests; and answer 90 per cent. of telephone calls to booking offices within one minute.

DVOIT's key targets are to fulfil service level agreements with its customers; achieve, across the customer base, an average assessment by customers which is at least satisfactory as measured in the customer satisfaction survey; balance business costs with income; constrain prices for existing tariffed services within an RPI minus 5 per cent. ceiling; achieve a return on investment of 6 per cent. for business with Government customers and 8 per cent. for others; provide the necessary inputs to the privatisation process within the timetable approved by the privatisation project group.

The Transport Research Laboratory's key targets are to cover full costs with income from customers while meeting the net control total in supply estimates; achieve a minimum net revenue per person year of £45,000; ensure direct fee earning costs as a percentage of total operating costs are greater than 55 per cent.; achieve average staff utilisation in research resource centres of at least 1,300 hours per year on direct fee-earning work; and 90 per cent. of project outputs to be assessed by customers as good or very good.

The Vehicle Certification Agency's key targets are to achieve, or better, a unit cost of £87·38; cover full costs with income from customers while keeping within the net control total in supply estimates; technically clear and issue approval certificates within nine days on average for 90 per cent. of system and component approvals, and within 20 days on average for 90 per cent. of whole vehicle approvals.

The vehicle inspectorate trading fund's key targets are to make a gross efficiency improvement of 5 per cent. as measured by the agency's aggregate cost efficiency index; break even while achieving a 6 per cent. return on capital employed; achieve an HGV/PSV test error rate of less than 0·47 per cent.; achieve an HGV/PSV test exemption rate of less than 0·01 per cent., achieved an average turnaround time of 1·4 days on MOT documentation, produce 95 per cent. of interim or completed traffic enforcement operator licence reports for traffic commissioners within four weeks, except in specific cases where a different deadline has been agreed.

Research Spending

Mr. Day: To ask the President of the Board of Trade what was the United Kingdom's research spending from 1980 to 1990 as a percentage of gross domestic product; and what were the corresponding figures for the EC average and for the USA and Japan.

Mr. Leigh: The available data are as follows:

Gross Domestic Expenditure on R&D (GERD) as a percentage of GDP

	UK —	*EC average* —	*USA* —	*Japan* —
1980	—	—	2·39	2·00
1981	2·41	1·73	2·45	2·13
1982	—	1·77	2·62	2·22
1983	2·25	1·78	2·71	2·35
1984	—	1·81	2·78	2·43
1985	2·31	1·91	2·93	2·58
1986	2·34	1·93	2·91	2·56
1987	2·25	1·97	2·87	2·63
1988	2·23	1·97	2·83	2·67
1989	2·27	2·00	2·82	2·80
1990	2·21	2·01	2·80	2·88

Source: OECD Main Science and Technology Indicators.

Vehicle Imports

Mr. Nicholas Winterton: To ask the President of the Board of Trade what tariff or other barriers are imposed upon imports of four-wheel drive motor vehicles from the United States of America; and if he will make a statement.

Mr. Heseltine: Imports into the United Kingdom of four-wheel drive motor vehicles from the United States of America are subject only to the European Community's common external tariff.

"The Observer"

Mr. Nigel Evans: To ask the President of the Board of Trade if he will make a statement on the proposed sale of *The Observer*.

Mr. Heseltine: Lonrho announced on 29 April that it has received an offer from *The Guardian and Manchester Evening News* (GMEN) for *The Observer* which it found acceptable and upon which it had undertaken to consult the board of *The Observer*. A transfer of *The Observer* to GMEN would require my consent under provisions of the Fair Trading Act relating to newspaper mergers. I have not so far received any application for consent. Under the newspaper merger provisions of the Fair Trading Act I would need to refer a transfer to GMEN to the Monopolies and Mergers Commission unless I was satisfied that the paper was not economic as a going concern and, if the paper was to continue, the case was one of urgency. I could not reach a view on this until I had been able to study the terms of any application.

Scotland-Ireland Gas Interconnector

Mr. Nigel Evans: To ask the President of the Board of Trade what progress has been made by Her Majesty's Government in negotiating a treaty to cover the intended gas interconnector linking Scotland with Ireland.

Mr. Heseltine: I am pleased to inform the House that my right hon. Friend the Foreign Secretary has today signed in Dublin a treaty with the Irish Government to cover the gas interconnector. The treaty will ensure the effective regulation of a pipeline which crosses international boundaries. It will set out matters of jurisdiction and provide for consultation and the exchange of information between the two Governments including a forum in which issues over the pipeline can be discussed. It will also provide for guaranteed access for links to Northern Ireland and the Isle of Man.

This is good news for both our countries. By facilitating a link in the European infrastructure, the treaty takes us further down the road to a single market in energy. The United Kingdom has been in the forefront of liberalising energy markets and I shall continue to press hard in that direction. This is also good news for Northern Ireland and the Isle of Man since the treaty provides specific guarantees on access which they can take up.

Construction of the pipeline has also brought more immediate benefit to the United Kingdom with contracts worth over £100 million being awarded to United Kingdom firms. The existence of an interconnector has the potential to create trading opportunities from which both countries can benefit. We have already seen National Power stepping in to strike an innovative deal to provide standby supplies to the Republic over the next five years.

In due course, the treaty will be laid before the House. But in the meantime I will place a copy of the treaty in the Library.

Shipbuilding Intervention Fund

Dr. Godman: To ask the President of the Board of Trade how much money has been paid to United Kingdom shipyards by way of the European Community directive on the shipbuilding intervention fund, in respect of the construction of merchant vessels, in each of the past five years.

Mr. Sainsbury *[holding answer 29 April 1993]*: Payment from the shipbuilding intervention fund in each of the past five years was as follows. The figures exclude payment made to shipbuilders in Northern Ireland.

Year	*£ million*
1988-89	38·7
1989-90	37·5
1990-91	28·7
1991-92	31·1
1992-93	20·4

Hazardous Waste Shipments

Mr. Dalyell: To ask the President of the Board of Trade if he will place in the Library a copy of his letter of 31 March to the hon. Member for Linlithgow on the subject of hazardous waste shipments from industrialised countries to developing countries.

Mr. Eggar *[holding answer 15 April 1993]*: I have today instructed my officials to place a copy of the letter identified by the hon. Member in the Library as requested.

DUCHY OF LANCASTER

Equal Opportunities

Mr. Janner: To ask the Chancellor of the Duchy of Lancaster how many and what percentage of officers in each grade from 1 to 7 and overall in the Duchy of Lancaster and in the Office of Public Service and Science are *(a)* women, *(b)* from ethnic minorities and *(c)* disabled people.

Mr. Waldegrave *[pursuant to his reply 14 April 1993, columns 535-36]*: Some of the figures quoted in the answer have been found to be incorrect. The correct information is as follows:

Grade (and equivalents)	*Women*	*Total*	*Percentage Women*
1	0	3	0
2	2	17	12
3	2	24	8
4	0	3	0
5	16	62	26
6	21	64	33
7	61	265	23
Overall	1,287	2,495	52

The ethnic monitoring programme was carried out on a voluntary basis and did not extend to the Cabinet Office's agencies. Of those who responded, 62 people chose to register as non-white. One of these people is at grade 7 level.

The Cabinet Office's figures on staff with disabilities include only those who have chosen to register as disabled. Twenty-eight people are so registered. None is at grade 7 level or above. The Cabinet Office employs other staff with disabilities who have chosen not to register.

NORTHERN IRELAND

Explosives

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what arms or explosive finds have been made on Church property in Northern Ireland during the past three years.

Mr. Mates: The information is not readily available and could be obtained only at disproportionate cost.

Terrorism

Mr. McNamara: To ask the Secretary of State for Northern Ireland whether he has referred his consultative paper "Terrorist Exploitation of the Construction Industry in Northern Ireland", to the Fair Employment Commission and the Equal Opportunities Commission for their observations.

Mr. Mates: I refer the hon. Member to the answer I gave him on 26 April at col *271*.

NATIONAL HERITAGE

Listed Buildings

Mrs. Anne Campbell: To ask the Secretary of State for National Heritage what proposals are being considered in public consultations on English Heritage's forward strategy which would involve a change in current responsibilities for grade 2 buildings outside London.

Mr. Brooke: No change is proposed in current responsibilities for grade II listed building casework outside London.

Television Licences (Pensioners)

Mr. Callaghan: To ask the Secretary of State for National Heritage what plans he has to meet representatives from pensioners' groups to discuss the cost of television licences for old age pensioners.

Mr. Brooke: I have no plans to meet representations from pensioners' groups, though we have sent a copy of the consultaton document about the future of the BBC, which asks questions about the television licence fee, to four organisations representing the elderly. I am well aware of the view amongst many pensioners that they should be entitled to free or reduced rate television licences. The Government have made clear on many occasions that it is wholly opposed to this idea: not only would giving free licences to pensioners impose an extra cost of at least £500 million a year on other licence payers, but it would also be wrong in principle, benefiting many people of pensionable age who are well able to pay the full fee.

HOME DEPARTMENT

Prisons (Sexual Assaults)

Mr. Corbyn: To ask the Secretary of State for the Home Department what specialist counselling services are available to prisoners who have been the victims of sexual assaults; and how many prisoners have been counselled for these matters in each of the last five years.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from I. Dunbar to Mr. Jeremy Corbyn, dated 30 April 1993:

In the absence of Mr. Lewis, the director general, from the office, the Home Secretary has asked me to reply to your recent Question about specialist counselling services to prisoners who have been the victim of a sexual assault.

Governors are able to call upon relevant specialists, including health care staff, psychologists, probation officers and chaplains, to assist in providing treatment, care and support to the victims of violent and traumatic incidents, including those involving sexual assault.

I regret that the statistical information requested is not collected.

Mr. Corbyn: To ask the Secretary of State for the Home Department if he will give the number of sexual assaults reported by prisoners *(a)* by other prisoners and *(b)* by police or prison staff in each of the last five years.

Mr. Peter Lloyd: The information requested is not collected centrally and could be obtained only at disproportionate cost.

Prison Escort Services

Ms Mowlam: To ask the Secretary of State for the Home Department what criteria were used to assess the suitability of the tenderers for the performance of prison escort services.

Mr. Peter Lloyd: Responsibility for this matter had been delegated to the director general of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from I. Dunbar to Ms Marjorie Mowlam, dated 30 April 1993:

Court Escort Service

In the temporary absence of Mr. Lewis, the Director General, from the office, the Home Secretary has asked me to write to you in reply to your recent Parliamentary Question about the criteria used to assesss the suitability of the tenderers for the performance of prison escort services.

When awarding the contract for court escorting in the East Midlands and Humberside the main criteria considered by the tender panel were:

- The company track record and the support of the parent company or group for the contract;
- The company's grasp of the task being tendered;
- Ability to recruit, train and retain staff of suitable calibre;
- The adequacy of staffing levels and efficient use of staff;
- The number, capacity and configuration of vehicles the company proposed to use;
- Proposed routes;
- Management information systems;
- Price.

Mr. McAllion: To ask the Secretary of State for the Home Department what penalty clauses form part of the contract with Group 4 for the court escort service in the east midlands area; and whether these penalty clauses have been activated as a result of recent events.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from I. Dunbar to Mr. John McAllion, dated 30 April 1993:

In the temporary absence of Mr. Lewis, the Director General, from the office, the Home Secretary has asked me to reply to your recent Parliamentary Question about penalty clauses in the contract with Group 4 Court Services Ltd for the provision of the court escort service in the East Midlands and Humberside.

The contract with Group 4 contains mechanisms which allow adjustments to payments to be made in the event of circumstances occurring which fall outside the terms of the contract. Where a material failure is caused by circumstances within the contractor's control and is not corrected within 20 days of it being brought to his attention, the Prison Service may terminate the contract.

We are continuing to monitor Group 4's performance and have yet to decide whether it would be appropriate to apply any of the available contractual remedies.

Ms Mowlam: To ask the Secretary of State for the Home Department how many bids were considered for the contract for the prison escort service awarded to Group 4 Security Services; and if he will publish *(a)* the names of the companies that bid for the prison escort service contract awarded to Group 4 Securities and *(b)* the cost level of each company's bid.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from I. Dunbar to Ms Marjorie Mowlam, dated 30 April 1993:

Prison Escort Service

In the temporary absence of Mr. Lewis, the Director General, from the office, the Home Secretary has asked me to write to you in reply to your recent Parliamentary Question about bids for the contract for the prison escort service awarded to Group 4 Security Services.

Six tenders were received for the court escort contract for the East Midlands and Humberside. The tenderers were: Reliance; Burns; Group 4 Court Escort Service Limited; Wackenhut; Securiguard and Securicor. It is normal commercial practice not to reveal tender prices.

Her Majesty's Prison Manchester

Mr. Blair: To ask the Secretary of State for the Home Department (1) what steps are being taken to ensure that Mr. C. D. Sherwood will be unable to use information relating to bids for the contract to manage Her Majesty's prison Manchester when advising Mancare regarding rebidding on costs;

(2) when Mr. C. D. Sherwood's immediate superiors became aware that he had been approached by Mancare regarding possible employment; and when Mr. Sherwood was recruited by Mancare;

(3) what role Mr. C. D. Sherwood had in assessing bids for the contract to manage Her Majesty's prison Manchester.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the director general of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Mr. I. Dunbar to Mr. Tony Blair, dated 30 April 1993:

In the temporary absence of Mr. Lewis, the Director General, from the office, the Home Secretary has asked me to reply to your recent Questions about a member of staff who has reported an offer of outside employment by one of the companies involved in the bidding for the management of HM Prison Manchester.

Mr. Sherwood informed his immediate manager in the Remands Contracts Unit on 7 April that he had been sounded out about the possibility of employment in the private sector and that he wished to hold open the possibility of seeking approval for such a move at a later stage. Given the circumstances, he left the Unit that day. His departure took place 6 days before the tenders for the management of HM Prison Manchester were opened, which took place after 12 noon on 13 April under the sealed bid procedure. Mr. Sherwood has therefore had no access to our role in assessing bids for the contract.

Mr. Sherwood is still employed by the Prison Service. Were he to submit a formal application for permission to take up an outside posting with the company in question or any other organisation, it would be considered in the normal way under the Business Appointment Rules. This includes seeking the views of competitors, with a view to determining what conditions might need to be imposed on the taking up of the appointment.

Minicabs

Mr. Bendall: To ask the Secretary of State for the Home Department (1) how many incidents of assault, or attempted assault, on minicab passengers by their drivers in *(a)* London and *(b)* other metropolitan areas have been reported since 1985;

(2) how many incidents of assault, or attempted assault, on minicab drivers by their passengers in *(a)* London and *(b)* other metropolitan areas have been reported since 1985;

(3) how many minicab drivers were found guilty of assaulting their passengers in *(a)* London and *(b)* other metropolitan areas in 1991-92.

Mr. Jack: I am sorry not to be able to respond to the hon. Member's request as the information required is not collected centrally.

Yugoslavia

Mr. Madden: To ask the Secretary of State for the Home Department how much money, and from which departmental budgets, has been allocated to support those from the former Yugoslavia in the United Kingdom; what support services are being provided and funded by his Department; and if he will list the names of voluntary organisations who are supporting those from the former Yugoslavia in the United Kingdom.

Mr. Charles Wardle: The Department of the Environment has set aside £80,000 for those local authorities worst affected by the influx of displaced persons from the former Yugoslavia in 1992-93.

The Home Office is funding the Refugee Council, the Scottish Refugee Council and the British Red Cross. No specific sums have been allocated because the rate of arrival in this country cannot be predicted, but about £550,000 has been paid to date in grant aid.

The following organisations are funded by the Home Office to provide support to all refugees and asylum seekers including those from former Yugoslavia:

Refugee Council
Refugee Arrivals Project
Scottish Refugee Council
Northern Refugee Centre
Midlands Refugee Council

Information is not available on those organisations which on their own initiative brought groups of former Yugoslavs to the United Kingdom during last year.

Mr. Madden: To ask the Secretary of State for the Home Department how many ex-detainees and their dependants from Yugoslavia have, to date, arrived in the United Kingdom under the terms of his statements to the House of 5 November 1992, *Official Report*, column 424, and 30 November 1992, *Official Report*, column 30.

Mr. Charles Wardle: As at 28 April 1993, a total of 209 ex-detainees and 313 dependants had arrived. A further group, due to include about 100 people in all, arrived on 29 April.

Bangladeshi Population

Ms Ruddock: To ask the Secretary of State for the Home Department what steps have been taken to implement the recommendations of the first report from the Home Affairs Select Committee of Session 1986-87 (HC 96), to help improve living and working conditions for the Bangladeshi population in Britain; and if he will make a statement.

Mr. Peter Lloyd *[holding answer 19 April 1993]:* The Government's initial response to the Select Committee report was contained in a 1987 White Paper which detailed the work that was being done by various Government Departments to implement the report's recommendations. Since then further progress has been made and I am writing to the hon. Member with further details. A copy will be placed in the Libraries of both Houses.

Nuclear Materials

Mr. Llew Smith: To ask the Secretary of State for the Home Department what facilities his Department has to assist police forces to make forensic analysis of substances believed to be nuclear materials, apprehended by British police investigators.

Mr. Aitken: I have been asked to reply. My Department has facilities for identification of the nuclear materials present in suspect packages and also for measurement of their radioactive content. These facilities are made available to the Home Department and police forces where appropriate.

OVERSEAS DEVELOPMENT ADMINISTRATION

Sustainable Development

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what additional resources and additional appointments he plans to make available to support the Overseas Development Administration's involvement with the United Nations Sustainable Development Commission; which resolution of the United Nations General Assembly established the Commission; how the United Kingdom voted on the resolution; and if he will make a statement on its implementation to date.

Mr. Lennox-Boyd: The Overseas Development Administration works closely with the diplomatic wing of the Foreign and Commonwealth Office and with the Department of the Environment on the United Nations Commission on Sustainable Development (CSD). The additional work involved for ODA has been absorbed within existing resources.

The CSD was formally established by the United Nations Economic and Social Council at its organisational session in February this year, as requested by the United Nations General Assembly in its resolution 47/191 of 22 December 1992. This resolution was adopted by consensus. The CSD held its first organisational session in February. Its first substantive session will be held from 14 to 25 June 1993 in New York.

Tuberculosis

Mr. Corbett: To ask the Secretary of State for Foreign and Commonwealth Affairs what contribution his Department is making to the World Health Organisation tuberculosis prevention programme.

Mr. Lennox-Boyd: The Overseas Development Administration does not currently fund the World Health Organisation tuberculosis programme.

PRIME MINISTER

Exchange Rate Mechanism

Mr. Austin Mitchell: To ask the Prime Minister what research studies he has commissioned into how fault lines in the ERM can be corrected; and what action he has initiated since September 1992 to correct them.

The Prime Minister: The European Council in Birmingham endorsed the view of Economic and Finance Ministers that the financial turbulence of last September called for reflection and analysis in the light of developments in capital markets and in the European and world monetary systems. This work is currently being carried forward.

Jabal Hamrayn, Iraq

Mr. Llew Smith: To ask the Prime Minister what information Her Majesty's Government have concerning military activities at the Jabal Hamrayn site in Iraq.

The Prime Minister: Jabal Hamrin was the site where Iraq built one of its "superguns". The gun was destroyed under United Nations supervision in 1991. There is currently no military activity at the site.

Equal Opportunities

Mr. Janner: To ask the Prime Minister how many and what percentage of officers in each grade from 1 to 7 and overall in the Cabinet Office are *(a)* women, *(b)* from ethnic minorities and *(c)* disabled people.

The Prime Minister *[pursuant to his reply 29 March 1993, column 45]:* I regret that some of the figures quoted have been found to be incorrect. The correct information is as follows.

The figures for women employed in the Cabinet Office, including its executive agencies, are as follows:

Grade (and equivalents)	Women	Total	Per cent. Women
1	0	3	0
2	2	17	12
3	2	24	8
4	0	3	0
5	16	62	26
6	21	64	33
7	61	265	23
Overall	1,287	2,495	52

The ethnic monitoring programme was carried out on a voluntary basis and did not extend to the Cabinet Office's agencies. Of those who responded, 62 people chose to register as non-white. One of these is at grade 7 level.

The Cabinet Office's figures on staff with disabilities include only those who have chosen to register as disabled. Twenty-eight people are so registered. None is at grade 7 or above. The Cabinet Office employs other staff with disabilities who have chosen not to register.

EMPLOYMENT

Earnings

Mr. McLeish: To ask the Secretary of State for Employment (1) if she will show for 1992 the percentage and number of part-time women employees earning less than £3 per hour, £3·50 per hour, £3·80 per hour, £4 per hour, £5·20 per hour and £5·40 per hour for *(a)* manual, *(b)* non-manual and *(c)* all women in each of (i) Scotland, (ii) each region of Scotland, (iii) Great Britain and (iv) the standard regions;

(2) if she will list for part-time women employees *(a)* average gross weekly earnings, *(b)* average weekly hours total and overtime hours and *(c)* average gross hourly earnings for (i) manual, (ii) non-manual and (iii) all part-time women workers in Great Britain and the standard regions, Scotland and the regions of Scotland in 1992;

(3) if she will give for male employees *(a)* average gross weekly earnings, *(b)* average weekly hours total and overtime hours and *(c)* average gross hourly earnings for (i) manual, (ii) non-manual and (iii) all male employees in Great Britain and the standard regions, Scotland and the regions of Scotland in 1992;

(4) if she will give for women employees *(a)* average gross weekly earnings, *(b)* average weekly hours total and overtime hours and *(c)* average gross hourly earnings for (i) manual, (ii) non-manual and (iii) all women employees in each of Great Britain and the standard regions, Scotland and the regions of Scotland in 1992;

(5) if she will give for 1992 the percentage and number of female employees, part time and full time, earning less than *(a)* £3 per hour, *(b)* £3·50 per hour, *(c)* £3·80 per hour, *(d)* £4 per hour, *(e)* £5·20 per hour and *(f)* £5·40 per hour for (i) manual, (ii) non-manual and (iii) all females in each of Scotland as a whole, each of the regions of Scotland, Great Britain as a whole and each of the standard regions of Great Britain;

(6) if she will give for 1992 the percentage and number of employees part-time and full-time, earning less than £3 per hour, £3·50 per hour, £3·80 per hour, £4 per hour, £5·20 per hour and £5·40 per hour for *(a)* manual, *(b)* non-manual and *(c)* all employees in each of Scotland, each of the regions of Scotland, Great Britain as a whole and each of the standard regions;

(7) if she will give for 1992 the percentage and number of male employees earning less than £3 per hour, £3·50 per hour, £4 per hour, £5·20 per hour and £5·40 per hour for *(a)* manual, *(b)* non-manual and *(c)* all males in each of (i) Scotland, (ii) the regions of Scotland and (iii) Great Britain and the standard regions;

(8) if she will give for all employees *(a)* average gross weekly earnings, *(b)* average weekly hours total and overtime hours and *(c)* average gross hourly earnings for (i) manual, (ii) non-manual and (iii) all employees in each of Great Britain and the standard regions, Scotland and the regions of Scotland in 1992.

Mr. McLoughlin: In view of the considerable amount of information requested I will write to the hon. Member.

NATIONAL FINANCE

Incomes

Ms Corston: To ask the Chancellor of the Exchequer what was the average equivalised disposable income per adult at 1990 prices for 1979, 1987 and 1990 of *(a)* single-parent households, (i) with one child and (ii) with two or more children, *(b)* two-parent households with (1) one child, (2) two children and (3) three or more children and *(c)* other households with children by quintile and decile groups of households.

Mr. Nelson: The information is not available in the precise form requested because the equivalence scale used is based on households rather than adults. In addition, the figures are only available at current prices.

Average equivalent disposable income by household type and by quintile groups
Using the McClements equivalence scale re-scaled so that a household of one adult = 1

£ per year

Household type	Quintile groups of households ranked by equivalised disposable income: Bottom	2nd	3rd	4th	Top	All households
1979						
One adult with children	1,081	1,655	2,211	2,875	4,700	1,922
Two adults with one child	1,145	1,715	2,223	2,865	4,396	2,611
Two adults with two children	1,220	1,704	2,230	2,894	4,666	2,489
Two adults with three or more children	1,158	1,708	2,183	2,876	4,440	2,018
Other households with children	1,240	1,715	2,236	2,891	4,173	2,489
1987						
One adult with children	2,288	3,213	4,372	6,088	10,739	3,285
Two adults with one child	2,196	3,365	4,554	6,209	10,564	5,872
Two adults with two children	2,223	3,393	4,542	6,184	11,350	5,488
Two adults with three or more children	2,202	3,318	4,546	6,106	10,300	4,295

Household type	Quintile groups of households ranked by equivalised disposable income: Bottom	2nd	3rd	4th	Top	All households
Other households with children	2,169	3,314	4,601	6,174	9,836	4,819
1990						
One adult with children	2,724	4,057	5,988	9,049	13,804	4,322
Two adults with one child	2,517	4,297	6,052	8,893	16,247	8,671
Two adults with two children	2,624	4,339	6,149	8,666	14,464	7,333
Two adults with three or more children	2,524	4,238	5,925	8,505	19,295	6,196
Other households with children	2,624	4,241	6,021	8,796	14,761	7,142

Average incomes by decile groups within household types are not published because of the small sample sizes and the consequent large sampling errors. The one adult with children household type is not subdivided further for the same reason.
Any difference between the average equivalised disposable income of household types within a quintile group is likely to result from sampling errors.
These figures are not strictly comparable over time because of changes in classification of both income and taxation and because of changes in the "Family Expenditure Survey".

Training

Ms Short: To ask the Chancellor of the Exchequer if the allowances paid to participants on *(a)* non-employed status training for work and youth training, *(b)* employed status training for work and youth training, *(c)* learning for work and *(d)* the community action programme are subject to taxation and/or national insurance contribution; and if he will make a statement.

Mr. Dorrell: The treatment for tax and national insurance contribution (NICs) purposes of allowances paid to participants on the programmes mentioned is as follows:

Programme	Chargeable to: Tax?	NICs?
Youth Training—not employed	No	No
Youth Training—employed	Yes	Yes
Training for Work—not employed	[1]—	No
Training for Work—employed	[1]—	Yes
Learning for Work	[1]—	No
Community Action Programme	[1]—	No

[1] Currently under consideration.

Post Office

Mr. Cousins: To ask the Chancellor of the Exchequer how much revenue would have been raised in each financial year since 1990-91 by the imposition of full rate VAT on Post Office services.

Sir John Cope: Separate estimates have not been made for each financial year. It is estimated that had the VAT exemption of postal services been abolished, the full year revenue yield to the Exchequer would have been around £180 million in 1991-92.

Oil Exploration

Mr. Butterfill: To ask the Chancellor of the Exchequer what is the total amount of exploration and appraisal relief claimed by oil companies for each of the last five years; and what percentage of total exploration and appraisal expenditure this represents for each of the last five years.

Mr. Dorrell: The amounts of exploration and appraisal relief claimed against profits for petroleum revenue tax since 1988 have been as follows:

Year	Amount, £ million	As a percentage of exploration and appraisal expenditure in the year[1] Per cent.
1988	790	70
1989	900	76
1990	1,290	79
1991	1,200	62
1992[2,3]	(540)	(74)

[1] Oil companies commonly do not claim expenditure incurred until a tax liability is imminent. Figures cover the United Kingdom and its territorial waters and continental shelf.
[2] Figures for the second half of 1992 are not available yet.
[3] January to June.

VAT

Ms. Harman: To ask the Chancellor of the Exchequer how much revenue the Exchequer has received in penalties arising from misdeclaration of value added tax *(a)* in real terms and *(b)* as a percentage of the total tax take for value added tax in each year since 1987-88; and what is his estimate of such receipts for the years 1993-94 and 1994-95.

Sir John Cope *[holding answer 29 April 1993]:* The following figures are based on serious misdeclaration penalties assessed by Customs and Excise and start in 1990-91 when the serious misdeclaration penalty was introduced. The figures for 1992-93 are provisional; figures for 1990-91 include default interest.

	£ million	Per cent. of net VAT receipts
1990-91	45	0·14
1991-92	28	0·08
1992-93	15	0·04

No figures are available on penalties for 1993-94 and 1994-95.

Purchasing Initiative

Mr. Burns: To ask the Chancellor of the Exchequer what progress has been made in implementing the Government's purchasing initiative since 1990-91.

Mr. Portillo: A report by the central unit on purchasing (CUP) on progress in Government procurement during 1991-92 is published today. A copy is being placed in the Library. CUP offers advice and guidance to Departments

on best purchasing practice and the achievement of best value for money in purchasing and supply and management of works projects.

The report notes that significant progress was made in 1991-92 but the initiatives need to be maintained if they are to become standard practice. CUP will continue to encourage and advise departments so that change is maintained and properly monitored.

SOCIAL SECURITY

Benefits Agency

Mr. Simon Hughes: To ask the Secretary of State for Social Security what discussions have taken place between the Benefits Agency and local authorities over the past year with regard to the preparation of a national service level agreement; and what effects contacts have had in speeding up the payment of housing benefits.

Mr. Burt: Following consultations involving this Department, the Benefits Agency and the local authority associations, a national model liaison service level agreement was signed on 12 November 1992. The national model is now being used by Benefit Agency district managers and local authorities as the framework for formulating local agreements throughout the country. A copy of the relevant circular to local authorities is in the Library.

It is too early to say what effect agreements are having on speeding up the payment of housing benefit. Many local agreements were only finalised in March this year. I understand that negotiations are continuing in a few cases. A joint exercise involving the Benefits Agency and the local authority associations to assess the effectiveness of the agreements is planned for late 1993.

Benefit Deductions

Mr. Wigley: To ask the Secretary of State for Social Security how many deductions were made from income support payments in Wales to cover repayment of social fund loans, poll tax arrears and fuel debts in *(a)* 1990, *(b)* 1991 and *(c)* 1992.

Mr. Burt: I refer the hon. Member to my reply to the hon. Member for Darlington (Mr. Milburn) on 30 November 1992 at column 72.

Figures for the numbers of beneficiaries with deductions in May 1992 will be published shortly in the "Social Security Income Support Statistics Annual Statistical Inquiry, May 1992", a copy of which will be placed in the Library.

Myalgic Encephalomyelitis

Mr. Jon Owen Jones: To ask the Secretary of State for Social Security why ME is not listed in the disability living allowance handbook under the chapter heading certain neurological illnesses.

Mr. Scott: Although the Department recognises ME as a distinct clinical entity, it is also aware that the disabling effects of ME and chronic fatigue syndromes may be very similar. Entitlement to benefit is based on how a person's disability affects their daily life, in respect of care and mobility needs rather than the diagnosis, illness or disease giving rise to such needs.

However the classification of benign myalgic encephalomyelitis—post-viral fatigue syndrome—under "Diseases of Nervous System" in the international classification of diseases will be taken into account in subsequent revisions of the disability handbook.

Housing Benefit

Mr. Corbyn: To ask the Secretary of State for Social Security what was the total number of recipients of housing benefit for each English local authority in *(a)* 1990-91, *(b)* 1991-92, *(c)* 1992-93; and what is the number in (i) local authority, (ii) housing association and (iii) private rented accommodation.

Mr. Burt *[holding answer 14 April 1993]:* The information requested has been placed in the Library.

Mobility Allowance

Mr. Cousins: To ask the Secretary of State for Social Security (1) what is the average processing time for mobility allowance claims in each region;

(2) what was the backlog for mobility allowance claims in each region as at 31 March 1993 and 31 October 1992.

Mr. Scott: The administration of mobility allowance is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member and a copy will be placed in the Library.

Letter from Michael Bichard to Mr. Jim Cousins, dated 29 April 1993:

As Chief Executive of the Benefits Agency, it is my responsibility to answer questions about relevant operational matters. I am therefore replying to the points raised in your recent Parliamentary Questions to the Secretary of State for Social Security asking (i) what is the average processing time for mobility allowance claims in each region as at 31 March 1993 and 31 October 1992.

Firstly, I should explain that on 6 April 1992 Disability Living Allowance (DLA) consisting of a mobility component and care component, replaced and extended Attendance Allowance for the under 65s and Mobility Allowance (MobA).

Prior to 6 April 1992 Mobility Allowance claims were processed centrally at the North Fylde Central Office. The average clearance time for MobA claims in March 1992 was 28·8 days. Performance on DLA is measured in terms of x % of cases cleared in y days and it is therefore not possible to state an average Processing time for claims on the new benefit. However, the majority of DLA new claims have been cleared within the primary target of 60 % in 30 days. The new claims performance for March 1993 was 71 % of cases cleared within 30 days.

The information on the number of MobA claims that remain uncleared for each region at 31 October 1992 and 31 March 1993 is not available for the reasons stated above. However, in the region of 1900 claims made to MobA are being rechecked to confirm that all necessary action has been taken. These will be acted upon as soon as possible and any which require payment will be considered for compensation under the appropriate scheme.

I hope you find this reply helpful. A copy will appear in the Offical Report. A copy will also be placed in the Library.

Disability Living Allowance

Mr. Nigel Griffiths: To ask the Secretary of State for Social Security (1) how many requests for reviews of disability living allowance have been received in each region to date; how many have been cleared; and how many are outstanding;

(2) what was the average clearance time for claims and for review requests, at each of the regional disability benefit centres; and if he will list the various outcomes of disability living allowance reviews;

(3) how many claims for disability living allowance have been made at each regional disability benefit centre to date; how many of these have resulted in an award, a refusal, or have still to be adjudicated on; and if he will break down the figures for awards according to the component and rate awarded.

Mr. Scott: The administration of disability living allowance is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member and a copy will be placed in the Library.

Letter from Michael Bichard to Mr. Nigel Griffiths, dated 29 April 1993:

As Chief Executive of the Benefits Agency, it is my responsibility to answer questions about relevant operational matters. I am therefore replying to the points raised in your recent Parliamentary Questions to the Secretary of State for Social Security asking (i) how many requests for reviews of Disability Living Allowance have been received in each region to date; how many have been cleared and how many are outstanding. (ii) What was the average clearance time for claims and review requests at each of the Regional Disability Benefit Centres and if he will list the various outcomes of Disability Living Allowance reviews and (iii) how many Disability Living allowance claims have been made at each of the Regional Disability Living Allowance centres, how many of these resulted in an award, refusal or to be adjudicated on; and if he will break down the figures for awards according to the component and rate awarded.

Claims

New Disability Living Allowance claims are dealt with by the 11 Regional Disability Benefit Centres.

The number of new claims (including special rules) received, awarded, refused and on hand to month end March 1993, per Regional Disability Benefit Centre are shown in Table 1.

Total number of decisions does not equal the total number of clearances due to the fact that decisons does not take account of claims withdrawn or defective.

The outstanding figure includes claims that have been to an adjudication officer who has asked for further evidence before a decision can be made and also includes claims where the adjudication officer has made a decision but the decision has not as yet been recorded on the DLA computer system.

A breakdown of awards by rate is in Table 2.

Reviews

Disability Living Allowance reviews are dealt with by the Disability Living Allowance Unit at Blackpool.

It is only possible to provide the number of review requests received picking up the Disability Benefit Centre where the 1st tier decision was taken at disproportionate cost. This information is available once a decision is given on the request for a review.

Reviews can be made within three months of the decision on the claim on any grounds, these are shown at (a).

Reviews made outwith the three month period can only be accepted where there are particular grounds for review, these are shown at (b).

As at Month end March 1993 the total number of requests for review of a Disability Living Allowance 1st tier decisions, cleared and outstanding were as follows:

	Received	*Cleared*	*Outstanding*
(a) Review within three months	79,088	40,404	38,684
(b) Review outwith three months	17,714	6,275	11,439
TOTAL	96,802	46,679	50,123

List of various outcomes of DLA reviews, relating to 1st tier decision made at each of the DBCs are shown in Table 3.

Performance for month of March 1993

Performance on DLA is measured in terms of *x* per cent. of cases cleared in *y* days and it is therefore not possible to state an average processing time for claims and reviews on the new Benefit.

The majority (71 per cent.) of New DLA claims were cleared in 30 days (against a Secretary of State target of 60 per cent. in 30 days).

The majority (85 per cent.) of Special Rules claims were cleared in 10 days.

29 per cent. of reviews (within 3 months) were cleared in 75 days.

51 per cent. of reviews (outwith 3 months) were cleared in 75 days.

Reviews are being actively targeted with additional resources being deployed and clearing rates are increasing.

I hope you find this reply helpful. A copy of this reply will appear in the *Official Report*. Copies are also being placed in the Library.

Table 1
Claims received and processed by 31 March 1993

	Claims received	*Claims cleared*	*Claims on hand*	*All decisions*		
				Total	*Awards*	*Refusals*
Edinburgh	51,247	49,494	1,753	48,975	24,788	24,187
Newcastle	30,371	28,979	1,392	28,675	12,866	15,809
Leeds	60,322	57,218	3,104	56,618	31,541	25,076
Manchester	42,390	40,257	2,133	39,834	17,331	22,503
Bootle	44,654	42,021	2,633	41,579	24,133	17,447
Birmingham	76,936	70,852	6,084	70,108	44,531	25,577
Bristol	29,349	28,111	1,238	27,815	16,925	10,890
Cardiff	41,159	38,500	2,659	38,096	21,610	16,486
Wembley	59,924	56,504	3,420	55,911	35,434	20,477
Sutton	52,872	48,961	3,911	48,447	29,221	19,226
Glasgow	8,076	5,099	2,977	5,045	1,980	3,065
Other management units	26,395	25,037	1,358	24,733	16,788	7,985
GREAT BRITAIN	523,695	491,033	32,662	485,876	277,148	208,728

Table 2
Awards by rates of care and mobility by 31 March 1993

	Care			Mobility								
	Higher rate	*Medium rate*	*Lower rate*	*Higher rate*	*Lower rate*							
Edinburgh	655	1,208	2,442	6,776	1,561	3,116	610	1,762	1,797	2,673	2,196	24,788
Newcastle	274	490	1,328	5,005	508	1,508	203	622	639	1,490	788	12,866
Leeds	856	1,524	3,205	9,643	1,530	4,142	760	2,037	1,586	3,747	2,499	31,541
Manchester	652	1,180	2,440	4,490	868	2,248	436	1,096	980	1,523	1,415	17,331
Bootle	441	968	2,190	8,605	679	2,441	572	1,922	1,133	3,605	1,569	24,133
Birmingham	1,807	2,277	3,737	12,770	2,277	6,111	1,201	3,090	2,836	4,905	3,525	44,531
Bristol	546	1,397	1,594	3,309	1,246	2,762	588	1,354	1,627	1,199	1,322	16,925
Cardiff	500	897	1,558	9,200	971	2,018	406	1,418	887	2,600	1,138	21,610
Wembley	1,469	2,041	3,653	6,848	2,471	5,305	1,323	2,591	2,801	3,327	3,621	35,434
Sutton	1,668	2,093	2,729	5,207	3,006	3,739	1,214	1,819	2,776	2,059	2,932	29,221
Glasgow	46	99	215	737	76	103	43	182	125	247	106	1,980
Other management units	609	801	1,150	5,807	1,079	2,318	508	1,053	1,000	1,567	888	16,788
Great Britain	9,523	14,975	26,241	78,387	16,272	35,811	7,864	18,946	18,187	28,942	21,999	277,148

Table 3
All reviews on new DLA awards by 31 March 1993

	Edinburgh	*Newcastle*	*Leeds*	*Manchester*	*Bootle*	*Birmingham*	*Bristol*	*Cardiff*	*Wembley*	*Sutton*	*NFCO*	*Others*	*Total*
Withdrawn	13	8	9	5	11	15	8	8	24	10	88	0	199
Award Reduced	1	0	2	1	1	2	1	1	1	1	17	0	28
Care to LR	0	0	0	0	0	1	0	0	0	0	7	0	8
Mob to LR	0	0	0	0	0	0	0	0	0	0	1	0	1
Both to LR	0	0	0	1	1	0	0	1	2	0	4	0	9
Award Maintained	2,595	1,299	1,870	1,672	1,720	2,045	721	1,229	1,552	1,314	7,723	3	23,293
Award Varied	49	20	36	36	19	54	14	36	43	49	258	0	614
Awarded Increased	257	137	189	256	168	227	139	162	283	339	1,987	0	4,144
Lapsed	1	0	0	1	0	1	1	1	0	0	8	0	13
Allowed	1,198	825	896	1,280	728	1,041	619	766	1,151	1,310	5,621	1	15,436
Defective	1	3	4	1	3	3	1	0	3	5	14	0	38
No Grounds	33	26	30	17	28	31	12	16	20	34	188	0	435
Disallowed	225	144	207	189	205	207	96	137	192	143	716	0	2,461
Total	4,373	2,462	3,243	3,459	2,884	3,627	1,612	2,357	3,271	3,205	16,182	4	46,679

LR = Lower Rate
Care = Care component
Mob = Mobility component

Social Fund

Mr. McLeish: To ask the Secretary of State for Social Security (1) in how many cases in each Benefit Agency district in Scotland in the most recent period for which data are available, an application for *(a)* community care grant and *(b)* social fund loan, met the criteria but was refused because of budgetary constraints;

(2) how many applications for help from the social fund for budgetary loans and crisis loans were refused on the grounds of inability to pay; and what that was as a proportion of the total number of *(a)* loan applications and *(b)* loan refusals for each year since April 1988 for each of the Benefit Agency districts in Scotland.

Mr. Scott: The administration of the social fund is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available and a copy will be placed in the Library.

Letter from Michael Bichard to Mr. Henry McLeish, dated 29 April 1993:

As Chief Executive of the Benefits Agency it is my responsiblity to answer questions about relevant operational matters. I am therefore replying to your two recent Parliamentary Questions to the Secretary of State for Social Security asking (i) in how many cases in each Benefit Agency District in Scotland in the most recent period for which data is available, an application for *(a)* community care grant and *(b)* social fund loan, met the criteria but was refused because of budgetary constraints and (ii) how many applications for help from the Social Fund for budgetary loans and crisis loans were refused on the grounds of inability to pay; and what that was as a proportion of the total number of *(a)* loan applications and *(b)* loan refusals for each year since April 1988 for each of the Benefit Agency Districts in Scotland.

Numbers of applications refused on the grounds of insufficient priority by each of the Scottish Districts in the period 1 April 1992 to 31 March 1993 are given in Annex A.

In your second question, you seek information for each year since April 1988 for each of the BA Districts in Scotland. This information, which is attached at Annex B, is only available in this form from April 1991 when the Benefits Agency was created and local offices grouped into Districts. For the previous financial year 1990-1991 the information is available on the basis of the then existing DSS local office network. I regret that this information is not available for the previous financial years.

I hope you find this reply helpful. A copy of this letter will appear in the Official Report. A copy will also be placed in the Library.

Annex A
CGCs and Loans refused on grounds of insufficient priority by Scottish Districts, 1 April 1992 to 31 March 1993.

District	*BLs*	*CCGs*	*CLs*
Clyde Coast and Cowal	1,729	76	7
Clyde Valley	2,141	1,623	80
Coatbridge	3,373	321	34

District	BLs	CCGs	CLs
East Lowlands	2,368	481	33
Fife	2,558	664	19
Forth Valley	1,996	501	23
Glasgow City	1,909	652	38
Glasgow East	4,087	1,775	23
Glasgow Laurieston	2,819	384	98
Glasgow Southwest	1,591	399	217
Glasgow West	1,626	701	22
Grampian and Shetland	907	313	11
Highlands and Islands	913	368	31
Irvine and Kilmarnock	2,085	180	0
Lomond and Argyll	1,679	294	7
Lothian Central	1,425	603	73
Lothian West	1,609	314	194
Renfrew	1,871	181	79
South West Scotland	1,960	287	24
Springburn and Cumbernauld	2,502	1,465	100
Tayside	3,294	950	72

Key:—
BLs = Budgeting Loans
CCGs = Community Care Grants
CLs = Crisis Loans

Annex B

Key A = Number of applications refused on grounds of inability to pay
B = A as a proportion of the total number of loan applications
C = A as a proportion of the total number of loan refusals

1990-91 Budgeting Loans

Local Office	A	B	C
Aberdeen North	87	3·1	8·9
Aberdeen South	38	2·3	6·7
Airdrie	313	7·8	26·7
Arbroath	18	1·3	3·2
Ayr	250	3·9	10·2
Bathgate	126	2·5	6·4
Bellshill	123	3·8	12·5
Campbelltown	23	4·6	11·1
Clydebank	119	3·4	9·6
Coatbridge	156	5·2	15·6
Cowdenbeath	35	2·1	5·5
Cumbernauld	82	2·8	9·9
Dumbarton	123	3·1	8·1
Dumfries	66	3·3	0·8
Dundee East	74	1·7	5·1
Dundee West	58	1·5	4·1
Dunfermline	67	2·9	7·0
East Kilbride	46	2·8	8·7
Edinburgh City	128	3·9	10·1
Edinburgh East	87	2·1	5·3
Edinburgh North	125	3·7	9·7
Edinburgh South	50	1·6	4·3
Edinburgh West	58	1·8	5·1
Elgin	21	1·6	4·0
Falkirk	180	3·5	8·3
Fort William	10	2·2	5·9
Galashiels	13	1·1	2·5
Glasgow Anniesland	144	2·5	7·4
Glasgow Bridgeton	189	4·0	8·2
Glasgow City	149	3·4	8·9
Glasgow Craigton	273	5·3	16·9
Glasgow Cranstonhill	23	2·1	2·9
Glasgow Laurieston	134	2·7	9·0
Glasgow Maryhill	97	2·3	8·7
Glasgow Partick	87	3·4	9·4
Glasgow Provan	337	3·4	9·3
Glasgow Rutherglen	269	3·0	8·3
Glasgow Shettleston	311	4·9	14·0
Glasgow Southside	271	3·9	10·7
Glasgow Springburn	289	3·6	9·3
Greenock	146	2·6	5·9
Hamilton	216	2·4	8·2
Inverness	13	0·6	1·5
Irvine	110	2·0	6·0
Kilmarnock	135	3·7	9·8
Kirkaldy	92	2·8	7·4
Lerwick	0	0·0	0·0
Leven	31	1·6	3·3
Motherwell	95	2·1	6·2
Oban	7	2·3	6·1
Paisley	133	2·2	4·9
Perth	26	1·5	3·4
Peterhead	16	1·6	3·7
Port Glasgow	176	6·4	15·6
Stirling	29	0·8	1·9
Stornoway	10	2·5	7·7
Stranraer	10	0·9	1·9
Wick	5	0·7	1·5

1990-91 Crisis loans

Local office	A	B	C
Aberdeen North	5	0·3	14·7
Aberdeen South	4	0·2	11·1
Airdrie	6	0·2	2·4
Arbroath	39	3·7	7·4
Ayr	4	0·1	1·5
Bathgate	59	1·8	18·3
Bellshill	21	2·2	20·0
Campbelltown	0	0·0	0·0
Clydebank	1	0·1	16·7
Coatbridge	28	2·3	27·2
Cowdenbeath	2	0·2	4·7
Cumbernauld	10	0·5	23·8
Dumbarton	2	0·1	2·0
Dumfries	8	1·3	8·9
Dundee East	5	0·7	5·7
Dundee West	2	0·1	3·4
Dunfermline	1	0·1	1·7
East Kilbride	3	0·5	11·5
Edinburgh City	5	0·2	13·2
Edinburgh East	6	0·4	4·3
Edinburgh North	46	2·3	16·0
Edinburgh South	3	0·2	3·5
Edinburgh West	5	0·3	5·8
Elgin	2	0·1	9·5
Falkirk	95	4·6	55·2
Fort William	1	0·5	2·0
Galashiels	0	0·0	0·0
Glasgow Anniesland	33	1·6	11·7
Glasgow Bridgeton	46	1·5	10·1
Glasgow City	3	0·2	9·4
Glasgow Craigton	142	4·7	44·5
Glasgow Cranstonhill	15	0·5	4·8
Glasgow Laurieston	11	0·4	7·7
Glasgow Maryhill	16	0·7	37·2
Glasgow Partick	74	4·4	32·9
Glasgow Provan	9	0·2	5·6
Glasgow Rutherglen	14	0·3	1·9
Glasgow Shettlestone	4	0·2	3·5
Glasgow Southside	29	0·8	9·4
Glasgow Springburn	95	1·9	12·9
Greenock	14	0·6	8·9
Hamilton	12	0·7	24·5
Inverness	17	0·7	27·0
Irvine	5	0·9	20·8
Kilmarnock	0	0·0	0·0
Kirkaldy	4	0·3	3·1
Lerwick	2	0·9	16·7
Leven	0	0·0	0·0
Motherwell	24	1·5	14·0
Oban	0	0·0	0·0
Paisley	58	1·4	4·9
Perth	5	0·3	5·0

Local office	A	B	C
Peterhead	2	0·2	12·5
Port Glasgow	12	1·2	32·4
Stirling	3	0·2	1·0
Stornoway	0	0·0	0·0
Stranraer	6	0·9	6·0
Wick	0	0·0	0·0

1991-92 budgeting loans

District	A	B	C
Clyde Coast and Cowal	195	2·1	4·2
Clyde Valley	1,851	2·9	7·5
Coatbridge	726	5·7	13·3
East Lowlands	214	2·1	4·5
Fife	238	2·3	4·7
Forth Valley	221	2·4	6·1
Glasgow City	287	2·7	6·6
Glasgow East	1,027	4·7	10·7
Glasgow Laurieston	457	3·0	7·9
Glasgow Southwest	715	5·7	16·0
Glasgow West	283	3·1	7·5
Grampian and Shetland	144	2·4	5·3
Highlands and Islands	106	1·9	4·7
Irvine and Kilmarnock	273	2·6	6·6
Lomond and Argyll	276	3·3	7·7
Lothian Central	423	5·3	12·7
Lothian West	217	2·2	4·6
Renfrew	219	2·3	5·4
South West Scotland	487	4·7	10·5
Springburn and Cumbernauld	549	4·3	9·4
Tayside	182	1·5	3·3

1991-92 Crisis loans

District	A	B	C
Clyde Coast and Cowal	46	0·8	2·5
Clyde Valley	32	0·8	10·9
Coatbridge	219	3·5	14·5
East Lowlands	32	0·5	4·8
Fife	12	0·2	2·0
Forth Valley	45	1·0	15·6
Glasgow City	25	0·3	6·0
Glasgow East	192	1·7	7·3
Glasgow Laurieston	67	0·7	4·8
Glasgow Southwest	267	3·4	19·0
Glasgow West	106	2·4	15·4
Grampian and Shetland	14	0·3	23·3
Highlands and Islands	20	0·3	9·1
Irvine and Kilmarnock	4	0·3	10·3
Lomond and Argyll	7	0·3	4·4
Lothian Central	119	1·9	27·6
Lothian West	123	2·2	11·5
Renfrew	82	1·3	4·9
South West Scotland	29	0·8	3·3
Springburn and Cumbernauld	198	2·4	13·6
Tayside	50	0·9	4·9

1992-93 Budgeting Loans

District	A	B	C
Clyde Coast and Cowal	114	1·2	2·7
Clyde Valley	471	3·2	8·6
Coatbridge	851	6·3	12·8
East Lowlands	140	1·4	2·7
Fife	253	2·4	5·2
Forth Valley	269	2·9	6·5
Glasgow City	430	3·9	8·6
Glasgow East	1,060	5·1	12·2
Glasgow Laurieston	496	3·2	8·2
Glasgow Southwest	904	7·1	20·8
Glasgow West	313	3·4	8·5
Grampian and Shetland	151	2·5	5·9
Highlands and Islands	136	2·3	5·9
Irvine and Kilmarnock	405	3·4	8·2
Lomond and Argyll	250	3·0	7·5
Lothian Central	510	6·0	13·7
Lothian West	186	1·8	4·5
Renfrew	206	2·1	4·8
South West Scotland	481	4·6	10·4
Springburn and Cumbernauld	586	4·7	10·8
Tayside	238	1·9	4·2

1992-93 Crisis Loans

District	A	B	C
Clyde Coast and Cowal	28	0·5	1·1
Clyde Valley	30	0·7	6·3
Coatbridge	188	2·6	10·4
East Lowlands	71	1·0	5·0
Fife	75	1·1	6·9
Forth Valley	61	1·6	17·4
Glasgow City	58	0·8	8·3
Glasgow East	226	1·8	5·4
Glasgow Laurieston	142	1·3	7·9
Glasgow Southwest	318	3·5	12·4
Glasgow West	89	1·7	10·2
Grampian and Shetland	23	0·4	25·8
Highlands and Islands	22	0·3	7·0
Irvine and Kilmarnock	3	0·1	5·5
Lomond and Argyll	7	0·2	6·8
Lothian Central	244	3·5	13·2
Lothian West	112	1·6	5·7
Renfrew	111	1·5	6·2
South West Scotland	44	1·1	4·4
Springburn and Cumbernauld	195	2·4	7·9
Tayside	67	0·8	3·9

Income Support

Mr. McLeish: To ask the Secretary of State for Social Security (1) how many people were claiming income support in Scotland for the most recent date for which figures are available; and what estimate he has made of the total number of partners and dependants of those claimants;

(2) if he will give the most recently available figure for the income support live load in each of his Department's offices, and by each Benefit Agency district, in Scotland.

Mr. Burt: The administration of income support is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available and a copy will be placed in the Library.

Letter from Michael Bichard to Mr. Henry McLeish, dated 29 April 1993:

As Chief Executive of the Benefits Agency it is my responsibility to answer questions about relevant operational matters. I am therefore replying to your recent Parliamentary Questions to the Secretary of State for Social Security asking,

how many people were claiming Income Support in Scotland for the most recent date for which figures are available; and what estimate he has made of the total number of partners and dependants of those claimants.

You also ask, if he will give the most recently available figure for the Income Support live load in each of his Department's offices, and by each Benefits Agency district, in Scotland.

The information is not available in the format you requested and some of it is only available at a disproportionate cost. This is because statistics relate to the number of Income Support recipients rather than the number of claims.

Information about the numbers of partners and dependants of people claiming Income Support is not routinely collected. However, estimates of the numbers of partners and dependants of Income Support recipients are available from the Income Support Annual Statistical Enquiry (ASE). This is a point in time survey based on a one per cent sample of all people in receipt of Income Support.

The latest information from the ASE relates to May 1991. The estimates from this were 487,000 recipients, 69,000 partners and 249,000 dependants in Scotland.

I have appended the information relating to the Income Support live load per office and district as requested. This information is based on the Management Information Statistics as at 28 February 1993.

I hope this reply is helpful. A copy of this letter will appear in the Official Report and a copy will also be placed in the Library.

Annex	*Number*
Glasgow West District Office	
Glasgow Anniesland	10,614
Glasgow Partick	7,701
District total	18,315
Glasgow City District Office	
Glasgow City	8,673
Glasgow Cranstonhill	1,585
Glasgow Maryhill	10,085
District total	20,343
Glasgow East District Office	
Glasgow Bridgeton	8,411
Glasgow Provan	12,841
Glasgow Shettleston	12,341
District total	33,593
Glasgow Laurieston District Office	
East Kilbride	6,349
Glasgow Laurieston	15,202
Glasgow Rutherglen	12,969
District total	34,520
Glasgow South West District Office	
Glasgow Craigton	11,492
Glasgow South West	12,952
District total	24,444
Renfrew District	
Renfrew	22,592
District total	24,592
Springburn and Cumbernauld District Council	
Glasgow Cumbernauld	10,404
Glasgow Springburn	13,925
District total	24,329

Annex	*Number*
Clyde Coast and Cowal District Office	
Greenock	12,557
Port Glasgow	4,489
District total	17,046
Coatbridge District Office	
Airdrie	7,353
Bellshill	6,796
Coatbridge	6,691
District total	20,840
Forth Valley District Office	
Falkirk	11,939
Stirling	12,575
District total	24,514
Highlands and Islands District Office	
Elgin	6,949
Fort William	2,939
Inverness	12,825
Stornoway	4,096
Wick	4,862
District total	31,671
Irvine and Kilmarnock District Office	
Irvine	15,946
Kilmarnock	10,251
District total	26,197
Lomond and Argyll District Office	
Campbeltown	1,554
Clydebank	15,651
Oban	1,911
District total	19,116
Clyde Valley District Office	
Hamilton	16,676
Motherwell	12,317
District total	28,993
South West Scotland District Office	
Ayr	16,365
Dumfries	8,795
Stranraer	3,349
District total	28,509
East Lowlands District Office	
Edinburgh East	11,697
Edinburgh South	12,155
Galashiels	6,997
District total	30,849
Fife District Office	
Cowdenbeath	4,786
Dunfermline	6,809
Kirkcaldy	12,613
Leven	5,581
District total	29,789
Grampian/Shetland District Office	
Aberdeen	20,585
Lerwick	1,293
Peterhead	4,865
District total	26,743

Annex	*Number*
Lothian and Borders District Office	
Edinburgh City	11,161
Edinburgh North	10,760
District total	21,921
Lothian West District Office	
Bathgate	*14,180*
Edinburgh West	*11,062*
District total[1]	*25,242*
Tayside District Office	
Arbroath	*7,228*
Dundee	*22,841*
Perth	*9,281*
District total	*39,350*
SCOTLAND	
Total live figure as at 28 February 1993 = 584,916	

WALES

European Community Funding

Mr. Wigley: To ask the Secretary of State for Wales what is the estimated total of European regional development fund grants allocated to Wales for the financial year 1993-94, analysed by county; and if he will make it his policy that funding from this source will be treated as additional money by his Department, in line with his additionality agreement between Her Majesty's Government and the EC Commission.

Mr. David Hunt: ERDF is allocated to individual structural fund programmes on a calendar year basis. In 1992 and 1993 the following allocations were made to Wales:

£ million

	1992	*1993*
Industrial South Wales	21·88	32·82
Dyfed, Gwynedd, Powys	11·90	11·08
Clwyd	7·82	11·66
RECHAR	13·46	6·39
LEADER	0·543	0·543

Figures are based on an exchange rate of £1 = 1·435 ecu

Negotiations about the European Commission's ERDF allocation to Wales for 1994 onwards are underway.

The former Secretary of State for Trade and Industry announced in February 1992 the new public expenditure arrangements to ensure that additionality of ERDF grants would be fully transparent. With effect from 1 April 1993 onwards full additional expenditure cover is being provided for all ERDF capital receipts and for all projects approved under the RECHAR programme from 1 April 1992.

Ogwr and Vale of Glamorgan

Mr. Win Griffiths: To ask the Secretary of State for Wales (1) if he will list the electorate of each community council in the boroughs of Ogwr and the Vale of Glamorgan;

(2) how many community councils in *(a)* Ogwr and *(b)* the Vale of Glamorgan have electorates with fewer than 1,700 voters;

(3) how many community councils in *(a)* Ogwr and *(b)* the Vale of Glamorgan have electorates of (i) fewer than 4,000, (ii) fewer than 3,500, (iii) fewer than 3,000, (iv) fewer than 2,500, (v) fewer than 2,000, (vi) fewer than 1,500 and (vii) fewer than 1,000.

Mr. David Hunt: This information is not held centrally.

Water Disconnections

Mr. Wigley: To ask the Secretary of State for Wales what was the number of water disconnections in Wales in *(a)* 1990-91 and *(b)* 1991-92.

Mr. Gwilym Jones: The information required cannot be given in the form requested.

The number of disconnections—domestic and non-domestic—in the water supply areas of Dwr Cymru Cyf, Chester Waterworks Company and Wrexham and East Denbighshire Water Company in 1990-91 and 1991-92 were 1,397 and 3,034 respectively.

Cancer Treatment

Mr. Barry Jones: To ask the Secretary of State for Wales when he proposes to establish a cancer treatment centre for north Wales patients; and if he will make a statement.

Mr. Gwilym Jones: The provision of a cancer treatment centre in north Wales is the subject of an appraisal by Touche Ross. My right hon. Friend will make an announcement in due course.

Mr. Barry Jones: To ask the Secretary of State for Wales what assessment has been made of the adequacy of the number of medical house doctors and senior house officers in hospital trusts to cope with seriously ill patients under treatment by chemotherapy and requiring hospital admission; and if he will make a statement.

Mr. Gwilym Jones: This is a matter for the national health service trust concerned to assess.

Mr. Barry Jones: To ask the Secretary of State for Wales how many cancer patients from north Wales travel *(a)* to the Christie hospital, Manchester and *(b)* to Clatterbridge hospital, Wirral for treatment in each year; and if he will make a statement.

Mr. Gwilym Jones: Information on the number of cancer patients who travel from north Wales to English hospitals for treatment is not held centrally. However, the Christie hospital NHS trust and Clatterbridge centre for oncology report the following number of episodes (where an episode is the necessary sequence of treatment for one patient):

Christie NHS Trust[1]	*Clatterbridge*[2]
417	771

[1] Actual completed episodes 1991-92
[2] Projected 1992-93 episodes

Hospital Medical Units

Mr. Barry Jones: To ask the Secretary of State for Wales what guidance is given to general practitioners as to where to refer patients in the event of the temporary closure of hospital medical units; and if he will make a statement.

Mr. Gwilym Jones: In such circumstances the decision to refer is a matter for the judgment of individual general practitioners, who should be informed of closures by the local family health services authority. If a bed bureau is in operation, GPs would normally contact the bureau who in turn would arrange admission to an appropriate alternative unit. In the absence of a bed bureau arrangement, GPs would contact the nearest alternative local unit; and in the event of difficulties in admission the commissioning health authority would advise.

Housing

Mr. Ron Davies: To ask the Secretary of State for Wales how many dwellings were *(a)* started, *(b)* under construction and *(c)* completed in (i) 1974, (ii) 1979, (iii) 1984, (iv) 1989 and (v) 1990, distinguishing between private sector, housing association, local authority and total dwellings.

Mr. Gwilym Jones: The information is given in the table.

House building activity by tenure

	1974	*1979*	*1984*	*1989*	*1990*
(a) Dwellings started					
Private sector	5,948	7,586	5,608	9,938	7,654
Housing Association[1]	161	657	326	1,601	2,204
Local authority	6,215	3,019	777	501	338
Total dwellings[2]	13,098	11,426	6,842	12,040	10,196
(b) Dwellings under construction					
Private sector	13,160	10,523	9,712	13,146	12,793
Housing Association[1]	224	1,806	742	2,049	2,600
Local authority	7,825	5,194	1,056	731	461
Total dwellings[2]	21,972	17,867	11,596	15,926	15,854
(c) Dwellings completed					
Private sector	8,137	6,980	6,276	9,176	7,931
Housing Association[1]	176	1,016	593	1,642	1,653
Local authority	3,046	3,010	1,997	566	608
Total dwellings[2]	11,811	11,331	9,021	11,448	10,192

Source: As supplied on local authority returns.
[1] Excluding acquisitions, rehabilitations and hostel bedspaces.
[2] Including new towns' and Government Departments' dwellings not elsewhere listed.

Trust Hospitals

Mr. Barry Jones: To ask the Secretary of State for Wales if he will list those trust hospitals in Wales where the hospital medical unit has been closed to general practitioner admission.

Mr. Gwilym Jones: All hospitals, whether NHS trust or directly managed units, may need to implement temporary closures for a variety of reasons. In Wales, four NHS trusts have had to do this:

Llandough Hospital NHS Trust
(3 April, 12 hours; 19 April, 6 hours; 20 April, 6 hours)
Llanelli Dinefwr NHS Trust
(7 April, 24 hours; 25 April, 24 hours)
Wrexham Maelor NHS Trust
(17/18 April, 48 hours)
Carmarthen and District NHS Trust
(19 April)

On each occasion arrangements were made to admit emergency patients to the nearest alternative appropriate hospital.

Surgery Deaths

Mr. Barry Jones: To ask the Secretary of State for Wales if he will publish statistics of surgery death rates in hospitals in Wales in the latest available year; and if he will make a statement.

Mr. Gwilym Jones: Health authorities and general practitioner fund holders contract with provider units for health services to meet the health needs of their resident populations and patients.

In deciding their choice of provider units, health authorities and general practitioner fund holders will consider the quality of services provided, their cost and their volume.

Commissioners will consider a range of quality indicators, including outcome measures where they are available. Crude death rates by hospital are extremely misleading when taken in isolation. Even when the rates are standardised by age, sex and case mix, there may be other factors which make direct comparison inappropriate. Information on death rates by social condition is not generally available and standardisation by age alone would lead to misleading comparisons.

However, there are a number of activities taking place which critically examine death rates following surgery within a hospital, including the procedures for post-mortems, medical audit and the national confidential inquiry into perioperative deaths.

No specific guidance to health authorities and national health service trusts has been issued, or is proposed, on variations in death rates. I have not held discussions with health authorities and national health service trusts on the matter.

Health authorities and national health service trusts are encouraged to develop and make the maximum use of quality indicators and other information available.

League tables on hospital performance, based around patients charter standards, will be published in 1994. I have not received any representations on the inclusion of death rates in hospital league tables.

SCOTLAND

Non-emergency Hospital Treatment

Mrs. Fyfe: To ask the Secretary of State for Scotland what steps he has taken to ensure that, for non-emergency hospital treatments, patients of general practitioner fund holders and non-fund holders will have equally speedy access.

Mr. Stewart: The Government's framework for the GP fund holding scheme seeks to maintain a proper balance between providing GP fund holders with an appropriate degree of flexibility in the use of their fund to provide benefits for their patients, and preserving the principle of equality of access to health care for all NHS patients. GP fund holders, in providing care themselves or in setting contracts with other providers, will be able to develop improved stndards in the quality of care for their patients provided as a consequence they do not directly disadvantage NHS patients from other practices.

Water Privatisation

Mr. Graham: To ask the Secretry of State for Scotland what assessment he has made of the technical feasibility study of the privatisation of water and sewage services in Scotland.

Sir Hector Monro *[holding answer 26 April 1993]:* A study of possible new structures for the water and sewerage services was commissioned from Quayle Munro Ltd. last summer. The study informed the consultation paper "Investing For Our Future", which made it clear that in the light of the advice available to them the Government were satisfied that privatisation and the other options outlined could be successfully achieved.

DEFENCE

European Fighter Aircraft

Mr. Clapham: To ask the Secretary of State for Defence if he will make a statement on developments in the EFA programme.

Mr. Aitken: Technical development of Eurofighter 2000 is proceeding and the first flight is expected this year. Reorientation of the project, in line with the agreement reached in Brussels on 10 December last year by my right hon. and learned Friend the Secretary of State for Defence and his German, Italian and Spanish counterparts, is also well advanced.

Equipment Exhibition

Mr. Cohen: To ask the Secretary of State for Defence who will be opening the Royal Navy and British Army equipment exhibition in September.

Mr. Aitken: My right hon. and learned Friend hopes to open the exhibition himself.

Mr. Cohen: To ask the Secretary of State for Defence what categories of guests will be invited to the Royal Navy and British Army equipment exhibition.

Mr. Aitken: Invitations to attend RN and BAEE are extended to appropriate overseas Government officials and industrialists, and members of the United Kingdom national and technical press.

Mr. Battle: To ask the Secretary of State for Defence what is the estimated cost of the Royal Navy and British Army equipment exhibition at Aldershot from 5 to 10 September.

Mr. Aitken: The cost of the exhibition will not be known until the list of participants has been finalised. All direct costs will, however, be recovered from participating companies.

Mr. Battle: To ask the Secretary of State for Defence how many visitors are expected at the Royal Navy and British Army equipment exhibition in Aldershot between 5 and 10 September.

Mr. Aitken: Based on previous years' attendance at the separate Royal Navy and British Army equipment exhibitions, 20,000 visitors are expected to attend between 5 and 10 September.

Yugoslavia

Mr. Elletson: To ask the Secretary of State for Defence what reports he has received from the Cheshire Regiment detailing Croatian Army attacks on Muslim civilians in Vitez, Jadlenica and surrounding villages; and if he will make a statement.

Mr. Archie Hamilton: Information reported by United Nations protection force troops is passed through the United Nations chain of command, ultimately to the Security Council. As a member of the Security Council the United Kingdom receives information reported by all contributors to UNPROFOR, not only the United Kingdom battalion group.

Washington Visit

Mr. Llew Smith: To ask the Secretary of State for Defence what matters he discussed with the United States Administration, and what decisions were made, during his recent visit to Washington.

Mr. Archie Hamilton: During his recent visit to the United States, my right hon. and learned Friend the Secretary of State for Defence discussed a wide range of issues including the crisis in the former Yugoslavia.

Devonport Dockyard

Mr. Streeter: To ask the Secretary of State for Defence what advice was given to his Department by Coopers and Lybrand concerning the future of Devonport dockyard should it fail to win the refitting work for the Trident submarines.

Mr. Aitken: Advice provided to my Department by Coopers and Lybrand on future warship refitting arrangements is commercially confidential.

Mr. Streeter: To ask the Secretary of State for Defence what assessment his Department has made of Devonport Management Ltd.'s business plan as either a nuclear or non-nuclear dockyard which was submitted to his Department on 9 March.

Mr. Aitken: Both dockyard contractors have, at my Department's request, submitted outline business plans against the possibility that the dockyard each manages was

to be the designated nuclear dockyard or a non-nuclear dockyard. These plans have been discussed at clarification meetings with the respective contractors, and are being taken into account in my Department's consideration of future warship refitting arrangements. The plans are commercially confidential, but, as I told the hon. Member for Dunfermline, East (Mr. Brown) on 2 April (*Official Report*, column *507*), we will release as much information as possible, subject to the constraints of commercial confidentiality and security once we have announced our proposals to the House.

Vessels (Running Costs)

Mr. Trotter: To ask the Secretary of State for Defence what are the annual running costs to the Royal Navy of *(a)* an Invincible class carrier, *(b)* a type 42 destroyer, *(c)* a type 21 frigate, *(d)* a type 22 frigate (batch 1), *(e)* a type 22 frigate (batch 2 and batch 3), *(f)* a type 23 frigate, *(g)* an S Clan submarine, *(h)* a T Class submarine, *(i)* an Upholder class submarine, *(j)* a Hunt class MCMV and *(k)* a Sandown class MCMV.

Mr. Archie Hamilton: The annual running costs for individual vessels within a class will vary according to the vessel's operating and maintenance programme. Average annual running costs however, for each of the classes of ship listed for 1991-92, the latest year for which information is available, based on ships' activities over the past six years, are as follows:

Vessel	[1] *£ million*
(a) Invincible class carrier	26·0
(b) Type 42 destroyer	16·5
(c) Type 21 frigate	10·0
(d) Type 22 frigate (batch 1)	12·5
(e) Type 22 frigate (batch 2 and batch 3)	17·0
(f) Type 23 frigate	[2]—
(g) 'S' Class submarine	19·5
(h) 'T' Class submarine	10·5
(i) Upholder class submarine	2·0
(j) Hunt class MCMV	2·5
(k) Sandown class MCMV	[2]—

[1] Figures rounded to the nearest half million.
[2] Not available.

Royal Logistics Corps

Mr. Trotter: To ask the Secretary of State for Defence how many men and women were transferred to the new Royal Logistics Corps on its formation from each of the other corps involved in the amalgamation.

Mr. Archie Hamilton: With the formation of the Royal Logistics Corps on 5 April 1993, a total of 20,642 military personnel were transferred to the new corps from the corps involved in the amalgamation. The total figure can be broken down as follows:

	Officers		*Other ranks*	
	Men	*Women*	*Men*	*Women*
Royal Corps of Transport	880	42	7,362	661
Royal Army Ordnance Corps	935	39	4,204	360
Royal Pioneer Corps	100	(nil)	1,151	(nil)
Army Catering Corps	151	11	3,577	458
Postal and Courier Service of the Corps of Royal Engineers	56	2	469	184
Sub-total	2,122	94	16,763	1,663

Long-term Costings

Dr. Reid: To ask the Secretary of State for Defence if he has approved his Department's long-term costings for the financial year 1993-94.

Mr. Archie Hamilton: My Department's spending plans for the financial year 1993-94 were published in the class I supply estimates (HC495-I), presented to Parliament on 9 March 1993. Further details will be contained in the 1993 "Statement on the Defence Estimates".

Telecommunications Aerials

Mr. Ainger: To ask the Secretary of State for Defence what applications he has received from private telecommunications companies to erect aerials on Templeton airfield, Pembrokeshire; and if he will make a statement.

Mr. Aitken: There have been no applications from private telecommunications companies to erect aerials on Templeton airfield.

Mr. Ainger: To ask the Secretary of State for Defence how many telecommunications aerials have been erected on MOD property by private telecommunications companies primarily for their own use.

Mr. Aitken: The information is not held centrally and cannot be obtained without disproportionate cost.

Mr. Ainger: To ask the Secretary of State for Defence what planning procedures are required of private telecommunications companies wishing to erect aerials on MOD property.

Mr. Aitken: A planning application should proceed in accordance with the Town and Country Planning Act 1990.

Defence Operational Analysis Centre

Mr. Hague: To ask the Secretary of State for Defence what key targets have been set for the chief executive of the Defence Operational Analysis Centre in 1993-94.

Mr. Aitken: The chief executive of the Defence Operational Analysis Centre at West Byfleet is responsible for providing the Ministry of Defence with advice on formulation of defence policy, military operational capability and future equipment requirements, this advice being derived from operational analysis studies and field trials. He has been set the following challenging key performance targets for 1993-94:

Service to Customers

(a) To complete 85 per cent. of the planned studies for customers within agreed timescales, and to seek progressive improvements in future years.

(b) To complete 80 per cent. of the planned studies for customers within planned cost, and to seek progressive improvements in future years.

(c) To complete 75 per cent. of studies within agreed time and cost.

(d) To subject 100 per cent. of new major studies to a formal quality process, which will require peer review and measures of customer satisfaction, and to evalute a "total quality target" for studies for implementation in future years.

(e) To respond to 85 per cent. of request from customers for unplanned urgent advice within timescales negotiated at the outset, and to seek progressive improvements in future years.

Managment Systems

(f) To implement a full cost accounting system and publish auditable accruals based accounts.

Efficiency

(g) In 1993-94 and 1994-95, to increase overall efficiency by 2 per cent. and 3 per cent. respectively. A programme of market testing declared in the 1993-94 business plan is included.

AGRICULTURE, FISHERIES AND FOOD

Bovine Spongiform Encephalopathy

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the number of brains of calves aged under six months which are entering the food chain; and what steps are taken to ensure that these animals have not been fed contaminated offal.

Mr. Soames: The feeding of ruminant derived protein to all cattle and other ruminants has been banned since July 1988.

There is no scientific justification for banning the use of brains from calves under six months of age because of BSE; this judgment has been supported by the spongiform encephalopathy advisory committee and by international bodies such as the European Commission and the Office International Dee Epizooties. Nevertheless, under the meat products and spreadable fish products regulations 1984, brain may not be used in uncooked meat products nor may it be counted as meat in cooked products. Its use in practice, therefore, is thought to be minimal.

ADAS

Mr. Marland: To ask the Minister of Agriculture, Fisheries and Food what performance targets he has set for the ADAS in 1993-94; and if he will make a statement.

Mr. Gummer: My right hon. Friend the Secretary of State for Wales and I have decided that the financial and efficiency targets for ADAS for 1993-94 will be:

Recovery of its full economic costs, through charges to its customers, including the Departments (MAFF and the Welsh Office). In the case of certain charged advisory services, ADAS will recover 52 per cent. of its costs from charges to the ultimate beneficiaries and the remainder will be met by the Departments. In other cases ADAS will recover the full costs from the customer;

An overall efficiency improvement of at least 2 per cent. measured by the average cost in real terms per direct hour charged to contracts;

A reduction of at least 3 per cent. in the average time taken to collect debts due to ADAS from non-Departmental customers;

The targets for the delivery and quality of service by ADAS will be:

90 per cent. of research and development project milestones to be met;

Achieving improvements in customer satisfaction, as evidenced in ADAS surveys.

Wool Guarantee

Mr. Clifton-Brown: To ask the Minister of Agriculture, Fisheries and Food what plans he has for the operation of the wool guarantee in the 1993 clip year; and if he will make a statement.

Mr. Gummer: Clause 48 of the Agriculture Bill will terminate the wool guarantee—by removing "wool" from the schedule to the Agriculture Act 1957 which lists those products which qualify for a guarantee—with effect from enactment of that Bill. The Government have, however, consistently made clear their intention that the guarantee should end on 30 April 1993—the last day of the 1992 wool clip year. To ensure that this timetable is met, Agriculture Ministers have today laid an affirmative resolution order in both Houses of Parliament to revoke the British Wool (Guaranteed Prices) Order 1955, SI 1955/487 as amended by SI 1976/602. This order has been the subject of consultation with producers' representatives.

The order removes the requirement on Ministers annually to fix a guaranteed price for wool. By avoiding the substantial disruption which could have occurred had Ministers been required to fix a guarantee for the interim period between 1 May and subsequent enactment of the Bill, this action will ensure greater order and certainty both for producers and the industry. Retention of the guarantee for merely part of a clip year would not have been consistent with the objective of the mechanism, which was to stabilise the return from wool over time rather than to provide short-term producer support.

The order does not override the need for primary legislation to amend the Agriculture Act 1957 to terminate the operation of the guarantee definitively. This remains the function of clause 48 of the Agriculture Bill.

The Government's commitment to sheep producers and the wool industry remains firm. I am convinced that, having achieved financial responsibility for its own affairs, the industry will respond positively to this new situation and will take advantage of the opportunities which it will provide.

Grants and Subsidies

Mr. Martlew: To ask the Minister of Agriculture, Fisheries and Food what sums were paid out by each of his divisional offices for each *(a)* agricultural subsidy scheme and *(b)* grant scheme available to farmers in 1992; how many agreements were entered into for each grant scheme; and if he will make a statement.

Mr. Curry *[pursuant to his reply 8 March 1993, columns 466-67]:* The available information requested is set out in the table, based on the new structure of regional service centres which came into effect on 1 April 1992. The further information requested could only be obtained at disproportionate cost:

Agricultural schemes expenditure by regional service centre in 1992

£ thousands

Scheme	Bristol	Cambridge	Carlisle	Crewe	Exeter	Northallerton	Nottingham	Reading	Worcester
Environmentally sensitive areas	1,186	3,522	—	640	305	1,937	719	1,147	—
5 year set-aside	2,263	5,448	424	781	1,030	1,381	2,286	6,825	2,520
1 year set-aside	211	276	33	19	55	197	95	396	114
Pilot beef and sheep extensification	—	—	44	38	—	214	13	—	25
Farm woodland 1	129	265	48	48	73	143	188	258	216
Farm conservation grant (plan)	38	240	735	242	565	235	285	251	115
Farm conservation grant (non-plan)	3,195	1,071	4,171	3,783	4,163	2,998	2,304	2,278	1,601
Agricultural improvement (plan)	42	20	933	219	322	387	161	22	93
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Oilseed advance payments	2,990	17,326	2,966	1,999	454	11,505	16,078	13,018	5,134
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[1] 1 April to 31 December 1992.

FOREIGN AND COMMONWEALTH AFFAIRS

China

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 26 April, *Official Report*, column *289-90*, on Lord Howe's visit to China, whether he met representatives of *(a)* the Chinese Family Planning Association and *(b)* the Chinese State Family Planning Commission; what questions were raised; and what response was received.

Mr. Goodlad: A wide range of issues including questions related to reducing China's population growth were raised with various organisations during Lord Howe's visit. In the time available it was not practicable to call on the specific bodies to which the hon. Gentleman refers.

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the latest situation concerning human rights in Tibet; and if he will make a statement.

Mr. Goodlad: We are aware through our contacts with Amnesty International and other non-governmental organisations, of reports of human rights abuses in Tibet and elsewhere in China. We deplore such abuses and have made our concerns clear to the Chinese authorities on a number of recent occasions. EC ambassadors in Peking are considering a visit to Tibet in May, in the course of which they can be expected to raise a number of issues of concern.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs whether Her Majesty's Government raised the issue of Chinese coercive population control at the UN Commission on Human Rights earlier this year; and if he will make a statement.

Mr. Goodlad: Although we did not raise this specific issue at the recent session of the UN Commission of Human Rights in Geneva, we and our EC partners did introduce a resolution calling on the Chinese authorities to guarantee full respect for human rights throughout China in keeping with their international obligations under the UN charter. Unfortunately, this was defeated by a narrow majority by a procedural "no-action" motion.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps were taken to raise the issue of Chinese coercive population control at the meeting with Chinese embassy officials in London on 4 March; and if he will make a statement.

Mr. Goodlad: A number of issues of concern, including that of forced abortion, were raised by officials with a member of the Chinese embassy on 4 March. We shall continue to raise such issues with the Chinese authorities at every appropriate opportunity.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 26 April, *Official Report*, column *289-90* on Lord Howe's visit to China, when questions relating to reducing China's population growth were raised with the Chinese authorities during the visit; what response was received; and if he will make a statement.

Mr. Goodlad: This issue was raised by my right hon. noble and learned Friend Lord Howe's delegation with Fu Hao of the Standing Committee of the National People's Congress on 4 December. An explanation of China's family planning policies was given by the Chinese side. When the report of the visit is completed, copies will be laid in the Library of the House.

Angola

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the United Kingdom is taking to influence South African policy with regard to her nationals funding and fighting with UNITA in Angola.

Mr. Lennox-Boyd: We were actively involved in the preparation of UN Security Council Resolution 804 of 29 January 1993 which inter alia urges all member states to take all necessary steps to stop any direct or indirent military or para-military interference from their territories in Angola. There are no restrictions in international law on the supply of finance to UNITA. We have seen no evidence of such funding from South Africa.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken by the British ambassador to the United Nations to ensure that the United Nations mandate in Angola is successfully completed.

Mr. Lennox-Boyd: The mandate of the United Nations Angola verification mission (UNAVEM) was to monitor the pre-election ceasefire in Angola and verify the conduct of the country's first ever democratic elections in September 1992. Since UNITA's rejection of the results of the elections and the subsequent return to civil war in Angola, UNAVEM has, with the support of the Security Council, found itself in the role of mediator between the two sides. Talks between them under United Nations auspices are currently taking place in Abidjan.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps Her Majesty's Government are taking to encourage recognition of the Government of Angola *(a)* by the United States of America and *(b)* by other Governments.

Mr. Lennox-Boyd: Recognition of the Government of Angola is a matter for independent decision by sovereign states, including the United States of America. The question has been discussed during routine bilateral exchanges between the United Kingdom and the United States.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps Her Majesty's Government are taking to ensure that the ban on supplying arms to Angola is being observed, with particular reference to the supply of South African arms to UNITA.

Mr. Lennox-Boyd: Under the Bicesse peace accords of May 1991 the United States and former Soviet Union undertook to end supplies of lethal material to any Angolan party and to encourage other countries to do likewise.

We fully support United Nations Security Council resolution 804 of 29 January 1993 which calls on member states to respect this article of the accords. We accept South African Government assurances that it is not supplying UNITA and will seek to prevent any illegal arms supplies to Angola.

South Africa

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 27 April, for how long the senior police officer is likely to be in South Africa to assist with the investigation into the assassination of Chris Hani; what is the rank of the officer in question; and if he will also be reporting to the United Kingdom authorities on his investigations.

Mr. Lennox-Boyd: Commander George Churchill-Coleman is expected to be in South African for approximately six weeks, but the ultimate duration of his stay will depend on how long the investigation into the murder of Chris Hani lasts. He will report directly to the Attorney-General of the Transvaal.

Turkey

Mr. Jon Owen Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the British Government have made concerning human rights violations against Kurdish people in Turkey.

Mr. Garel-Jones: I refer the hon. Gentleman to the answer I gave to the hon. Member for Halifax (Mrs. Mahon) on 28 April at column *440*.

Sustainable Development

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the work undertaken to date and the achievements of the United Nations inter-agency committee on sustainable development since its establishment.

Mr. Lennox-Boyd: The inter-agency committee on sustainable development held its first meeting in New York from 23 to 25 March. The committee agreed an approach for the allocation and sharing of responsibilities and for improved co-ordination in the implementation of Agenda 21 by the UN system; reviewed subsidiary bodies; discussed the financing needs of the UN system for activities mandated under Agenda 21; assessed new and existing reporting requirements related to Agenda 21 and made recommendations for their streamlining; and discussed the current policy issues in the follow-up to Agenda 21 which would need to be addressed by the administrative committee on co-ordination.

Economic and Social Committee

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs how the United Kingdom is represented on the Economic and Social Committee of the United Nations; and what environmental initiatives have been taken by ECOSOC since 1990.

Mr. Douglas Hogg: The United Kingdom has been a member of the Economic and Social Council of the United Nations (ECOSOC) since 1946. We were re-elected to serve a further four-year term at the 1992 General Assembly.

In February 1993 ECOSOC established the Commission for Sustainable Development which will review progress in implementing the agreements reached at the United Nations conference on environment and development in Rio in June 1992. Since 1990 ECOSOC has passed a number of resolutions on environmental issues which are listed in the following official UN documents:

Report of the Economic and Social Council for the year 1990;

Report of the Economic and Social Council for the year 1991;

Report of the Economic and Social Council (preliminary version A/47/3 of 21 September 1992)

Resolutions and decisions adopted by the Economic and Social Council at its Organisational Session for 1993 E/1993/INF/2.

These can be found in the Library of the House.

Adriatic Ship Diversions

Mr. Home Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish a table showing the countries of registration and ownership, and the nature of the cargo, of the vessels diverted to date by North Atlantic Treaty Organisation and Western European Union ships in the Adriatic.

Mr. Garel-Jones: From 22 November 1992 to 21 April 1993 NATO and Western European Union ships in the Adriatic challenged a total of 9,396 vessels, of which 599 were boarded and 137 diverted for closer inspection. We are investigating with the relevant authorities whether a list of the countries of registration and ownership of the diverted vessels, and of the cargoes carried by them, is available for publication.

Nuclear Non-proliferation

Dr. Reid: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the Government's policy as regards the forthcoming non-proliferation treaty preparatory committee meeting.

Mr. Douglas Hogg: The first preparatory committee will chiefly be concerned with procedural and administrative matters relating to the 1995 non-proliferation treaty extension and review conference. Our policy is to secure the indefinite extension of the treaty in 1995.

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OFFICIAL REPORT

SIXTH SERIES **VOLUME 223**

SESSION 1992–93

19th April, 1993—30th April, 1993

SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc, between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes and cannot therefore, be used in connection with the daily part or weekly Hansard. For these versions use the Fortnightly Index.

Scope and arrangement of the Index

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There are, however, the headings 'Northern Ireland', 'Scotland', and 'Wales' under which one can find not only most Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instrument etc, under subject headings and under the names of those taking part.

Rulings and Statements by Speaker and deputies are brought together under the heading Speaker's rulings and statements.

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The date of each item except Parliamentary Questions is inserted immediately before the reference.

Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates etc* (to include interventions on statements, points of order and so on) or *Questions*.

Abbreviations

Bills 1R = first reading, 2R = second reading, Money res = money resolution, Com = Committee stage, Rep = Report stage, 3R = third reading, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

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